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Introduction to Community Councils

This handbook has been designed to meet the needs of all Community Council Members in Moray and particularly new Members who may be unfamiliar with the work of their Community Councils.

The aim is to provide background information that Community Council Members will need in order to operate effectively within their Community Council, together with a brief summary of the main skills required, the framework of Community Councils in Moray, essential administration information including the Community Council Scheme and Model Constitution and the Community Council Member's Code of Conduct.

What is the Purpose of Community Councils?

The Local Government (Scotland) Act 1973 that originally set up Community Councils states their general purpose as:

"To ascertain, co-ordinate and express to the local authorities for its area and to public authorities, the views of the community which it represents and to take such action in the interests of the community as appears to it to be expedient and practicable.

It would be wrong to think that all Community Councils are alike or that they all do the same thing. The work of Community Councils varies from Council to Council, as does the method of operation. Some Community Councils have demonstrated a great deal of imagination in interpreting their role in the community, carrying out tasks such as:

- Environmental projects;
- Organising local galas;
- Printing and distributing local newsletters;
- Representing Community Councils on other organisations;
- Providing lunch clubs for the elderly;
- Campaigning on local issues;
- Conducting local surveys;
- Organising public meetings on major development proposals or the Local Plan.

However there is other more general legislation to which all Community Councils are bound in their activities and this includes the general duty to promote race equality. Community Councils in carrying out their functions should have due regard to the need to:

- Eliminate unlawful discrimination;
- Promote equality of opportunity;
- Promote good relations between people of different racial groups.

It should not be forgotten, however, that the main purpose of your Council is to represent the views of your community. Action on potholes, road-signs, Christmas lights and such matters can give people a sense of community and of pride in their immediate environment. Even if your Community Council chooses to confine itself to this role alone, it will still be achieving a great deal for the community.

What is the Community Council Scheme?

The basic principles of the way in which a Community Council is administrated, the process of election, profile of membership and eligibility and their boundaries are laid out in the Community Council Scheme which is put in place by the Local Authority and is also known as the Scheme of Establishment of Community Councils.

In the event that a Community Council's Constitution does not cover a particular point, or there is an ambiguity or conflict, the Community Council Scheme will take precedence. In addition the Scheme sets out arrangements between the Local Authority and Community Councils for keeping each other informed about matters of mutual interest.

Moray Council will review the Community Council Scheme from time to time, usually 9-12 months before the end of the term to allow for changes in administrative boundaries or operation as necessary.

What is the Community Council constitution?

The Constitution is very important because it provides the framework of procedures that will govern the work of each Community Council.

All Community Councils have a Constitution that is tailored to them and which sets out such matters as the rules by which the Community Council will operate and by which Office Bearers will be appointed. In so far as possible the Constitutions should reflect the Community Council Scheme and the model Constitution which is included in a later chapter. The model Constitution (section 2) is based on national best practice as promoted by the Scottish Government.

All Community Council Constitutions must be approved by the Moray Council within 3 months of the inaugural meeting of the community council. In reviewing draft Constitutions, however, Moray Council will generally be as flexible as possible in reflecting local needs or circumstances but they must reflect the provisions of the scheme.

It is important that you get a copy of your Community Council's Constitution from your secretary so that you can make yourself familiar with its rules.

Relations with the Local Authority

In addition to the Community Council Scheme the Local Authority has a range of responsibilities in relation to Community Councils within the area:

- it may make contributions towards the expenses of Community Councils;
- it may provide them with accommodation, insurance cover etc., on terms that may or may not require payment;
- it may delegate responsibilities to Community Councils such as improving amenities, maintaining grounds and managing halls.

Community Councils *as the elected body* closest to local people can play a major role in ensuring decision making remains as close to those concerned as practicable.

Moray Council shares with the Community Councils the same aims and objectives in so far as both want to ensure that quality services are provided which meet the needs of local communities and are responsive to local demand.

Community Support Unit

The aim of the Community Support Unit is to support local community based organisations and groups such as Community Councils and to assist with their growth and development.

All staff within the Community Support Unit, which includes the Community Support Manager, Community Support Officers and a Community Council Liaison Officer (CCLLO), are dedicated to building the capacity of local groups and organisations.

All Community Council areas in Moray have a dedicated Community Support Officer working with groups and organisations within your locality. Whilst the CCLLO may be your first point of contact, dedicated support such as governance training for committee Members or assistance with funding for specific local projects may be passed on by the CCLLO to the local Community Support Officer to assist with more in-depth support.

For example:

- Developing action plans and strategies;
- Assist the Community Council to engage with “seldom heard or often easily ignored” residents;
- Assist with raising the profile of the Community Council in the locality;
- Facilitation role between the Community Council and other community groups;
- Assistance with funding applications;
- Local support to Community Council action groups;
- Delivering training needs of Community Council Members.

All Community Councils are encouraged to establish close links with the staff of the Community Support Unit.

Importance of being elected

Community Council Members are elected by the local community. Even if, your ‘seat’ was uncontested and no actual election took place, the Community Council Scheme provides for nomination and election. If properly nominated you are as much elected as would be the case in a contested election.

For this reason, it is important that each Community Council distinguishes between its Voting Members, Non-Voting Members and others allowed to sit in at meetings. As a Member you may attend meetings, speak and (if permitted by the Constitution) vote, as of right. You serve for the term allowed by the Scheme.

As a Member you should represent all the community, not any specific group, although inevitably different Members have particular areas of interest and localities. Such diversity can add to the collective strength of the Community Council.

All Constitutions allow for the co-option of Members. Properly co-opted Members have all the rights permitted by the Constitution.

Public Visibility

All Annual General Meetings (AGM) and regular meetings should be open to the public (the electorate), and members of the public should be encouraged to attend by adequate publicity well before the meeting date, this is covered within the Scheme and Constitution.

Every Community Council should have one or more public notice boards displaying the time and place of meetings, names of all Members and Office Bearers and notices of interest to the public, such as the agenda for the next meeting and where minutes can be accessed if they are not displayed. Special items can be highlighted to attract local interest. The use of a website and/or social media is also appropriate as another way of engaging with the local community.

From time to time, every Community Council has matters that must be discussed in private. These matters should be discussed "in Committee" with only elected and co-opted Members present, although where special expertise is required, others may be invited to attend. Such meetings should be confidential, but a record should be kept which is separate from the normal published minute, although it may be appropriate to record at the next regular meeting the conclusions reached.

The approved minutes of all meetings should be circulated to all Members and copies should be made available to the public at local libraries or in other public places. Minutes should be available to Community Council Members within 30 days of the meeting (*please refer to further sections about minutes (1.3) and press (1.7)*)