

# **South Ayrshire Council**

## **Scheme for Establishment of Community Councils 2026**

<b>CONTENTS</b>	<b>PAGE</b>
Introduction	1
Statutory Purposes	1
Roles and Responsibilities	1
1. Community Council Areas within South Ayrshire	4
2. Membership of Community Councils	4
3. Elections	6
4. Co-option - Filling of vacancies between elections	8
5. Resignations	9
6. Terms of Office of Community Councillors	10
7. Meetings	10
8. Finances	12
9. Other support for Community Councils	14
10. Compliance	14
11. Dissolution of a Community Council	15
12. Complaints	17
13. Equal Opportunities	17
14. Data Protection – GDPR	17
15. Alterations to Constitution	18
16. Activities of a Political Nature	18
17. Good Practice Guidance	18

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## APPENDICES

<b>Appendix 1</b>	Boundary Map and Community Council Membership	Page 19
<b>Appendix 2</b>	Constitution for Community Councils	Page 21
<b>Appendix 3</b>	Code of Conduct for Community Councillors	Page 28
<b>Appendix 4</b>	Standing Orders for Community Councils	Page 33
<b>Appendix 5</b>	Supported Status	Page 37
<b>Appendix 6</b>	General Public Complaints Procedure towards Community Councils	Page 40
<b>Appendix 7</b>	Annual Self-Assessment for Community Councils	Page 47

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## INTRODUCTION

Community Councils were first established in Scotland following the Local Government (Scotland) Act 1973. Thereafter, the Local Government etc. (Scotland) Act, 1994, produced the current system of unitary local authorities and made provision for the continuation of Community Councils. Under the legislation, every local community within an identified Community Council boundary area in Scotland is entitled to Petition their local authority to establish a Community Council.

Community Councils are voluntary bodies which exist within a statutory framework, and which have been granted statutory rights of consultation. They can complement the role of the local authority but do not form any part of local government.

Community Councils may also undertake other functions within the terms of their Constitution. It is the responsibility of a Community Council to satisfy South Ayrshire Council that it has taken positive steps to ascertain the views of the wider community within their area, before making representations on any matter, on behalf of the community, which for the most part is comprised of residents.

It should be remembered that a Community Council can only act collectively. The law does not permit individual Community Councillors any special place to act independently.

## STATUTORY PURPOSES

The general purpose of Community Councils established under the Scheme is set out in Section 51 (2) of the Local Government (Scotland) Act 1973, as follows: -

*"In addition to any other purpose which a Community Council may pursue, the general purpose of a Community Council shall be 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, in relation to matters for which those authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable"*

## ROLE & RESPONSIBILITIES OF COMMUNITY COUNCIL

The general purpose of Community Councils is to act as a voice for their local area.

This will involve them articulating the views and concerns of local people in their area on a wide range of issues of public concern and make representations to their council, other public sector bodies and private agencies on matters within their sphere of interest.

It is essential that these views be demonstrated to be accurately representative of the community. Accordingly, the Community Councils will have in place, recognised consultative mechanisms, to validate their views and devise strategies to secure greater involvement by all sectors of the community. The National Standards for Community Engagement are a helpful resource and are available at <https://www.scdc.org.uk/what/national-standards/>

### Role

- a. Community Councils have a statutory right to be consulted on planning applications. Licensing matters and any other matters may also be jointly agreed between Community Councils, South Ayrshire Council and other public sector and private agencies.

- b. Community Councils are a community participation body under the Community Empowerment Act 2015 and may make requests in relation to the following provisions:
- Part 3 Participation Requests
  - Part 4 Community Right to Buy
  - Part 8 Common Good
  - Part 9 Allotments.
- c. Community Councils may carry out other activities that are in the general interests of the communities they represent, provided these activities fall within the objects of their Constitution and the terms of South Ayrshire Council's Scheme for Establishment of Community Councils.
- d. There should be mutual engagement in the establishment of working relationships with South Ayrshire Council and other agencies.
- e. In carrying out their activities, Community Councils must always adhere to the law and the terms of the law and the terms of South Ayrshire Council's Scheme for Establishment of Community Councils.
- f. Each new Community Council is required to adopt a constitution. A standard template is provided in Appendix 2, together with a standard template for Standing Orders provided in Appendix 4, to encourage and facilitate their proceedings being properly structured and regulated, to ensure that items of business relevant to the community are properly debated and decisions reached in a democratic manner. Community Councils have the power to change the Constitution and Standing Orders subject to approval by South Ayrshire Council.

## **Responsibilities**

Community Councils have a duty under statute to represent the views of their local community. It is vital therefore, that they reflect the broad spectrum of opinion and interests of all sections of the community.

It is essential that these views are shown to be accurately representative of the community i.e. evidenced consultation; agendas and minutes from special meetings; questionnaire responses.

To fulfil their responsibilities as effective and representative, community shall:

- a. Be non- political. Community Councils are non-political organisations and shall not demonstrate any political allegiance in their duties for Communities.
- b. Inform the community of their work through newsletter and online social media platforms, display agendas and minutes of meetings in public places (such as libraries and notice boards).
- c. Provide publicly available contact information such as names, email addresses and website links to enable members of the public to contact them.
- d. Have in place consultative mechanisms to ascertain, co-ordinate and reflect the views of all sectors of the community which it represents. Community Councils should liaise with other community groups within the area and seek to fairly express and consider the diversity of opinions and outlooks of the people within the course of the community council business.

- e. Agendas of meetings and draft minutes shall be made available for members, South Ayrshire Council, and public access within the Community Council area at least 7 working days prior to the meeting date (except in cases deemed to be an emergency meeting being called under the Special Meetings, see 7.13).
- f. Approved minutes of every meeting shall be distributed by the Community Council within 14 days to members, South Ayrshire Council and other interested parties within the area and including any social media platforms and website.
- g. Seek to broaden both representation and expertise by promoting the associate membership of the Community Council of persons (not eligible for election to the Community Council) for specific projects/issues.
- h. Make efforts to encourage young people and other underrepresented groups to attend/participate in Community Council meetings and to ensure equality of opportunity in the way the Community Council carries out its functions.
- i. Maintain proper financial records and present regular financial reports at Community Council meetings.
- j. Inform South Ayrshire Council of any change in membership (resignations, co-option, and associate membership) as soon as practicable and record any such changes in membership at the next ordinary meeting.
- k. Community Councillors have a responsibility to make sure that they are familiar with, and that their actions comply with, the principles set out in the '*Community Councils Code of Conduct*' and this governance document.

## **ROLES AND RESPONSIBILITIES OF SOUTH AYRSHIRE COUNCIL**

### **Role**

Create a Scheme for Establishment of Community Councils in South Ayrshire with the provision of boundary maps.

### **Responsibilities**

- a. Arrange for establishment of Community Councils upon receiving 20 signatures of electors in that area in terms of section 52(7) of the Local Government (Scotland) Act 1973.
- b. Review the Scheme, both periodically and in response to representations made, and where amendments are required to propose, consult, and vote on those amendments in terms of section 53 of the Local Government (Scotland) Act 1973.
- c. To support Community Councils to conform to the requirements of this Scheme and provide structured support to Community Councils and their members.
- d. To arrange elections for Community Councils.
- e. To provide an administrative grant to cover administrative costs as per Scheme 8.7.

- f. To consult with and/or notify Community Councils on planning applications and licensing applications.

**Within the resources available, South Ayrshire Council shall endeavour to:**

- g. Provide a consistent level of support to Community Councils across the local authority area within available resources.
- h. Offer advice and assistance to Community Councils for development and training on such things as the duties and responsibilities of office bearers, the role of Community Councils, the functions of South Ayrshire Council and other relevant topics.

## **1. COMMUNITY COUNCIL AREAS WITHIN SOUTH AYRSHIRE**

South Ayrshire Council has produced a list of named Community Council areas and a map that defines their boundaries. The list of community areas is specified in Appendix 1 of the Scheme. These can be modified with the prior approval of South Ayrshire Council.

Any request to create a new or amend existing Community Council boundaries by (1) the merging of 2 community council areas or (2) changing the boundaries of existing Community Councils must be made in writing to South Ayrshire Council. Such request should demonstrate local support for the proposal, including the agreement of existing Community Council(s).

## **2. MEMBERSHIP OF COMMUNITY COUNCILS**

- 2.1 Minimum core membership is 9 and maximum is 18.
- 2.2 The minimum age to stand for election as a Community Councillor is 16 years of age.
- 2.3 Qualification for membership is by residency within the specific Community Council area.
- 2.4 Community Council candidates for membership must be named on the current electoral register for the Community Council area in which they reside as a local government elector.
- 2.5 For the duration of your term as a Community Councillor, you must continue to meet the criteria.
- 2.6 Any previously eligible elected Community Councillors who move to reside out with the Community Council boundary area shall become ineligible to remain as a member of the Community Council. Under these circumstances, the Community Council shall actively seek to fill the vacancy.
- 2.7 The absolute minimum number of members for a Community Council to remain established is one half of its stated constituted membership. However, South Ayrshire Council should be advised immediately if the Community Council membership falls to half or less of its voting membership.
- 2.8 There shall be provision made for non-voting Associate Membership for purposes, as defined by each Community Council.

- 2.9 No elected member of South Ayrshire Council shall be eligible to be a member of a Community Council. If a member of a Community Council is so elected, they will be deemed to have resigned from the Community Council the day after the result of the Local Government election is declared.
- 2.10 Elected members of the Scottish and United Kingdom Parliaments are entitled to become ex-officio members of Community Councils, with no voting rights.

### **Disqualification of Membership**

- 2.11 Members who cease to reside in the Community Council area will be deemed to have resigned.
- 2.12 If any member of a Community Council fails to attend a Community Council meeting in a 6-month period, with or without submitting apologies, the Community Council shall advise South Ayrshire Council, and terminate their membership. However, at the discretion of individual Community Councils, a period of leave of absence for Community Council members may be granted at any meeting of the Community Council.

### **Additional Membership**

#### **Associate Member**

- 2.13 Associate members may be appointed by a Community Council where there may be a need for individuals with particular skills or knowledge. These individuals do not have voting rights.
- 2.14 Associate members may serve for a fixed period as determined by the Community Council or for the term of office of the Community Council that has appointed them.
- 2.15 Associate members may include representation from other constituted local voluntary organisations, young people, etc.
- 2.16 An associate member does not require to reside within the Community Council area.
- 2.17 A Community Council can appoint any number of associate members and they do not count towards the total number of Community Councillors.
- 2.18 The attendance of any associate member at a meeting of the Community Council will not count towards the quorum for that meeting.

#### **Ex-Officio Members**

- 2.19 Local Authority Councillors, MPs and MSPs whose wards or constituencies fall wholly or partly within the geographical area of the Community Council area shall be deemed ex-officio members of the Community Council.
- 2.20 Ex-officio members shall have no voting rights and will not be entitled to be elected or nominated representatives of a Community Council.
- 2.21 The attendance of any Ex-officio member at a meeting of the Community Council will not count towards the quorum for that meeting.



### **Declaration of Members' Interests**

- 2.22. All elected Community Councillors, Co-opted members and Ex-Officio members shall declare all interests and/or make it known if their interests have been made available elsewhere and whether these are accessible to the Community Council.
- 2.23. All members shall declare in advance any financial or any other interest however minor that they may have in relevant matters coming before the Community Council. The member shall withdraw from the meeting during consideration of this item of business and shall take no part in the discussions or decision thereon. **All declarations are to be formally minuted.**

## **3. ELECTIONS**

### **New Community Councils - Where No Community Council Exists**

- 3.1 The forming of a new Community Council shall be initiated in an approved area on receipt of a Petition bearing the names of not less than 20 residents whose names appear on the Electoral Register, are aged 16 or over and live within the boundaries of the Community Council area. This is in accordance with section 52(7) of the Local Government (Scotland) Act 1973.
- 3.2 South Ayrshire Council shall, within not more than six weeks from the date of receipt of confirmation of a valid petition, organise wider consultation and engagement procedures to initiate the election process.
- 3.3 In the first instance, a steering committee and/or appropriate structure may be formed from amongst the 20 residents and be supported by a relevant officer to familiarise themselves with the Governance for Community Councils.
- 3.4 Each Community Council is required to adopt the Constitution which has been approved by South Ayrshire Council. Following adoption of the Constitution, on behalf of the proposed Community Council, South Ayrshire Council can proceed with the establishment process.

### **Where a Community Council already exists**

- 3.5 Where a Petition is received to start a new Community Council in an area where an existing Community Council operates, the proposal will be referred initially to the existing Community Council for comment before South Ayrshire Council determines whether action should be taken in terms of Section 53 of the Local Government (Scotland) Act 1973.

### **Election Process**

- 3.6 Full Community Council membership elections shall be held every four years with the election process taking place during January to March. South Ayrshire Council shall conduct and administer Community Council elections, including By-Elections, where necessary.
- 3.7 Where the number of valid candidates received and verified is less than or equal to the number of advertised vacancies for the Community Council, then no contested election shall be held.

- 3.8 Where the number of valid candidates nominated to be Community Councillors is greater than the number of advertised vacancies, a period of 7 days will be allowed for anyone who wishes to withdraw and thereafter a contested election shall be organised and held by South Ayrshire Council.
- 3.9 Community Council membership should reflect the various wards within the council area. However, if there are insufficient nominations from a sub-ward during an election, or if representation is lacking, the Service Lead, Thriving Communities of South Ayrshire Council may, at the Community Council's request, remove sub-warding within the affected areas.
- 3.10 Should the number of candidates validly nominated, be below the MINIMUM required membership, no Community Council will be established at that time. However, that does not preclude South Ayrshire Council from issuing a second call for applications for a Community Council area failing to meet the minimum membership requirement within 6 months of the closing date for the registration of the first call for applications.
- 3.11 The Service Lead, Thriving Communities, of South Ayrshire Council, shall act as Returning Officer for elections administered by South Ayrshire Council and shall be responsible for regulating the conduct of these elections. The decision of the Returning Officer on all matters of election and nomination procedures shall be final.

#### **Contested Election Process**

- 3.12 All persons who are resident in the Community Council boundary area; are 16 years of age or over, and whose names appear on South Ayrshire Council's Electoral Register for the same Community Council boundary area shall be entitled to vote for candidates in Community Council elections (alternative measures for identification and residency status of candidates may be undertaken upon request/approval of the individual in certain circumstances).
- 3.13 Elections shall be conducted by secret ballot of local electors, organised by South Ayrshire Council, as determined appropriate by South Ayrshire Council's Service Lead, Thriving Communities. Community Councils shall be elected on a simple majority basis.
- 3.14 Where, after counting the votes (including any re-count), two or more candidates have the same number of votes, the Returning Officer will break the tie by drawing lots. The candidate whose name is drawn will be treated as if they received one extra vote and will be declared elected.
- 3.15 Any ballot papers received after the close of poll will not be counted towards the vote.
- 3.16 Successful candidates should have their names (only) published for transparency within the community for a period of at least 21 days. Election results will be available on South Ayrshire Councils website, social media, and public notices.

#### **Reserve List**

- 3.17 Following a contested election, a reserve list shall be compiled consisting of candidates who were not elected but received votes. The list shall be ordered by the number of votes received, from highest to lowest. Should any 2 candidates receive the same number of votes, then a draw of lots would be used to determine priority on the list.

- 3.18 Only candidates who meet the eligibility criteria for election and, who were not elected due to insufficient votes, shall be included. Candidates must have indicated their willingness to be considered for future vacancies at the time of nomination or election.
- 3.19 In the event of a vacancy arising during the council's term, the Community Council may invite the next eligible candidate on the reserve list to fill the vacancy. If the candidate accepts, they shall be appointed without the need for a by-election or co-option. If the candidate declines or is no longer eligible, the next candidate on the list shall be approached.
- 3.20 The reserve list shall remain valid until the next scheduled election. The list shall be maintained by the Returning Officer. The reserve list shall be published alongside election results and made available on South Ayrshire Councils website, social media, and public notices.
- 3.21 The reserve list is void when it is exhausted or no candidate accepts the invitation, in which case, the vacancy shall be filled in accordance with a Co-option or an interim election as appropriate.

#### **4. CO-OPTION - FILLING OF VACANCIES BETWEEN ELECTIONS**

- 4.1 Vacancies on a Community Council may arise in the following circumstances:
- when an elected Community Council member submits his/her resignation;
  - when an elected Community Council member ceases to be registered on the electoral register within the Community Council area;
  - when a Community Councillor is elected as a Local Councillor, MSP, or MP;
  - due to unreasonable non-attendance by a Community Councillor at scheduled Community Council meetings for a period of six months (Scheme 2.12).
- 4.2 Should a vacancy or vacancies arise on a Community Council between elections, it shall be a requirement that the Community Council in consultation with the Returning Officer shall firstly attempt to fill the vacancy using the Reserve list under Scheme 3.21. Where this fails, filling a vacancy can be undertaken through the co-option process. However, should circumstances arise that lead to the number of elected Community Councillors falling below **HALF** of the maximum permitted membership, the local authority shall be informed and shall undertake arrangements for an interim election to be held.

##### **Co-option to Community Councils**

- 4.3 Where the Reserve list is void, a person may be Co-opted onto a Community Council to fill vacancies that arise. Vacancies will first be advertised publicly, inviting expressions of interest.
- 4.4 Interested individuals will be required to complete a nomination form which will be passed to South Ayrshire Council for the appropriate checks to be carried out. They must also be eligible for membership of the Community Council as detailed in Section 2 of the Scheme to be considered as Co-opted members.
- 4.5 Thereafter the Community Council will consider the application at the next Community Council meeting. If the Community Council agrees by a two-thirds majority of those members present and voting, to invite the person to fill the vacancy the nomination of the person must be proposed, seconded and minuted. A copy of the completed nomination should be submitted to South Ayrshire Council.

- 4.6 If there are more eligible applications than there are vacancies, a draw by lot must take place. The appointed officer, or in his/her absence someone other than a full member of the Community Council, should place all the individual names in an open container and draw out names until the number of vacancies existing have all been filled. Names drawn after the vacancies have been filled will be placed on a reserve list in an order of priority based on the draw.
- 4.7 Interested individuals not co-opted immediately may, subject to their consent, be placed on a co-option reserve list, valid for a period of up to 12 months. Should a vacancy arise during this period, the Community Council may invite the individuals in order of priority on the reserve list to be considered for co-option.
- 4.8 All co-option decisions, including the creation and use of a reserve list, shall be recorded in the minutes of the meeting. Interested individuals on the reserve list must be informed of their status and the duration of the list's validity.
- 4.9 Co-opted Community Councillors:
- a. counts towards the quorum;
  - b. has voting rights, with the exception of voting on co-option of new members;
  - c. may hold office, except for Chair or Treasurer.
- 4.10 The number of co-opted members should not exceed a third of the current elected Community Council Membership. Should the ratio become greater due to any circumstances, South Ayrshire Council shall be informed and may determine arrangements thereafter for a by-election, where appropriate.
- 4.11 After 12 months from the date of their co-option to the Community Council, the co-opted member will become a full member with the same rights and this full member will no longer be counted within the ratio of co-opted members.
- 4.12 Where a Community Council has sub-areas and there is a vacancy in a sub-area, a co-opted member to fill that vacancy must come from the sub-area.
- 4.13 In the event of there being more nominations than the number of vacancies, a draw by lot must take place. The appointed Officer, or in his/her absence, someone other than a full member of the Community Council, should place all the individual names in an open container and draw out names until the number of vacancies existing have all been filled.
- 4.14 Co-optees who fill vacancies should have their names (only) published for transparency within the community for a period of at least 21 days.

## **5. RESIGNATIONS**

- 5.1 Subject to Scheme 5.5, resignations of members must be submitted in writing by hard copy or by email to the Chair, stating the effective date of resignation. The effective date of resignation must not be retrospective.
- 5.2 If the Chair resigns, then they should notify the Vice-Chair and Secretary in the same manner.
- 5.3 Any notification of resignation received should be acknowledged by the recipient within 7 days or at the next scheduled Community Council meeting-whichever occurs first.
- 5.4 A copy of the resignation should be forwarded to South Ayrshire Senior Communities Officer to allow records to be updated.

- 5.5 If a resignation is made during a Community Council meeting and no written resignation is then submitted, if the resignation has been witnessed by the remainder of the members present at the meeting, then once formally minuted, the resignation will stand.

## **6. TERMS OF OFFICE OF COMMUNITY COUNCILLORS**

- 6.1 Each Community Council shall hold 'Full' elections whereby all Community Councillors demit office and stand for re-election across their boundary area every 4 years in January-March.
- 6.2 Community Councillors elected during 'Full' elections are eligible to hold their position for the 4-year period until the next 'Full' election if they continue to conform to the requirements of this Scheme.
- 6.3 Community Councillors appointed as office bearers shall hold office for a period of 1 year and, at the AGM all office bearers shall stand down and they shall be eligible for re-election to hold office.
- 6.4 An individual may only hold one role within a Community Council at any given time either as a Community Councillor, a Co-opted member an Ex-Officio member or an Associated Member. Upon accepting a new role, the individual must resign from any previously held membership.
- 6.5 Community Councillors must continue to meet all eligibility criteria throughout their term of office.

## **7. MEETINGS**

- 7.1 All meetings of the Community Council are open to members of the public. However, the Community Council shall retain the right to discuss items of business in private where it considers it appropriate to do so.
- 7.2 Notices for Community Council meetings will be published at least 7 working days before the meeting and will include the date, time, and location. Agendas and draft minutes will also be made available to members and the public within the Community Council area during this time.
- 7.3 The first meeting of each Community Council following, the four yearly Full Election, shall be convened by a representative of South Ayrshire Council (usually the Link Officer) or an Elected Member within 30 days from 1st April. The business of that meeting will include adoption of a Constitution and Standing Orders, appointment of office bearers and any outstanding business matters from the outgoing Community Council.
- 7.4 In addition to ordinary meetings of the Community Council; an Annual General Meeting (AGM) shall be held in April/May of each year. Including the Annual General Meeting (AGM), the Community Council shall meet no less than 7 times throughout the year.
- 7.5 Minutes of the meeting and details of any decisions taken must be recorded, in writing, in the usual way and approved version made publicly available. Full and approved copies of minutes and associated papers should be forwarded electronically to South Ayrshire Council within 14 days from the date of the meeting which approved them as a true record.

Video or audio recording of meetings can only take place with the clear consent of all present, such consent to be recorded in the written minutes.

- 7.6 In instances of private discussions being held in whole or in part within a Community Council meeting, Community Councils must take recognition of the limitations within the GDPR regulations and acknowledge that an approved redacted minute may be made accessible to the public if appropriate; South Ayrshire Council reserves the right of access to a full and redacted copy of all minutes; of all present, such consent to be recorded in the written minutes.

### **Hybrid Meetings**

- 7.7 Community Councils may decide to take an in-person, online or hybrid approach to their meetings, and the platform to be used for any meeting is for the Community Council to decide.
- 7.8 Virtual or hybrid meetings should include members of the public where this can be accommodated.
- 7.9 Whether or not they are able to attend, proper provision must be made to afford members of the public the opportunity to address the Community Council.
- 7.10 An Agenda for the meeting shall be published in the usual way and all members of the Community Council and members of the public invited, in advance, to submit comments on any Agenda item to the Community Council's generic email address or by other appropriate means; such views to be considered by the members dealing with the items of business. Comments may also be submitted during the meeting itself, but the ability to receive comments in advance will assist the Community Council in managing a remote meeting.
- 7.11 Minutes of the meeting and details of any decisions taken must be recorded, in writing, in the usual way and the approved version made publicly available. Video or audio recording of meetings can only take place with the clear consent of all present, such consent to be recorded in the written minutes.

### **Quorum at Meetings**

- 7.12 The quorum for Community Council meetings shall be one third of the current voting membership of a Community Council (rounded up to next whole number), or 3 voting members, whichever is the greater.

### **Special Meetings**

- 7.13 A Special Meeting, no more than 4 per annum, may be called by a simple majority of the total voting membership present and eligible to vote. See guidance for examples.

### **Sub-Committees**

- 7.14 The Community Council may from time to time form sub-committees of at least two Community Councillors to consider specific matters.

- 7.15 The details of the remit and delegated powers of any committee should be agreed by a simple majority of Community Councillors and recorded in the Community Council minutes as soon as is practicable.

## **8. FINANCES**

- 8.1 The financial year of each Community Council shall be provided for in the Constitution of each Community Council and shall be from 1<sup>st</sup> April to 31<sup>st</sup> March in each succeeding year to allow for the proper submission of an independently examined statement of accounts to the Community Council's annual general meeting on a specified date in April or May,
- 8.2 The administrative grant annual accounts of each Community Council shall be independently examined by at least one examiner appointed by the Community Council, who is not a member of the Community Council.
- 8.3 The Independent Examiner of the Community Council's accounts shall not be a relative of a member either by birth or marriage, nor in a relationship with or live in the same address.
- 8.4 Community Councillors who are bank account signatories may not be directly related by birth, marriage, civil contract, or co-habitation etc.

### **Annual Account of Administration Allowance**

- 8.5 South Ayrshire Council will make an initial allowance for administration, to each Community Council within its area, based on the electorate of each Community Council on the following basis. The initial allowance will be awarded at Inauguration and each Community Council will receive a top up allowance thereafter – which will be based on **approved** expenditure for the previous year.

<b>Electorate</b>	<b>Initial Allowance</b>
up to 2,000	£600
between 2,001 and 3,500	£650
greater than 3,501	£800

- 8.6 Administration allowances shall be for Community Council administration only and/or promotion purposes only and shall not be expended on any other purpose. All decisions in relation to the expenditure of the administration allowance should be minuted.
- 8.7 The administration allowance is available to cover the cost in administering Community Council business which includes:
- Advertising/general publicity and promotional activities
  - Accommodation/lots
  - Auditors fees
  - Consultation with the community
  - Data protection registration (ICO)
  - IT software/hardware/website construction and maintenance
  - Photocopying/printing
  - Stationery

- Postage
- Production and circulation of minutes, agenda and annual reports
- Subscriptions
- Telephone costs/ISP costs/ Internet Service Provider
- Travel costs
- Expenses for attending ceremonies
- Subsistence
- Purchase of a Wreath
- Donations to Groups (max £150)
- Honorarium

8.8 Payment of the allowance will be made in accordance with a procedure determined by South Ayrshire Council. The following needs be submitted:

- a. Grant Application Form;
- b. up to date Bank Statement;
- c. copy of ICO Certificate;
- d. copy of Zurich Insurance Certificate;
- e. must have carried out a minimum of 6 Quorate meetings and have supplied to South Ayrshire Council minutes for all meetings held;
- f. a copy of the Community Council's Independently audited accounts;
- g. completed and returned the self-evaluation (RAG Analysis).

8.9 Each Community Council shall appoint a competent Independent Examiner annually (at the AGM) to examine the Community Council's accounts who may charge a reasonable fee for their services.

8.10 The accounts are required to be forwarded immediately, following their approval at the Community Council's Annual General Meeting in April/May, of each year.

8.11 South Ayrshire Council may, at its discretion and in consultation with the South Ayrshire Council's Chief Internal Auditor, in circumstances of unclear and/or substantial financial transactions, require the Community Council to produce records such as vouchers; receipts; account books for example to undertake a full audit of the accounts.

8.12 Community Councillors should be eligible to receive from their Community Council travel and reasonable out of pocket expenses which have previously been agreed by the collective membership.

#### **Other Grants and Assets**

8.13 Community Councils who identify projects or other purposes consistent with its functions are free to apply for grants from external funding bodies and other South Ayrshire Council Departments (when funds are available). Any payments from South Ayrshire Council Departments will be made in accordance with the procedure determined by the Council.

8.14 An inventory should be kept of all assets owned by the Community Council.



## **9. OTHER SUPPORT FOR COMMUNITY COUNCILS**

- 9.1 South Ayrshire Council will provide each Community Council with a maximum of 13 “lets of premises” per year for the purpose of conducting their meetings. These “lets” will be provided in South Ayrshire Council properties wherever practicable, within the boundary of the Community Council area. Where South Ayrshire Council does not own suitable properties in a Community Council area, reasonable expenses for the hiring of a hall or other meeting place will be re-imbursed to Community Councils by South Ayrshire Council.

### **Training**

- 9.2 South Ayrshire Council will endeavour to provide further assistance through online training, Link Officer support, conferences, and online information to enhance personal development.

### **Insurance**

- 9.3 Insurance is required for a Community Council to be operational. All Community Councils should arrange their own insurance through the South Ayrshire Council approved provider. Community Councils must renew their policy and send proof of payment to South Ayrshire Council for reimbursement of the base expense. It is the responsibility of each Community Council to ensure that their contact details are up to date with the Insurance provider.
- 9.4 It is also the Community Councils responsibility to inform the Insurance provider of any activity that may be out with the regular scope of the policy. Costs above this which relate to additional activities should be met by the individual Community Council.
- 9.5 Where Community Councils own property or equipment, it is advisable that Community Councils have their own appropriate insurance cover.

### **Community Councils Registration with Information Commissioners Office (ICO)**

- 9.6 Under the Data Protection (Charges and Information) Regulations 2018, individuals and organisation that process personal data need to pay a fee to the ICO. Every year each of our Community Councils must register and pay a fee to the ICO which can be claimed back through the Administration Allowance.

## **10. COMPLIANCE**

### **Supported Status**

- 10.1 Where the number of Community Council members falls below the minimum number of members for a Community Council to remain established, as determined by Scheme Clause 2.7, the Senior Communities Officer, Thriving Communities will initiate the process for the Community Council to go into supported status provided they consult with the Community Council. The Service Lead, Thriving Communities, will determine whether supported status will be implemented.
- 10.2 In any other circumstances, the Senior Communities Officer, after reasonable consideration, and after consultation with the Team Leader, Thriving Communities, may determine that the Community Council is not complying with the requirements of the Scheme and will initiate the process for the Community Council to go into supported status. The Service Lead will determine whether supported status will be implemented.

- 10.3 When in supported status, the Community Council will become a steering group whose main task will be to consider matters and act as is necessary to ensure that the Community Council will, in the future, be able to comply with the requirements of the Scheme and continue with any live projects with support from the Senior Communities Officer.
- 10.4 Appropriate support costs, e.g. meeting venues, may be eligible for consideration of financial assistance from South Ayrshire Council.
- 10.5 In order for a Community Council to be in supported status, the Service Lead will give written notification of supported status to the Community Council stating the reasons and that the Community Council would be in supported status from the date of the written notification for a period of up to six months.
- 10.6 An initial decision on supported status can be appealed in writing to the Chief Governance Officer of South Ayrshire Council within 14 days of the decision being notified to the Community Council (the initial notification and any appeal should be in writing, in the form of a dated formal email and/or letter).
- 10.7 Any decision taken on an appeal by the Chief Governance Officer should be made available within 28 days of the dated receipt of said appeal. An appeal which is upheld can conclude with the Community Council's previous status being re-instated.
- 10.8 Following an appeal not upheld, or not submitted within the 14-day timeline of an initial decision, the Community Council will revert to the status of a steering group.
- 10.9 Upon the steering group satisfying the Service Lead that the Community Council would be able to comply with the requirements of the Scheme, then the reinstatement to full Community Council status will be granted in writing from the Service Lead.
- 10.10 If the steering group are demonstrating insufficient progress towards satisfying the Service Lead that the Community Council will be able to comply with the requirements of the Scheme, then the period of supported status can be extended by an additional three months to enable further progress to satisfy the Service Lead that reinstatement to full Community Council status could be achieved.
- 10.11 If the steering group is unable to satisfy the Service Lead that the Community Council will be able to comply with the requirements of the Scheme within the nine-month period, the Service Lead may determine dissolution of the Community Council.

**See Appendix 5 for full details on Supported Status**

## **11. DISSOLUTION OF A COMMUNITY COUNCIL**

- 11.1 Representations and/or decisions concerning dissolution of a Community Council should be considered as a last resort. In accordance with the Scheme, reasonable efforts should be taken to engage every Community Council member in identifying and considering alternatives to dissolution.
- 11.2 Dissolution of a Community Council (except for voluntary dissolution as detailed below) can take place following supported status made in terms of Scheme Clause 10.11 above. Where, after a reasonable time, a Community Council remains unable to conform with the Scheme,

a recommendation may be made by the Assistant Director Communities and Transformation to the Council of South Ayrshire Council to dissolve the Community Council.

- 11.3 Prior to such a recommendation being made to the Council of South Ayrshire Council, the Community Council will be advised in writing and given 14 days from the date of the notification to make written representation to the Chief Governance Officer of South Ayrshire Council, as to why such a recommendation should not be made.
- 11.4 Where no such representation is received within 14 days, or where having considered such representation, the Chief Governance Officer confirms said recommendation, a report recommending dissolution of the Community Council shall be submitted to the Council of South Ayrshire Council in line with Scheme 11.2.
- 11.5 The Council of South Ayrshire Council shall consider the above report and may decide to either follow the recommendation and dissolve the Community Council or it may decide to re-instate the Community Council. In event of either decision, the Community Council will be deemed to have been dissolved or re-instated with immediate effect
- 11.6 The dissolution will be intimated by South Ayrshire Council, by giving appropriate public notice, including on the South Ayrshire Council Community Council web page.
- 11.7 Where South Ayrshire Council has reasonable grounds to believe that a Community Council has been 'abandoned', and is no longer functioning, then the Service Lead will notify the Assistant Director of Communities and Transformation. Depending on the circumstances the Assistant Director may report the matter to the Council of South Ayrshire Council and issue appropriate public notice.
- 11.8 Where, for any reason, the number of Community Council members falls below the minimum number of members for a Community Council to remain established, South Ayrshire Council Service Lead will put the Community Council into supported status and may recommend to the Assistant Director of Communities and Transformation the subsequent dissolution of the Community Council.
- 11.9 In the event of the dissolution of a Community Council, all assets shall transfer to South Ayrshire Council, which shall hold these for a period of one year to ascertain whether a future Community Council becomes established in that area. Following this period, all assets will be subsumed into South Ayrshire Council.

#### **Voluntary Dissolution by Resolution of the Community Council**

- 11.10 If the Community Council, by a two-thirds majority of the present and voting membership and present at the meeting, decides that it necessary or advisable to dissolve the Community Council, it shall agree a date for a Special Meeting to discuss the proposal to dissolve.
- 11.11 It is a requirement that at least 7 days' notice is given prior to the date of such a Special Meeting. With public notices located in appropriate local venues and/or websites or other social media.
- 11.12 If the proposal is supported by a two thirds majority of those voting members present at the Special Meeting, the Community Council shall be deemed to be dissolved with immediate effect, and the decision is subsequently notified to South Ayrshire Council within 7 days.

- 11.13 In the event of the dissolution or voluntary dissolution of a Community Council, all assets shall transfer to South Ayrshire Council, which shall hold these for a period of one year to ascertain whether a future Community Council becomes established in that area. Following this period, all assets will be subsumed into South Ayrshire Council.
- 11.14 In the event of the dissolution of a Community Council, within 10 working days (or such time agreed by the Senior Communities Officer), the former office bearers of the Community Council must:
- Deliver all papers, minute books and digital information to the Senior Communities Officer;
  - Transfer all funds to the Council either by cheque (where no online banking is used) or electronically (Council bank details will be provided);
  - Close the bank account(s); and
  - Close any Community Council social media accounts.
- 11.15 After dissolution of the Community Council, the former members must not engage in or use any media or social media purporting to be representative of the Community Council.
- 11.16 In the event of a Community Council being dissolved, a new Community Council can be established after 6 months and in line with the process.

## **12. COMPLAINTS**

Complaints about Community Councils and Community Councillors must relate to alleged breach of this Scheme and the Code of Conduct for Community Councillors. Such complaints must be dealt with in accordance with Appendix 6 on Community Council Complaint Procedure.

**See Appendix 6 for full details on Community Council Complaints**

## **13. EQUAL OPPORTUNITIES**

- 13.1 Recognition should be given to the contribution of everyone participating in the work of the Community Council.
- 13.2 South Ayrshire Council further acknowledges that Community Councillors are volunteers who give up their own time to undertake the work of Community Councils.
- 13.3 Community Councils must comply with the Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill, and experience considered.

## **14. DATA PROTECTION – GDPR**

- 14.1 South Ayrshire Council handle your information following the GDPR guidelines. A copy of the South Ayrshire Council privacy notice for Community Councils and an example privacy notice for Community Councils to adopt can be provided.
- 14.2 Community Councils should familiarise themselves with GDPR regulations to ensure that they comply with regulations when handling information regarding members etc.

## **Information Commissioner Office (ICO)**

- 14.3 Under the Data Protection (Charges and Information) Regulations 2018, individuals and organisation that process personal data need to pay a fee to the ICO. Every year each of our Community Councils must register and pay a fee to the ICO which can be claimed back through the Administration Allowance.

## **15. ALTERATIONS TO THE CONSTITUTION**

- 15.1 Any proposal by the Community Council to amend its Constitution must be first considered and minuted at a meeting of the Community Council before representation is made to South Ayrshire Council.
- 15.2 Any proposal to alter its Constitution must be delivered in writing to the Secretary of the Community Council not less than twenty-eight days prior to the date of the meeting at which it is first to be considered. The terms of the proposed resolution to alter the Constitution shall be highlighted and stated on the notice calling the meeting.
- 15.3 If the resolution is supported by two-thirds of the elected membership of the Community Council and is approved (ratified), in writing, by South Ayrshire Council or its appointed officer, the alteration shall be deemed to have been duly authorised.
- 15.4 All proposed or actual alterations will require to conform to the Scheme.
- 15.5 The authorised amendment to the Constitution shall be stated on the 7-day notice calling the next meeting.

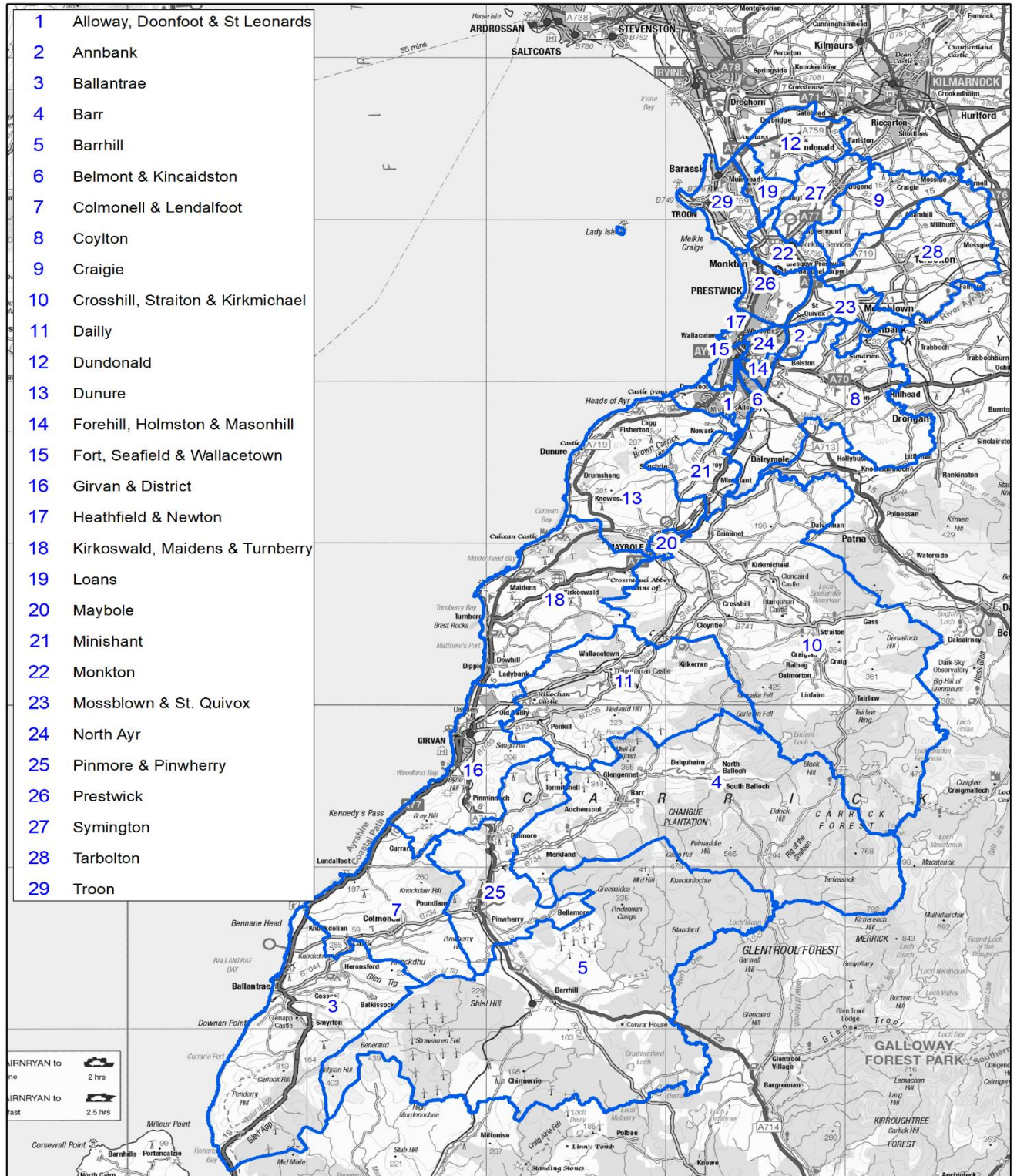
## **16. ACTIVITIES OF POLITICAL NATURE**

- 16.1 Community Councils must always act in a politically neutral way. They must not engage in any activity that could be construed as supporting a particular political party or candidate. Community Council facilities and resources must not be used in support of a political party or candidate.
- 16.2 When acting in their role as Community Councillors, Community Council members must ensure that they do not engage in activities that may be considered to be of a party-political nature, at any time.
- 16.3 When acting in a private capacity, Community Councillors are free to undertake political activities. However, to ensure there is no risk of ambiguity and confusion on the part of the general public, Community Council members, who are also prospective political candidates, may wish to consider requesting a leave of absence from the Community Council.

## **17. GOOD PRACTICE GUIDANCE**

- 17.1 This Scheme can be read in conjunction with the Good Practice Guidance for Community Councils which provides additional information to assist Community Councils with interpretation of the Scheme. The Guidance document is subject to ongoing internal review by the Council.

## APPENDIX 1



### Community Councils



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**This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire**



## APPENDIX 2



# South Ayrshire Council

## Constitution for Community Councils

*[Name of individual Community Council]*

This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire

## **1. Name**

The name of the Community Council shall be [insert name] Community Council, which will subsequently be referred to as “the Community Council” in this Constitution.

## **2. Area of the Community Council**

The area of the COMMUNITY COUNCIL shall be as shown on the map attached to the local authority’s Scheme for Establishment of Community Councils.

## **3. Objectives**

The objectives of the Community Council shall be to:

- (a) to ascertain, co-ordinate and reflect the views of the community which it represents, to liaise with other community groups within the area, and to fairly express the diversity of opinions and outlooks of the people;
- (b) to express the views of the community to the local authority for the area to public authorities and other organisations;
- (c) to take such action in the interests of the community as appears to it to be desirable and practicable;
- (d) to promote the well-being of the community and to foster community spirit;
- (e) to be a means whereby the people of the area shall be able to voice their opinions on any matter affecting their lives, their welfare, their environment, its development and amenity.

## **4. Role and Responsibilities**

In the discharge of their functions and the conduct of their business, the Community Council and its membership shall have regard to their role and responsibilities as set out in the Scheme for Establishment of Community Councils, approved by the local authority and the Community Councillors’ Code of Conduct.

## **5. Membership**

The COMMUNITY COUNCIL’S membership is as governed by Clause 2 of the Scheme for Establishment of Community Councils and as determined from time to time by the local authority.

## **6. Equality and Diversity**

It shall be the duty of every Community Council to ensure that its general responsibilities and activities are carried out fully in accordance with current Equalities legislation.

## **7. GDPR 2018**

It is the duty of every Community Council to comply with the General Data Protection Act (GDPR) 2018.



## 8. Method of Election

Election procedures are governed by Clause 3 of the Scheme for Establishment of Community Councils.

## 9. Vacancies on the Community Council

- (a) Where a vacancy arises, the Community Councillors can agree to fill the vacancy in accordance with Scheme Clause 4 relating to Co-option. South Ayrshire Council requires to be notified if the membership falls below half.
- (b) The ratification of appointments of Co-opted members to fill the vacancy/vacancies rests wholly with the existing constituted membership, although the validation of nomination forms rests with South Ayrshire Council.

## 10. Associate Members

An associate member does not require to reside within the Community Council area and may serve for a fixed period as determined by the Community Council or for the term of office of the Community Council that has appointed them.

## 11. Voting Rights of Members of the Community Council

- (a) The right to vote at any meeting of the Community Council or any committee thereof shall be held by all Community Councillors whether elected or co-opted, but not by Ex-Officio members or Associate members.
- (b) Although all Community Councillors hold the right to vote; a recommended approach to decision-making is working together to support Community Council's to make decisions based upon reaching a consensus.
- (c) Notwithstanding, and with the exception of instances relating to clauses of this Constitution, all decisions of the Community Council, which may require a vote, will be decided by a simple majority of those present and eligible to vote. **There is no provision for proxy votes.**
- (d) In the event of a vote of the Community Councillors that results in a majority not being achieved, the Chair shall have a casting vote.

## 12. Election of Office-Bearers

- (a) In April/May of each year, as part of the Annual General Meeting, the Community Council shall elect a Chair, Secretary and Treasurer and other such office-bearers as it may decide necessary e.g. Vice-chair, Minute Secretary, as well as a Planning and Licencing contact.
- (b) All office-bearers shall be elected for one year, but shall be eligible for re-election, without limitation of time.
- (c) Every effort should be made to appoint one person to each position; however, it is permissible for one person to hold more than one office if necessary (e.g Secretary/Treasurer).

### **13. Sub-Groups of the Community Council**

The Community Council may appoint Community Councillors to sub-groups of the Community Council and shall determine their composition, terms of reference, duration, duties, and powers.

### **14. Meetings of the Community Council**

- (a) The Community Council shall abide by the Scheme, Code of Conduct and Standing Orders to ensure the proper conduct of its meetings.
- (b) The quorum for Community Council meetings shall be at least one third of the current eligible voting membership, or 3 eligible voting members, whichever is the greater.
- (c) In April/May of each year the Community Council shall convene an Annual General Meeting (AGM) for the purpose of receiving and considering the Chair's annual report on the Community Council, the submission and approval of the independently examined annual statement of accounts and the appointment of office bearers.
- (d) Including the Annual General Meeting (AGM), the Community Council shall meet no less than 7 times throughout the year.
- (e) Dates, times, and venues of regular meetings of the Community Council should be identified at the first meeting of the Community Council following the Annual General Meeting (AGM) and/or elections. Meeting arrangements can be subject to review by the Community Council periodically thereafter but no later than at the following year's AGM.
- (f) South Ayrshire Council has the discretion to call a meeting of the Community Council at any time.
- (g) Copies of all minutes of meetings of the Community Council and of sub-groups thereof shall be approved at the next meeting of the Community Council.
- (h) A draft minute shall be circulated at least 7 days prior to its next meeting, to Community Council members, other appropriate parties, and South Ayrshire Council Senior Communities Officer for Community Councils.
- (i) An approved minute will be forwarded to South Ayrshire Council within 14 days of the date of the meeting.
- (i) The Community Council has a duty to be responsive to the community it represents. Should the Community Council receive a written request (petition), signed by at least 20 persons resident within the Community Council area to convene a special meeting for a particular matter or matters to be debated, it shall call such a meeting within 14 days of receipt of such a request and advertise it in the manner prescribed locally for special meetings called by the Community Council.
- (j) Special Meetings shall require at least 7 days public notice and the wording of the motion calling the meeting should be set out on the agenda.
- (k) All meetings of the Community Council are open to members of the public. However, the Community Council shall retain the right to discuss items of business in private where it considers it appropriate to do so e.g. internal Governance matters, complaints, etc.

## **15. Public participation in the work of the Community Council**

- (a) All meetings of the Community Council and its committees shall be open to members of the public. Proper provision is to be made for the accommodation of members of the public and the opportunity should be afforded at each meeting to permit members of the public to address the Community Council under the guidance of the Chair.
- (b) Notices calling meetings of the Community Council and its committees shall be posted prominently within the Community Council area for a minimum period of 7 days before the date of any such meeting, and, where possible, be advertised by other suitable means including Community Council or local authority websites and social media channels where available.

## **16. Information to South Ayrshire Council**

- (a) South Ayrshire Council shall be sent minutes of all meetings; the annual chair's report; the Independently Examined Statement of Accounts and any other information, as may reasonably be required by South Ayrshire Council.
- (b) When Special Meetings of the Community Council are to be held, South Ayrshire Council should be advised of the date, time, venue, and subject(s) of debate at such meetings 7 days in advance of the meeting date.
- (c) In relation to the Special Meeting at 15(b) above; South Ayrshire Council may appoint an officer to act as the principal point of contact for matters relating to the Community Council if required.

## **17. Control of Finance**

- (a) The Treasurer shall keep proper accounts of the finances of the Community Council.
- (b) All monies raised by or on behalf of the Community Council or provided by the local authority and other sources shall be applied to further the objectives of the Community Council and for no other purpose. The monies provided by the local authority in the annual Administrative Grant for administrative and other approved purposes shall be used only as prescribed. Monies raised from other sources may be used in accordance with the terms of this provision (so long as they are consistent with the objectives of the Community Council), or in the absence of such terms, for the furtherance of the objectives of the Community Council.
- (c) Any two of the three authorised signatories, who need not be office-bearers of the Community Council, may sign cheques on behalf of the Community Council; the Treasurer should assume one of the three authorised signatory roles. Authorised signatories may not be related by birth, marriage, civil contract, or co-habitation.
- (d) A statement of accounts for the last financial year, examined by a competent independent examiner appointed by the Community Council, who are not members of the Community Council, shall be submitted to the April/May Annual General Meeting of the Community Council and shall be available for inspection.
- (e) The financial year of the Community Council shall be from 1 April in any year until 31 March in the succeeding year. An independently examined statement of accounts as received and approved by the Community Council should be submitted to South Ayrshire Council following the Community Council's Annual General Meeting.

## **18. Assets**

Property and other assets belonging to the Community Council shall be vested in the Chair, Secretary and Treasurer of the Community Council and their successors in these respective offices.

## **19. Alterations to the Constitution**

- (a) Any proposal by the Community Council to alter this Constitution must be first considered by a meeting of the Community Council and the terms of the proposal to alter the Constitution shall be stated on the notice calling the meeting, which shall be issued not less than 7 days prior to the meeting. Any proposed alterations may not prejudice the terms and objectives contained within the Scheme for Establishment of Community Councils.
- (b) If the proposal is supported by two-thirds of the total voting membership of the Community Council and is approved in writing by the local authority, the alteration shall be deemed to have been duly authorised and can then come into effect.

## **20. Supported Status and Dissolution**

- (a) Where for any reason it is deemed by South Ayrshire Council that a Community Council is not conforming to the Scheme, South Ayrshire Council can put the Community Council into supported status in terms of the Scheme Clause 10-
- (b) If the Community Council, by a two-thirds majority of the total voting membership decides, at any time, that it is necessary or advisable to dissolve, it shall agree a date for a public meeting to be held to discuss the proposed resolution to dissolve. It is a requirement that not less than ten days prior to the date of such meeting a public notice be given by means of notification in the local newspaper as well as through Community Council and local authority websites and social media channels, where available. If the resolution is supported by a majority of those persons present and qualified to vote and is approved by the local authority, the Community Council shall be deemed to be dissolved and all assets remaining, subject to the approval of the local authority, after the satisfaction of any proper debts or liabilities shall transfer to the local authority who shall hold same in Trust for a future Community Council representing that area for 12 months.
- (c) In the event that the Community Council is dissolved under the above procedure, and twenty or more electors subsequently wish the re- establishment of a Council for the area, these electors shall submit a requisition to the local authority in accordance with Section 52(7) of the Local Government (Scotland) Act 1973, on receipt of which the Returning Officer shall arrange for elections to be held in accordance with the Scheme for Establishment of Community Councils.
- (d) Where for any reason, the number of Community Council members falls below the minimum specified in the Scheme for Establishment of Community Councils the local authority may, by suspending the Constitution of the Community Council, cause the Community Council to be dissolved and in this event, the procedures for the establishment of a new Community Council being those identified in the immediately preceding paragraph hereof, shall be initiated.

## 21. Approval and adoption of the Constitution

(a) ***This Constitution was adopted by \_(name)\_\_\_\_\_ Community Council on:***

- Date .....
- Chair (signature) .....
- Member (signature) .....
- Member (signature) .....

(b) ***and was approved on behalf of South Ayrshire Council on:***

- Date .....
- SAC Officer (signature) .....
- Print name .....

## APPENDIX 3



# South Ayrshire Council

## Code of Conduct for Community Councillors

This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire

## CODE OF CONDUCT FOR COMMUNITY COUNCILLORS

The Code of Conduct for Community Councillors is largely based on the Code of Conduct for South Ayrshire Council councillors and relevant public bodies as provided for in:

- ***The Ethical Standards in Public Life etc. (Scotland) Act 2000***

Community Councillors, as elected representatives of their communities, have a responsibility to make sure that they are familiar with, and that their actions comply with, the principles set out in this Code of Conduct.

The Code of Conduct and its principles shall apply to all Community Councillors and those agreed and minuted as representing the Community Council. These principles are as follows:

- 1. *Service to the Community (Public Service)***
- 2. *Selflessness***
- 3. *Integrity***
- 4. *Objectivity***
- 5. *Accountability and Stewardship***
- 6. *Openness***
- 7. *Honesty***
- 8. *Leadership***

### **1. Service to the Community (*Public Service*)**

As a Community Councillor you have a duty to act in the interests of the local community, which you have been elected or nominated to represent.

You also have a duty to act in accordance with the remit of South Ayrshire Council's Scheme for Establishment of Community Councils (2026) (the 'Scheme'), as set out by South Ayrshire Council under the terms of the Local Government (Scotland) Act 1973.

You have a duty to establish and reflect, through the Community Council, the views of the community, on any issue, irrespective of personal opinion.

You should ensure that you are, within reason, accessible to your local community and local residents.

Various mechanisms to enable the general community to express their views, i.e. suggestion boxes, community surveys, opinion polls should be made available where appropriate.

### **2. Selflessness**

You have a duty to take decisions solely in terms of the interests of the community that you represent.

You must not use your position as a Community Councillor to gain financial, material, political or other personal benefit for yourself, family, or friends.

### **3. Integrity**

You must not place yourself under any financial or other obligation to any individual or organisation that might reasonably be thought to influence you in your representation of your community.

If you have any such private and/or personal interest in a matter to be considered by the Community Council, you have a responsibility to declare this and if deemed necessary by other members, withdraw from discussions and the decision-making process regarding that matter.

You should not accept gifts or hospitality that may be seen to influence or be intended to influence your opinion or judgement. The offer and/or receipt of any gifts, regardless of form, should always be reported to and noted by the Secretary and Treasurer of the Community Council.

### **4. Objectivity**

In all your decisions and opinions as a Community Councillor, you must endeavour to represent the overall views of your community, by taking account of information which is provided to you or is publicly available; assessing its merit and gathering information as appropriate; whilst laying aside personal opinions or preferences.

You may be appointed or nominated by your Community Council to serve as a member of another representative body. You should ensure that this Code of Conduct is observed when carrying out the duties of the other body.

You are free to have political and/or religious affiliations; however, you must ensure that you represent the interests of your community and Community Council and not the interests of a particular political party or other group.

### **5. Accountability and Stewardship**

You are accountable for the decisions and actions that you take on behalf of your community through the Community Council. You must ensure that the Community Council uses its resources prudently and in accordance with the law.

Community Councillors will individually and collectively ensure that the business of the Community Council is conducted according to South Ayrshire Council's Scheme for Establishment of Community Councils and this Code of Conduct.

Community Councillors will individually and collectively ensure that annual accounts are produced showing the financial undertakings of the Community Council as set out in South Ayrshire Council's Scheme.

Community Councillors must also ensure that all resources are used efficiently, effectively, and fairly and are used strictly for the purposes of Community Council business and for no other purpose.

Draft minutes of meetings recording all actions and decisions made should be produced and circulated to all members of the Community Council as soon as possible after each meeting and no later than 7 days prior to the next meeting.

Any breach of the Council's Scheme for Establishment of Community Councils as set out by your local authority under the terms of the Local Government (Scotland) Act 1973 may be reported to your local authority to determine what action, if necessary, should be taken.



## **6. Openness**

You have a duty to be open about your decisions, actions, and representations, giving reasons for these where appropriate. You should be able to justify your decisions and be confident that you have not been unduly influenced by the views and/or opinions of others.

If you have dealings with the media, members of the public, or others not directly involved in your Community Council, you should ensure that an explicit distinction is made between the expression of your personal views and opinions from any views or statement made about or on behalf of the Community Council.

## **7. Honesty**

You have a duty to act honestly. You also have an obligation to always work within the law. You must declare any private interest relating to your Community Council duties and take steps to resolve any conflicts arising in a way that protects the interest of the community and the Community Council.

Community Councillors must not bring themselves or their Community Council into disrepute through their actions, public discussions, or communications, including anonymous online activity or commentary that would otherwise breach this Code.

## **8. Leadership**

You have a duty to promote and support the principles of this Code of Conduct by leadership and example, to maintain and strengthen the community's trust and confidence in the integrity of the Community Council and its members in representing the views and needs of the local area. You must also promote social inclusion and challenge discrimination in any form.

You should act to assist the Community Council, as far as possible, in the interest of the whole community that it serves. Where groups' concerns conflict with those of other groups or other areas you should help to ensure that the Community Council is aware of them.

## **9. Respect**

You must respect fellow members of your Community Council and those that you represent, treating them with courtesy, respect and in a non-discriminatory manner always. This should extend to any person, regardless of their position, you have dealings within your capacity as a Community Councillor.

Recognition should be given to the contribution of everyone participating in the work of the Community Council. You must comply with Equal Opportunities legislation including the Equality Act 2010 and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill, and experience considered.

You should ensure that confidential material, including details about individuals, is treated as such and that it is handled with dignity and discretion and is not used for personal, malicious, or corrupt purposes.

You must behave openly and honestly, treating fellow Community Councillors, ex-officio members, council officers, and community members in a positive, respectful, and non-discriminatory manner always, including at meetings and in online spaces.

Community Councillors must support and respect the roles of office bearers and refrain from undermining their confidence or authority. Personal attacks, ridicule, or conduct intended to

humiliate others whether in person, during meetings, in correspondence, or on social media will be considered a serious breach of this Code.

Bullying or harassment is completely unacceptable and will be a breach of the Code.

Harassment is any unwelcome behaviour or conduct which has no legitimate purpose and which makes someone feel offended, humiliated, intimidated, frightened and/or uncomfortable. Harassment can be experienced directly or indirectly and can occur as an isolated incident or as a course of persistent behaviour.

Harassment can take the form of unwelcome physical contact; inappropriate remarks or questioning; intrusive questioning; and the sending of unwelcome emails, messages, or notes. This is by no means an exhaustive list.

Bullying is inappropriate and unwelcome behaviour which is offensive and intimidating, and which makes an individual or group feel undermined, humiliated, or insulted. It is the impact of the behaviour rather than the intent which is the key. Bullying can arise because of an individual misusing their power and can occur through all means of communication. Bullying can be a pattern of behaviour or a one-off serious incident that becomes objectionable or intimidating. This can include the unwelcome physical, verbal, or non-verbal conduct; intimidatory behaviour; disparaging, ridiculing or mocking comments and remarks; physical violence; deliberately excluding an individual from conversations or activities in which they have a right or legitimate expectation to participate. This list is not exhaustive.

## APPENDIX 4



# South Ayrshire Council

## Standing Orders for Community Councils

This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire Council

## **1. Meetings**

- (a) All meetings of Community Councils are open to members of the public subject to Clause 7.1 of the Scheme.
- (b) The frequency of meetings will be determined by each Community Council, subject to Clause 7.4.
- (c) Ordinary meetings of the Community Council should ideally be held on the same day in each of the months where a meeting is scheduled.
- (d) The notice of ordinary and Annual General Meetings of the Community Council, featuring the date, time, and venue, shall be provided to each Community Council member and South Ayrshire Council by the Secretary of the Community Council, at least 7 days before the date of the meeting.
- (e) Special Meetings may be called at any time under Clause 7.13 of the Scheme for Establishment of Community Councils.

## **2. Minutes**

Minutes of the proceedings of a meeting of the Community Council shall be drawn up timeously and be distributed in accordance with the Community Councils Responsibility's Part e of the Scheme for Establishment of Community Councils and be submitted for approval to the next meeting of the Community Council.

## **3. Quorum**

A quorum shall be one-third of the current voting membership of the Community Council, 3 voting members, whichever is the greater.

## **4. Order of Business**

### **(a) Ordinary Meeting**

Order of business at Ordinary meetings of the Community Council should include: -

- (i) Recording of membership present and apologies received.
- (ii) The minutes of the last meeting are submitted for approval.
- (iii) Any Matters arising are addressed.
- (iv) Correspondence
- (v) Monthly Reports
- (vi) Consideration of other agreed items of business as directed by the Chair
- (vii) Any other competent business.
- (viii) Questions from the floor.
- (ix) Chair to declare date of next meeting and close meeting.

### **(b) Annual General Meeting**

It will not be uncommon that the Community Council has arranged for an Ordinary meeting of the Community Council to begin at the close of the Annual General Meeting (AGM), to enable any outstanding reporting on business matters to be heard; and for Community Council members and members of the public to have an opportunity to bring matters to the attention of the Community Council, possibly for inclusion on a future agenda.

The AGM minutes should be presented to the next ordinary meeting of the Community Council following the AGM for the purposes of establishing accuracy and noting their availability to the public, although they remain in draft form until approved at the following year's AGM.

The order of business at Annual General Meetings (AGM) of the Community Council shall be as follows:

- (i) Record membership attendance and apologies received.
- (ii) Approve the presented minutes of the last Annual General Meeting (AGM).
- (iii) Chair's annual report (and questions from the floor).
- (iv) Secretary's annual report (and questions from the floor).
- (v) Treasurer's submission of balance sheet and Annual Accounts duly independently examined and certified correct (and questions from the floor).
- (vi) Current office bearers step down.
- (vi) Election of office bearers.
- (vii) Confirm that the Constitution is signed and dated by the Chair and 2 other members of the Community Council (if there is a change to the Chair a new constitution needs to be signed and submitted to South Ayrshire Council).
- (viii) Note the appointment of Associate Members.
- (ix) Review the Inventory and Additional Resources (See Constitution Clause 18).
- (x) Chair to declare that a date in April/May of following year will host the next AGM and close meeting.

#### **(c) Special Meeting**

The order of business at Special Meetings of the Community Council shall be as follows:

- (i) Recording of membership present and apologies received.
- (ii) Business for debate, as described in the calling notice for the special meeting.
- (iii) Chair to close meeting.

#### **4. Order of Debate**

- (a) The Chair shall decide the order of all questions, relevancy and competency arising at meetings of the Community Council and their ruling shall be final and shall not be open to discussion.
- (b) The Chair shall also determine the order, relevancy, and competency of all questions from the public in attendance at meetings of the Community Council.
- (c) The Chair in determining the order, relevance and competency of business and questions shall have regard to the importance of the issue to the community and ensure that the discussion and proceedings are conducted in such a manner that decisions are reached in a democratic manner.
- (d) The Chair shall have the power, in the event of disorder arising at any meeting, to adjourn the Community Council meeting to the next scheduled meeting or another fixed time and/or date.
- (e) In instances of the Chair's absence, the meeting should proceed through the Vice-Chair or other interim Chair as agreed by the members present.
- (f) Every motion or amendment must be proposed by one member and seconded by another.
- (g) After the Chair asks the person who proposed the motion to give their final reply, no one else should speak about the motion or any changes to it.
- (h) A motion or amendment can't be withdrawn unless both the person who proposed it and the person who seconded it agree.
- (i) A motion or amendment that reverses a previous Community Council decision cannot be considered again within six months unless new information or an error becomes available.

## **5. Voting**

- (a) Voting shall be taken by a show of hands of those present and eligible to vote, with the exception that, at an annual general meeting, the election of office bearers may be held by secret ballot.
- (b) The Chair may vote as an ordinary member and, in the event of a tie, will have a second casting vote.
- (c) In instances of the Chair's absence, their casting vote is transferred to the Vice-Chair or other interim Chair, as previously agreed by the members present.

## **6. Alteration to Standing Orders**

- (a) A proposal to alter or add to these Standing Orders may be proposed to South Ayrshire Council at any time by the Community Council if notice of a motion to that effect is given at the meeting of the Community Council previous to that at which the motion is discussed.
- (b) South Ayrshire Council shall have final discretion on any proposed change to these Standing Orders.

## **7. Sub-Groups**

The Community Council may appoint sub-groups as it may from time to time decide and shall determine their composition, terms of reference, duration, duties, and powers.

## **8. Suspension of Standing Orders**

These Standing Orders shall not be suspended except at a meeting at which two-thirds of the stated constituted membership number of Community Council members are present and then only if the proposer states the object of their motion and if two-thirds of the Community Council members present consent to such suspension.

## APPENDIX 5



# South Ayrshire Council Supported Status

This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire

## **Introduction**

### **When a Community Council moves into supported status, it will be provided with:**

- Reasons for its move to supported status.
- Confirmation of the period of supported status.
- Information about what they need to achieve by the Steering Group to reinstate Community Council status.
- Details on how they can appeal the decision.

### **What is a Steering Group?**

- It is the remaining members of the Community Council (if it remains above the quorum of one third of the remaining membership of the Community Council or four members, whichever is the greater). The Steering Group will be supported by a South Ayrshire Council Officer as appropriate.
- If a steering group drops below the quorum for the Community Council, it will immediately be moved to dissolution and appropriate action will be taken by Service Lead, South Ayrshire Council.

### **What must the Steering Group do?**

- Meet as a Group to rectify the issues that resulted in them being in supported status.

### **What can the Steering Group do?**

- Continue with any live projects that were already in progress when the Community Council went into supported status with the support of the Senior Communities Officer (it should be noted that the insurance cover in place for Community Councils will remain operational whilst the Community Council is in supported status).
- Complete financial transactions agreed by the Community Council when it was operational.
- Take decisions on expenditure for the live projects ONLY.

### **What must the Steering Group not do?**

- Undertake any work relating to the statutory functions of a Community Council planning, licensing, and other consultations.
- Agree any expenditure out with the live projects.
- Spend any funds unless they had approval prior to supported status.
- Send any correspondence in the name of the Community Council.
- Undertake any social media activity or update the website other than to inform the community of the status of the Steering Group, publish SG minutes or to promote the need for additional members.
- Apply for any funding for the Community Council.

### **Holding of Meetings**

- Meetings should be held at least every six weeks.
- Meetings are for members of the Steering Group only and any supporting officers, but they would not be involved in any decisions.
- Notes of actions and decisions will be taken and circulated to members and made available for the community to have sight of.
- Agendas will be prepared and circulated by the Senior Communities Officer.



- Meetings will be held in Council premises or online wherever possible to remove the need for expenses to be incurred.

### **Next Stage**

- If, within the six-month period, the Steering Group satisfies the Service Lead that the Community Council will, in the future be able to comply with the requirement of the Scheme and have met the expectations set out when they went into supported status, then reinstatement of Community Council status will be granted by written notice from the Service lead.
- If the Steering Group has not managed to achieve the required outcomes within the six-month period, the Service Lead will review the progress made by the Steering Group.
- If the Service Lead considers that significant progress has been made, they may consider an extension of 3 months to the supported status period to allow the Steering Group to complete its work.
- If the Service Lead considers that little or no progress has been made, they may consider that it is appropriate to move to dissolution of the Community Council.

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## APPENDIX 6



# South Ayrshire Council

## Community Councils Complaints Procedure

## COMPLAINTS PROCEDURE FOR COMMUNITY COUNCILS

**NOTE:** The importance of transparency of process whilst retaining the appropriate level of confidentiality must be noted and practiced by all Community Council members upon receipt of any complaint. A complaint against the collective membership of a Community Council may be considered appropriate to share with all members simultaneously, whereas a complaint against an individual member may be shared with that member only in the first instance, to provide them with time to reflect on the content of the complaint and to prepare an appropriate response, before the complaint is shared with the collective membership for discussion.

In any event, Community Councils may consider whether it would be appropriate to invoke Constitution Clause 14k when in receipt of a complaint and undertaking an appropriate procedure.

### Complaints Procedure

This procedure is for making complaints against Community Councils or its members and can be used by Community Councillors, members of the public, organisations, or elected members.

#### 1. What is a Community Council Complaint?

- 1.1 A complaint against a Community Council is an expression of dissatisfaction or concern relating to the actions of a Community Council or its members- This may be about the conduct; standard of service; actions or lack of action by a Community Council and/or its members. Complaints MUST relate to alleged breach of the Scheme of Establishment for Community Council or the Code of Conduct for Community Councillors.
- 1.2 A complaint is not:
  - A dispute of a personal nature which does not involve the role as a Community Councillor.
  - An issue that is in court or has already been heard by a court or a tribunal.
  - A disagreement with a decision, where a statutory right of appeal exists.
  - An attempt to reopen a previously concluded complaint or to have a complaint reconsidered, where a final decision has been reached.
  - A disagreement with decisions of South Ayrshire Council or complaints regarding South Ayrshire Council services or officers.
  - Involving a request for compensation on a decision the Community Council has made.
- 1.3 This list is not exhaustive. These issues cannot be dealt with and will not be progressed as complaints. Individuals will be redirected accordingly.

#### 2. Who can complain?

- 2.1 Anyone who is affected by a Community Council can make a complaint. Sometimes an individual may be unable or reluctant to make a complaint on their own. Complaints brought by third parties will be accepted where personal consent has been given.

- 2.2 Individuals under 16 may complain themselves or can ask a trusted adult such as a parent, older brother or sister, or a guardian to complain on their behalf.
- 2.3 If an individual considers themselves to be a vulnerable adult they can complain directly, or they can ask a trusted person to complain on their behalf.
- 2.4 Anonymous complaints will not be accepted under this procedure. However, if the matter involves a sensitive issue, the Senior Communities Officer may permit the complainant's identity to be withheld in exceptional circumstances. In such cases, every effort will be made to maintain the confidentiality of both the complainant and the subject.

### **3. What can I complain about?**

3.1 You can complain about things such as:

- Neglect by or contrary attitude of a Community Councillor when dealing with a Community Council issue which affects the local community,
- Breaches to the Code of Conduct for Community Councillors by Community Council members.
- Breaches to the Scheme for Establishment of Community Councils by Community Councils and/or their members,
- Financial irregularities and fraud of public funds held by the Community Council,
- Breaches of confidentiality, including data breaches,
- Misusing social media, email, or letters for the purpose of personal, political and/or financial gain,
- Bringing the Community Council into disrepute e.g. misrepresenting the views and interests of the local community.

3.2 This list is not exhaustive, and complaints may involve more than one thing.

### **4 Time limit for making complaints.**

Complaints should be made within three (3) months of the incident occurring. Complaints involving issues that occurred later than this will not be dealt with, unless there are special circumstances for granting an extension. Any such circumstances will be considered on a case by case basis.

### **5 How do I complain?**

- 5.1 All complaints relating to Community Councils and/or individual Community Councillors must be submitted in writing to the Senior Communities Officer at [communitycouncils@south-ayrshire.gov.uk](mailto:communitycouncils@south-ayrshire.gov.uk). Representations submitted elsewhere, including directly to Community Councils or other South Ayrshire Council officers, will not be formally considered as complaints.
- 5.2 All complaints should be made formally in writing, making clear:
- (a) the complainant details, the nature of the complaint,
  - (b) the grounds which support it; and,
  - (c) including evidence which substantiates the grounds.
  - (d) what outcomes they are seeking.

## **6. On receipt of a complaint**

- 6.1 On receipt of a complaint the Senior Communities Officer will determine whether it is a valid complaint under this procedure (refer to paragraph 1 and 3) and if so, shall record the complaint and determine the next process.
- 6.2 The Senior Communities Officer shall by letter or email acknowledge receipt of the complaint as soon as possible and shall inform the Community Council or the Community Councillor of the complaint by providing them with a copy of the complaint.
- 6.3 The Senior Communities Officer must contact the complainant and the person being complained about to discuss the nature of the complaint to see if it is possible to resolve the complaint without progressing further.
- 6.4 Where more than one complaint is about the same incident or issue, they will be considered together. This may affect the timelines for dealing with the complaints and the complainant(s) will be notified if this is the case.

## **7. The Complaint Handling Process**

- 7.1 The Procedure provides for a 2 stage complaints procedure for the resolution of complaints:
  - Stage 1 Community Council Resolution
  - Stage 2 Panel Hearing
- 7.2 The Senior Communities Officer will determine which procedure is appropriate on receipt of a complaint.
- 7.3 Stage 1 aims to provide a quicker, simple and straightforward way to resolve complaints directly with the relevant Community Council. Stage 2 allows for a more thorough investigation and an independent review by the Community Council Complaints Panel for cases that are more complex or serious.
- 7.4 Some complaints, while simple and straightforward will not be suitable to be handled by the Community Council themselves due to the involvement of office bearers. In such cases, the Senior Communities Officer will progress this to a stage 2 procedure.

### **Stage 1 Community Council Resolution**

- Where the Senior Community Officer determines that the complaint is valid but involves minor issues, such as meeting administration errors, delays in responding to correspondence or minor breaches of standing orders or the code of conduct for Community Councillors, the Senior Communities Officer will direct such complaints to the office bearer of the Community Council concerned.
- Where the complaint is about an individual Community Councillor, they should be given the opportunity to present their accounts of events or address specific points raised in the complaints.
- The office bearers may decide that the appropriate course of action would be for the complaint to be tabled and resolved during a meeting of the Community Council.

The Community Council can invoke Scheme Clause 7.1 and Constitution Clause 14(k) which enables a Community Council to hold a meeting, or parts of a meeting, in private where it considers it appropriate to do so.

- Any member (including office bearers) directly involved in the complaint must withdraw themselves from discussion and decision-making to avoid conflict of interest or the appearance of bias. This includes leaving the room during discussions and not influencing others.
- If office bearers choose to resolve the complaint without a meeting of the Community Council, they must report on the decision and action taken at the next possible meeting.
- The Community Council shall seek to resolve the complaint and within 30 working days, notify the complainant of the outcome of their complaint in writing.
- An accurate record of the decision reached and how the complaint was handled including a copy of the correspondence of the outcome which was sent to the complainant must be provided to the Senior Communities Officer.
- Where it has not been possible to resolve the complaint or the complainant is not satisfied with the outcome, they can request that the Senior Communities Officer progress their complaint to a Stage 2 procedure.

## **Stage 2 Panel Hearing**

- Complaints handled under the Panel Hearing stage are typically complex and serious, involving issues such as fraud, harassment, breaches of law, systemic corruption or collective misconduct and would require detailed examination before an outcome can be reached. A thorough investigation must be carried out.
- The Senior Communities Officer will identify where the complaint is valid and relates to a Stage 2 procedure and advise the parties. They shall notify the Community Council or Community Councillor concerned and the complainant that they have up to seven (7) days to provide a written statement to support their position and that the written statements would form part of the information provided to the Complaints Panel,
- The complaint will be referred to a trained Panel of three (3) Community Councillors from within the pool of members. All written statements and information relating to the complaints from both parties will be supplied to the Panel for determination of the complaint.
- The Panel shall appoint a Chair and a note taker. The Panel must determine if they are able to resolve the complaint based on the information before them. If there is enough information, then the panel will make its decision and notify both parties.
- If the Panel are unable to decide and require additional information, then they must seek supporting information from both parties and any witnesses and if necessary, undertake interviews to aid the investigation of the complaint.
- Unless there are circumstances which may not make this possible, the Panel shall communicate their decision in writing within 40 working days of receipt of the written statement in support of the parties' position to the complainant, the Community

Councillor subject to the complaint and or the office bearers of the Community Council. Where it is not possible to meet this time limit, all parties must be notified of the circumstances.

- A record of the decision reached and how the complaint was handled including a copy of the correspondence of the outcome which was sent to the complainant shall be sent to the Senior Communities Officer.
- The decision by the panel will be the final decision in respect of the complaint. Any communication with the panel must be done via the Senior Communities Officer. No individuals email addresses will be given.

## 8. Extension to timelines

8.1 In exceptional circumstances, where there are clear and justifiable reasons for doing so, the Senior Communities Officer may determine that an extension to the timeline is required. Examples of when this may be appropriate include:

- individuals concerned being temporarily unavailable.
- essential accounts or statements, required to establish the circumstances of the case, are needed from individuals, but they cannot help because of long-term sickness or leave.
- where it is not possible to obtain further essential information within normal timescales.
- when operations are disrupted by unforeseen or unavoidable circumstances, for example severe weather conditions; and
- where multiple complaints submitted in relation to the same issue.

8.2 This list is not exhaustive. An extension to the timescale must be considered as soon as it becomes apparent that this is required. All parties will be informed if permission for an extension is given. The complainant shall be made aware of delays or complexities that may impact progress.

## 9. Possible Outcomes

9.1 **No Breach:** If the Community Council or Complaint Panel considers that there has been no breach, then it should provide reasons why this is the case.

9.2 **Breach:** Where a Breach has been determined, the possible sanctions that can be imposed include Censure with a requirement of Apology, Training (exact nature to be identified); Mentoring; Restriction of communication between parties (to be clearly specified); Written undertaking to behave within the Code of Conduct. **A decision to impose any of these sanctions must be with a simple majority.**

9.3 **Serious Breach:** Where it has been determined that a Serious Breach has occurred, the possible sanctions that can be imposed include Suspension for a set period up to six (6) months; Instruction to stand down from an Office Bearer position; Expulsion; Recommendation of Supported Status. **A decision to impose any of these sanctions must be a unanimous decision.**

**FLOWCHART to be added once final approval is received**

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## South Ayrshire Council

### Annual Self-Assessment (RAG Analysis) for Community Councils

#### CONSIDERED GOVERNANCE STATUS

- **RED** – 1 or more CORE ADMINISTRATION items remain outstanding.
- **AMBER** – All (6) CORE ADMINISTRATION items met; and Any 1 GOOD PRACTICE item being met.
- **GREEN** – All (6) CORE ADMINISTRATION items met; and evidence of 6 GOOD PRACTICE items being met; which must include the Annual Self-Assessment (RAG Analysis).
- **RAG Analysis should be completed each year. AMBER status is satisfactory; GREEN status Community Councils will be held up as MODELS of GOOD PRACTICE.**

This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire

Name of Community Council

SAC can complete

Year of Self Assessment

SAC can complete

Date of meeting which discussed self  
assessment

CC to complete

Considered RAG Status

Green ☐

Amber ☐

Red ☐

Completed by

(name - block Capital)

CC to complete

(signature)

(position)

(date self assessment completed)

CORE ADMINISTRATION	MONITORING QUESTION	YES	NO	COMMENTS / EVIDENCE / CONCERNS
1. Constitution	Is there a signed Constitution held on file and by South Ayrshire Council?			SAC can complete
2. Minutes	Are all Community Council minutes from the last 2 years held on file by South Ayrshire Council?			SAC can complete
3. Annual General Meeting	Has an AGM been held in April/May of the most recent year?			SAC can complete
4. Finances	Have the most recently approved accounts been submitted to South Ayrshire Council?			SAC can complete
5. Treasurer Reports	Are regular financial reports presented at scheduled meetings?			SAC can complete
6. Chairperson's Report	Is a Chairperson's Report available from the most recent AGM?			SAC can complete

GOOD PRACTICE	MONITORING QUESTION	YES	NO	COMMENTS / EVIDENCE / CONCERNS
<b>7. Elected Members' Reports</b>	Do Elected Members' reports appear as regular/rolling agenda items?			SAC to answer (as per minutes)
<b>8. Police Reports</b>	Are Police reports available for regular/rolling agenda items?			SAC to answer (as per minutes)
<b>9. Planning</b>	Is Planning included or acknowledged as a regular/rolling agenda item?			SAC to answer (as per minutes)
<b>10. Licensing</b>	Is Licensing included or acknowledged as a regular/rolling agenda item?			SAC will populate for those that have one.
<b>11. Email</b>	Does the community council have a generic email?			SAC will populate for those that have one.
<b>12. Website</b>	Does the community council have a website?			SAC will populate for those that have one
<b>13. Social Media</b>	Does the community council have any social media pages			CC to answer
<b>14. Online Training</b>	Has all members completed the online training modules.			SAC to answer
<b>15. Wider Participation</b>	Does the community council liaise with other community groups?			CC to answer
<b>16. Consultations</b>	Have any consultations been conducted within the previous 12 months?			CC to answer
<b>17. Local Vision</b>	does the community council have a Local Vision or Mission Statement?			SAC will populate once we have the details from each CC

**FOR OFFICIAL USE:** Thriving Communities confirmation of RAG status:

**Green** ☐ **Amber** ☐ **Red** ☐

Relevant Officer: \_\_\_\_\_

Date: \_\_\_\_\_