

# South Ayrshire Council

## Guidance for Community Councils



This Document Forms part of the Support  
Arrangements for Community Councils in South Ayrshire

## **Guidance for Community Councils**

This Guidance is intended to complement South Ayrshire Councils' Governance for Community Councils i.e. the Scheme for Establishment of Community Councils (2020), which can be downloaded as a PDF document from the following web address:

[Community councils - South Ayrshire Council \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk)

The aim of this Guidance is to provide additional background information that Community Councillors may need in order to operate effectively within their Community Council.

The Guidance is designed to be updated, or added to, in response to any changing local/national circumstances, and should be seen as a 'live' document.

Although this Guidance is intended to provide complementary information, any 'directives' provided by South Ayrshire Council will be based upon the Scheme for Establishment of Community Councils (2020)

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# 1. Community Councils

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

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

However there is other more general legislation to which all Community Councils are bound and this includes the general duty to promote equality (see Scheme - Constitution Clause 6 and GUIDANCE APPENDIX 4). Therefore, Community Councils in carrying out their functions, should have due regard of the need to:

- eliminate discrimination
- promote equality of opportunity
- promote good relations between people of different racial groups.

## 1.1 Local Vision or Mission Statement

The value of developing a Local Vision, as a public declaration, is that Community Councils can use it to describe their goals for the future, and describe its core values and its long-term objectives (see Scheme - Constitution Clause 3).

In addition, or alternatively, a Mission Statement can be used to describe the Community Council's founding purpose and major commitments i.e. why it does what it does. A Mission Statement can describe a Community Council's commitments to its community.

## 1.2 Scheme for Establishment of Community Councils

Within the basic principles stated in the Scheme, each Community Council should reflect local needs, with regard to membership and election of members' e.g. demographic and geographic considerations.

In the event that there is any ambiguity or conflict on the issues Community Councils get involved in, the Scheme will take precedence.

There is a responsibility on behalf of South Ayrshire Council to review the Scheme from time to time. For example, this may become necessary if communities outgrow the boundaries of their particular Community Council, or there is the need to update the Scheme to reflect legislation and/or local operational change.

In the event of an emergency resulting in a risk either to public safety or to public health, South Ayrshire Council may suspend or amend the governance requirements for Community Councils in order to facilitate the continued operation of Community Council activities. Scottish Government Guidance will be followed.

## 1.3 Constitution

All Community Councils adopt a Constitution which has been agreed by South Ayrshire Council (see Scheme Clause 3.15 and Scheme APPENDIX 2) – the Constitution is a written set of aims, objectives, and rules which set out the ways that Community Councils will operate and how Office Bearers should be appointed. The Constitution forms part of the core Governance, along with the Scheme, Code of Conduct and Standing Orders, Annual Self Assessment (RAG Analysis) and General Public Complaints Procedure.

See SCHEME APPENDIX 1-6

It is important that all Community Councillors familiarise themselves with all parts of the core Governance.

The Constitution should be, at year one, of the cycle of elections (full election) re-signed and dated if office bearers change.

#### **1.4 Liaison with the Local Authority**

In terms of Community Councils, a key obligation of South Ayrshire Council is

**A)** To prepare, publish and review the Scheme for Establishment of Community Councils; after due consultation with Community Councils and the public.

Furthermore, and on receipt of a Petition including 20 or more electors of the area, South Ayrshire Council will, in terms of section 52 (7) of the Local Government (Scotland) Act 1973 arrange for the formation of a Community Council in an area where one does not exist.

In the circumstances where a petition is received from electors within the boundaries of an existing Community Council, then South Ayrshire Council will consult with both parties and aim to reach an agreeable outcome.

In the event that agreement cannot be reached, then South Ayrshire Council could proceed in accordance with Section 53 of the Local Government (Scotland) Act 1973, by initiating the statutory eight week public consultation period seeking to amend the Scheme e.g. consideration of boundary amendments.

This requires formal verbal and written submissions to be made to the appropriate Committee of South Ayrshire Council for the purpose of enabling the Council to consider the matter and to reach a decision appropriate to the given circumstances.

**B)** To provide appropriate financial and administrative assistance to Community Councils, subject to Community Councils complying with the core Governance. 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. The maximum allowance will be paid on the formation of the Community Council, and a top up system will be in operation, annually thereafter.

For guidance on how to spend the Administration Allowance please see GUIDANCE APPENDIX 1

**C)** South Ayrshire Council has a statutory obligation to consult with Community Councils regarding planning applications. This is achieved via Planning Services emailing a weekly list of planning applications to Community Councils. Additional Information regarding Planning can be found at:

<https://south-ayrshire.gov.uk/planning-applications>

#### **GUIDANCE APPENDIX 9**

Where an application is made to the Scottish Ministers for a windfarm, the Council is a statutory consultee, and it is the Scottish Ministers, through the Energy Consents Unit, that is responsible for community consultation. More information can be found at <https://www.energyconsents.scot/>

**D)** South Ayrshire Council will notify Community Councils of all new premises licence applications and applications for variations (all relating to alcohol) made within its area. Applications for occasional licences will only be advertised on the Council's website at [www.south-](http://www.south-ayrshire.gov.uk)

[ayrshire.gov.uk/licensing](http://ayrshire.gov.uk/licensing). Some licensing applications are publicised by notice at the site. It is the responsibility of individual members of the public to observe these notices, and raise an objection.

It is likely that the timescale available for each Community Council to consider any application will be short. Each Community Council may therefore wish to appoint a licensing contact and/or a sub-committee to have responsibility for considering and commenting on licensing matters on its behalf.

The sub-committee must have at least three members, and have clearly defined terms of reference and delegated powers. These details must be recorded in the minutes of one of its meetings. It is the responsibility of the sub-committee to ensure that all its decisions and actions are subsequently reported to, and approved by, the Community Council GUIDANCE APPENDIX 10

Additional information regarding licencing can be found at: <https://www.south-ayrshire.gov.uk/licensing/>

**E)** South Ayrshire Council will help increase public awareness of Community Councils by providing publicity for common election dates i.e. Full/By-Elections in January to March of each year.

It is hoped that this will emphasise the special role of the Community Council, and highlight the close co-operation with South Ayrshire Council.

**NOTE:** all Community Councils hold full elections on a 4 yearly basis, with by-elections in years 2-3- and 4 to fill vacancies. This means that all Community Council members step down at the end of year 4 (including Co-optees) and are required to respond to a general call for nominations to re-establish the Community Council i.e. previous members are required to complete and submit a nomination form as provided by South Ayrshire Council. This 4 yearly full election should not be confused with the requirement for all Office Bearers to step down annually at the April/May AGMs; previous Office Bearers are eligible to be re-considered for office as part of the Election of Office Bearers process (see Scheme - Constitution Clause 12)

**F)** In the event of a National Emergency where a period of lockdown is required - South Ayrshire Council may relax some of the governance requirements around Community Councils. Scottish Government Guidance will be followed, and Community Councils will be kept informed of the changes and any alternative measures to be taken as and when required. Detailed Information can be found at GUIDANCE APPENDIX 17

Communities and Individuals harness resources and expertise to help themselves prepare for, respond to, and recover from emergencies, in a way that compliments the work of the emergency responders. Therefore, If Community Councils wish to be involved in providing this support, more detailed Information regarding Community Resilience can be found attached at GUIDANCE APPENDIX 11

**G)** South Ayrshire Council Complaints procedure. Listening To You.

South Ayrshire Council is committed to providing high-quality customer services. We value all comments and complaints and use information from them to help us improve our services.

If something goes wrong or you are dissatisfied with our services, please tell us. More information can be found at <https://www.south-ayrshire.gov.uk/complaints/> and [What happens when I complain? - South Ayrshire Council \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk/what-happens-when-i-complain/)



**H)** South Ayrshire Council's Customer Charter documents aim to improve communication and promote quality. The Service Standards explain what standard of service to expect, how to contact those responsible for service provision, and how to find a solution if something goes wrong. We hope you will find our Customer Charters useful and that it will give you a better understanding of the services the Council provides and the standards of service you can expect from us.  
<https://south-ayrshire.gov.uk/article/36365/Customer-charters>

**I) Community Councils Registration with Information Commissioners Office (ICO).** Under the Data Protection (Charges and Information) Regulations 2018, individuals and organisations that process personal data need to pay a data protection fee to the Information Commissioners Office (ICO), unless they are exempt. 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. At October 2020 the fee for registration is £40 or £60 depending on the full membership of the Community Council.  
<https://ico.org.uk/for-organisations/data-protection-fee/self-assessment/> If you have problems registering email [communitycouncils@south-ayrshire.gov.uk](mailto:communitycouncils@south-ayrshire.gov.uk) to receive information to assist you.

**J) Insurance.** Each Community Council requires to renew the Insurance Policy with the insurance provider every year. South Ayrshire Council will reimburse (over and above the Community Council Administration Allowance) for the standard policy (£86.00 in 2020/21). It is essential for your contact details to be kept up to date with the provider to ensure that the renewal is not overlooked.

**K) Minutes and reports of South Ayrshire Council meetings and its panel meetings will be made available for inspection on South Ayrshire Council's webpage <https://south-ayrshire.gov.uk/article/37007/Search-for-council-meeting-papers> unless the information is specifically excluded from publication. Follow this link for the up to date link to current meetings/minutes <https://south-ayrshire.gov.uk/article/36999/Search-agendas-for-committee-meetings>**

## **1.5 Key Structures**

Community Councils are elected bodies which are closest to local people. They can play a major role in ensuring decision-making remains as close to those affected as is practicable. For this to happen, all Community Councillors should do all they can to participate in community engagement structures and processes, and in their contributions to local government. The following key structures currently support the community engagement processes for Community Planning and South Ayrshire Council:

### **1.5.1 South Ayrshire Community Planning Partnership**

The South Ayrshire Community Planning Partnership was established in 2004 and brings key public, private, community and voluntary representatives together with the aim of delivering better, more joined-up public services in South Ayrshire.

South Ayrshire Community Planning Partnership Board consists of the following organisations:

- South Ayrshire Council
- Scottish Enterprise
- Scottish Fire and Rescue Service
- Police Scotland
- NHS Ayrshire and Arran
- Strathclyde Partnership for Transport
- Ayrshire College
- Skills Development Scotland
- Ayrshire Chamber of Commerce
- University of the West of Scotland
- Scottish Natural Heritage
- Voluntary Action South Ayrshire
- Jobcentre Plus (DWP)

Community Planning is about ensuring that the public services we all use are delivered in the most effective way possible. Many of South Ayrshire's key partners are already working together to address the needs of South Ayrshire's citizens as part of their core business. Community Planning brings the added dimension of jointly planning services in a way that will ensure their most effective delivery through partnership. The benefits of increased partnership working are well documented and should rest upon more mainstream public service organisations working together with communities.

Effective community engagement is at the heart of the Community Planning process. Communities play a key role in taking forward the Community Planning agenda, both at the local level and across the Partnership as a whole.

## 1.5.2 South Ayrshire Health and Social Care Partnership

The Health and Social Care Partnership is responsible for the planning, funding and delivery of a range of community health services and social work/social care services for older people, adults, children and families and people in the Criminal Justice System in the South Ayrshire Council area. The Partnership was created in 2015 under the provisions of the Public Bodies (Joint Working) (Scotland) Act, 2014.

### ***Locality planning***

Health and Social Care brings services together in a way that will deliver coordinated care that is easy to access and is focused on the best outcome for the individual person.

In practice this will mean NHS and Council staff and those from the third and independent sectors working with service users, carers and community-based groups to plan and deliver care and support that is designed for the individual.

This is known as 'locality planning' and it is a key part of health and social care integration. It is also a legal requirement under the Public Bodies (Joint Working) (Scotland) Act, 2014.

**Consequently it is advisable that Community Councils have representation on the Locality Planning group for their location.**

More Information can be accessed at the link below

<https://www.south-ayrshire.gov.uk/health-social-care-partnership/>

## 1.6 Induction (see 'Induction for Prospective & New Community Councillors')

Induction is not a single event e.g. one meeting, nor is it just handing over a pack of information; it is an ongoing process. Induction helps new Community Council members to settle in and make a contribution to the group as quickly as possible. The induction seeks to cover some of the basic questions any new member is likely to ask e.g.

- What the Community Council does?
- What Community Council members do?
- Who are the other people involved?
- What support do Community Councils have?

Receiving help to settle in not only helps the individual, it also helps the Community Council; it may also be of value to identify a member who may act as a mentor by explaining procedures and agenda items and answering questions as they arise.

The induction process and initial face to face meetings will be led by Community Council members with appropriate support from relevant officers of South Ayrshire Council. It should be understood from the outset of induction that the Scheme for Establishment of Community Councils (2020) not only underpins the Induction, it is the core Governance for all Community Councils.

## 1.7 Training & Development (GUIDANCE APPENDIX 8)

The training and development will be designed to support and enable Community Councils to act as positive agents for community development, and empowerment of South Ayrshire communities.

Attendance at training and capacity building activities can support Community Councils to fulfil their 'general purpose' i.e. *"to ascertain, co-ordinate and express to the local authorities for its area and to public authorities, the views of the community which it represents ..... and to take such action in the interests of the community as appears to it to be expedient and practicable."*

## 2. Membership

### 2.1 Importance of being elected

Community Councillors are elected by the local community. They have this in common with South Ayrshire Elected Members, Members of Parliament, etc. Even if, due to a shortage of nominations, a Community Councillor's 'seat' was uncontested and no actual ballot took place, the Constitution provides for nomination and election. If properly nominated you are as much elected as would be the case in a contested election.

For this reason, it is important that each Community Council distinguishes between its voting members and non-voting members, and others present at meetings (see Scheme - Constitution Clause 11).

As a member you should be regularly attending meetings, speaking to agenda items and, if required, voting on the future actions of the Community Council (in accordance with the Constitution). You serve for the term allowed by your Constitution, and as a member you represent all the community, and not solely any specific group, although different members may inevitably have particular areas of interest. Such diversity can add to the collective strength of the Community Council. The Community Council shall at all times seek to ensure that all members, including vulnerable groups and children, shall be kept safe and protected. See Child Protection and Vulnerable Adults Guidance - APPENDIX 16

### 2.2 Membership and Formula

At South Ayrshire Council Leadership Panel, following the public consultation the agreed formula contain within GUIDANCE APPENDIX 2 was ratified. Membership numbers were calculated for each Community Council based on the formula and can also be found in GUIDANCE APPENDIX 2

### 2.3 Co-option Checklist

The following steps are provided as a checklist for Community Councils when undertaking the Co-Option process to fill vacancies. Community Councils should contact their named contact officer before any steps are taken to fill any vacancies, should they arise in the future:

1. The Community Council consider, agree and minute a decision to fill vacancies;
2. A notification in writing (email) is sent to [communitycouncils@south-ayrshire.gov.uk](mailto:communitycouncils@south-ayrshire.gov.uk) to advise of this decision;
3. A return email confirms the current Community Council membership status as recorded on the South Ayrshire Council database and provides a copy of the Co-option Nomination Form and sample notices;

4. Upon receipt of the confirmation of membership numbers, the Community Council will produce a public notice and display within their locality/on the CC website to invite individuals to put their names forward to fill the vacancies (sample forms can also be found within (GUIDANCE APPENDIX 14);
5. Four weeks should be allowed from the date of publication of the notice for nominations to be received (public notices must be placed in at least three public places);
6. All completed nomination forms are returned for the named officer's attention;
7. The candidate, will be subject to the validation process for a Community Councillor;
8. The officer advises the Community Council of the status of the candidate/candidates following validation. The Community Council will then have the responsibility to contact the prospective candidates inviting them to the next appropriate meeting of the Community Council;
9. 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 names (written on individual papers, each which should be folded up separately) in an open container and draw out names until the number of vacancies existing have all been filled. The names only of members of the public co-opted must be advertised for a period of at least 21 days. GUIDANCE APPENDIX 14 illustrates a draft notice
10. All new appointments must be considered, ratified and minuted by the Community Council;
11. The Community Council sends a confirmation email of appointment of new members to the officer and the successful candidates;
12. The officer includes the new members details on the South Ayrshire Council database;
13. Confirmation of constituted membership status of the Community Council can be supplied upon request.

## 2.4 Public visibility

All regularly scheduled Ordinary meetings and Annual General Meetings (AGMs) are open to the public (and members of the public should be encouraged to attend). Meetings can be advertised via Libraries, local notice boards; announcements at local churches, and via the Community Councils' website or social media presence (see Guidance Section 9).

Every Community Council is required to have a minimum of three public notices displaying the date, time and venue of all meetings, and ideally the agenda for the next meeting (although more than this would be commendable). A list of meeting dates for the year ahead could be made available, and 'special items' could be highlighted to attract local interest.

From time to time, every Community Council may have matters that must be discussed in private (see Scheme - Constitution Clause 14 (k) and Scheme Clauses 9.10 vi / viii). These matters may be discussed with only voting members present, although others may be invited to attend where special expertise is required i.e. Ex-officio and/or Specialist Co-optees. Such meetings are confidential and an approved redacted minute may be made available publicly, although it may be appropriate to simply record any conclusions reached at the next regular meeting of the Community Council.

The approved minutes of all meetings should be circulated to all members and copies should be made available to the public at local libraries or in other public places. An approved copy should also be sent to South Ayrshire Council within 14 days of the date of the meeting which approved them.

Once in possession of a copy of the approved minutes, the Council is then in a position to respond to any requests for minutes from members of the public and/or otherwise, although **it is a principle function for the Community Council to make their minutes publicly available in the first instance and/or upon requests from members of the public.**

### 3. Meetings

This section highlights the importance of meetings, what should be covered, and the different kinds of meetings a Community Council may have. No more than 2 ordinary meetings in any one year may be held virtually. (see Scheme Section 9, Constitution Section 11 & 14, and Standing Orders Section 1).

Effective meetings are important not just in making sure the Community Council progresses what it should be doing and any decisions which are made, but also in keeping members and others involved and interested.

Meetings that drag on and on, with people straying off the point, not listening or being discourteous, can be a disincentive to even the most committed member. Good meetings are not just about getting things done but about respect and consideration for others.

#### 3.1 Agendas

For all Ordinary, Annual General Meetings and Special Meetings, an agenda should be published by the Secretary at least seven days prior to the meeting taking place so that members and the public know what is to be discussed and can be prepared in advance. A standard format for agendas could include:

***Meeting of the NAME Community Council at TIME on DAY, MONTH and YEAR in VENUE***

#### **AGENDA**

- i. *Recording of membership present and apologies received.*
- ii. *The minutes of the last meeting are submitted for accuracy and approval.*
- iii. *Any matters arising (not already on the agenda) are addressed.*
- iv. *Correspondence (the Secretary should consider producing a 'list of correspondence' to be sent out with the agenda).*
- v. *Reports i.e. Treasurer; Elected Members; Police; Weekly Planning List; Licensing etc.*
- vi. *Consideration of other agreed items of business; as directed by the Chair*
- vii. *Any other competent business (AOCB)*
- viii. *Questions from the floor.*
- ix. *Chairperson to declare date of next meeting and close meeting.*

#### **(a) Apologies**

The apology of any Community Councillor who is unable to attend should be recorded in the minutes. This is important as Community Council members can be censured / vote of no confidence / disqualified if they fail to attend regularly and/or miss a specified number of consecutive meetings without good reason with or without submitting apologies (see Scheme Clause 16.18)

Clauses 16.19 and 16.20 of the Scheme also includes the following, "*a Community Council may decide to grant a leave of absence in advance or retrospectively for an individual member.*" and "*This leave of absence can extend up to a maximum of 6 months or until the next AGM, whichever period is sooner.*"

It is also important to record who was present, so that it will be known in the future which Community Council members put their names to any particular motion. A member who is present, and who strongly disagrees with a motion adopted by the Community Council on a simple majority vote, can ask for their dissent to be formally recorded in the minutes.

#### **(b) Minutes**

It is a requirement of the Scheme for formal minutes to be kept. This is the responsibility of the Secretary but the Community Council may agree to appoint from within itself, or engage for

reasonable payment or otherwise, a Minute Secretary. This can free the Secretary to take a more active part in the discussions. (Honorarium)

The Minutes to be approved should be circulated to all members, and to those others present at the previous meeting, to confirm the accuracy of the minute. The Chair should ask whether everyone who attended the meeting in question is in agreement that the minutes are a true record of the meeting concerned. If any member wishes to query any point this is the time to do it.

Once the minutes are formally approved they cannot be changed; therefore any suggested amendments are discussed before approval, and if any amendments are agreed, the appropriate changes are made. It must be stressed that only the record of the previous Minute can be discussed and agreed at this stage. Discussions on the merits of any previously recorded decision should not be opened up at this point in the proceedings. It is the Chair's responsibility to rule accordingly. A member then proposes the formal approval of the minutes as a true record. It is advised that Community Councils should also seek to identify a seconder to the formal approval.

If there are still objections, the matter should be put to the vote; the minutes can be formally approved by a simple majority, if not unanimously. This is recorded in the minutes of the current meeting. As in any other disagreement, a member whose views are not accepted and rejected on a vote can request that his/her dissent be recorded in the minutes.

### ***(c) Matters arising from previous minutes***

Community Councils should avoid reigniting any previous disputes following approval of the minutes. The current meeting's agenda should ensure that previous and ongoing items are not forgotten, and that actions identified and taken up by members at the previous meeting, have in fact been carried out. As all discussion is recorded in the current minutes, items which have been completed can drop out, and items still ongoing remain; to automatically come up at the next meeting. Any correspondence received relative to matters being discussed, and especially if requiring action/s, is best presented by the Secretary at the appropriate point.

### ***(d) Correspondence***

During correspondence, any letters, emails, faxes and telephone calls received since the previous meeting are made available by the Secretary for consideration and decisions for actions. To save time, potentially long items, e.g. Weekly Planning Lists, should not normally be read out but referred to and made available for perusal.

Good practice would include a Secretary compiling a correspondence 'bullet' list which can be circulated with the agenda and draft minute seven days prior to the date of the next meeting. In addition, the Secretary should ensure that appropriate attention is given to any short timescales or deadlines for responding. As such, and at the very least, the Secretary and Chair could discuss the most appropriate action to be taken e.g. sharing information with all other members prior to the date of the next meeting and outlining that actions and/or decisions are required.

### ***(e) Reports***

Reports is the point in the meeting when regular attendees such as the local Community Police, Elected Members; Specialist Co-Optees and Community Council representatives to other groups are asked to give a brief report to the Community Council. This is the point at which the Community Council learns what others are doing and in the subsequent discussion can advise on what the Community Council and local community think. Some reports will be regular, i.e. Treasurer's report, Weekly Planning Lists etc., whilst others will be occasional i.e. Special Interest Items and sub-group reports.

### ***(f) Special Interest Items – visiting speakers***

When there is an item of special interest it should be given its own spot on the agenda. It may be a presentation by a visiting speaker - in which case it can be a matter of common courtesy for the Chair to advance the item to the start of the meeting so the visitor does not have to sit through the

routine business. This is not only common courtesy but particularly important if the speaker has far to travel, enabling him/her to get away as early as possible.

### ***(g) Treasurer's Report***

The Treasurer should report on the financial situation of the Community Council at each meeting, on any money received and spent, and consider other budgetary related activity. At the very least, the Treasurer should state the current bank balance taken from the monthly bank statement and whether any income has been received or any expenditure incurred since the previous meeting.

### ***(h) Weekly Planning List***

Planning is often a key concern of Community Councils and to the general public. Community Councils should have a regular slot on their agenda to deal with planning matters. These can range from considering Development Planning applications and how they should respond to these, to dealing with current and/or emerging Local Development Plans or considering responses to other forms of consultation.

Community Councils may consider establishing sub-groups to deal with planning issues, given the short timescales involved on occasion, and the degree of scrutiny often required. These sub-groups may meet between scheduled Community Council meetings (taking cognisance of closing dates for Planning responses), and report back to the main Community Council as appropriate.

Where an application is made to the Scottish Ministers for a windfarm, the Council is a statutory consultee, and it is the Scottish Ministers, through the Energy Consents Unit, that is responsible for community consultation.

### ***(i) Licensing***

Similarly to the Weekly Planning List, Licensing matters can also be a source of concern, and should likewise have a regular slot on the agenda. For those Community Councils experiencing a high volume of licensing matters, it may again be useful to establish a sub-group.

Any Other Competent Business (AOCB) gives members the chance to raise issues and, in particular, matters brought to them by the public. Ideally, the Chair will move round the table giving each member the chance to raise topics in turn, time permitting. It should be expected that it may be more appropriate for some topics to form an item for the next agenda, to allow enough time for adequate and informed discussion.

### ***(j) Date, time and venue of next meeting***

It is important where possible that everyone present knows, or is reminded of, the date, time and venue of the next meeting before the meeting breaks up, even if there is an existing published timetable of meetings.



### **3.2 Annual General Meetings (AGM) and Special Meetings**

The Scheme, Constitution and Standing Orders all include the notice period required for all meetings (7 days), and the matters that can be considered at Annual General Meetings (AGM) and Special Meetings.

For every year at the AGM the procedure for election of office bearers is as detailed in the Constitution. Normally the outgoing Chair will hold the position until the new Chair is elected unless they are also standing for this office. In which case, another member of the Community Council who is not standing for office should preside or an Ex-officio member. Upon election, the new Chair takes on the Chairing role for the rest of the meeting. Under some circumstances, meetings may be more efficiently conducted on the basis that the outgoing Chair fully concludes the meeting before handing over.

In normal circumstances no other matters may be raised at the AGM other than those on the set agenda (Scheme Clause 9.9 xiv and Scheme - Standing Orders 3ii). The AGM agenda must be published at least seven days before the meeting. Although the previous year's AGM minutes receive final approval at the following year's AGM, the Secretary, and other members, should consider circulating the draft minutes of AGMs at the next following scheduled Ordinary meeting of the Community Council for approval in principle (rather than waiting 12 months). It would be practical for Community Councils to also forward these 'draft' AGM minutes to South Ayrshire Council for filing in the meantime.

The agenda for Special Meetings must be restricted to only those items raised in the motion calling for the meeting. No other matters must be discussed. Any special resolutions should be passed or rejected as printed on the agenda. Any alteration should only be made with the consent of those present and then only if the Constitution allows for the printed resolution to be amended. A typical agenda for a Special Meeting could be:

***Special Meeting of the NAME Community Council at TIME on DAY, MONTH, YEAR in VENUE***

#### **AGENDA**

- i. Recording of membership present and apologies received.
- ii. The nature of the calling notice for the Special Meeting.
- iii. The business for debate, as described in the calling notice for the Special Meeting.
- iv. Chairperson to close meeting.

Voting will be as outlined by clause 5 of the Scheme - Standing Orders, and all Community Councillors present may vote; there is no provision for proxy votes. Minutes will be taken of the meeting and considered at the next regular meeting unless the meeting was held in private, in accordance with Scheme Clause 9.10 vi and Scheme - Constitution Clause 14(K).

## **4. Members' Interests**

### **4.1 Declaration of Interests**

All members shall declare in advance any financial or other interest however minor that they or their direct relatives may have in any matter which comes before the Community Council for consideration. 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 (see Scheme Clauses 8.3 / 8.4 and Scheme Clause 11.9 for definition of direct relatives).

If a member is unclear as to whether a matter is sufficiently material so as to require him or her to make a declaration of interest he/she should declare it nevertheless to the Community Council for a view; the Community Council shall then decide if the member should make a declaration of interest and accordingly withdraw.

Unless those members present who have been requested to form a view are not in a simple majority (see Scheme - Constitution Clause 11(d) ) that the matter does or does not require a declaration of interest, then the member will require to make a personal decision whether to make a declaration of interest and to withdraw.

It should be fully understood that all members are bound by the Scheme for Establishment of Community Councils (2020), which includes the Code of Conduct for Community Councillors, which itself includes the following clause 3: Integrity – *“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 (see Scheme - Constitution Clause 11(b) ), withdraw from discussions and the decision making process with regard to that matter.”*

If it is subsequently established that a member had an interest in an item of business dealt with by the Community Council but had knowingly failed to declare that interest and to withdraw, the item of business shall be placed on the agenda of the next available meeting of the Community Council for re-consideration. Any earlier decision made by the Community Council may be upheld or changed.

At that next available meeting, the Community Council will also consider the position of the member who failed to make the declaration of interest, and having considered this issue, will be entitled to censure / vote of no confidence / and/or disqualify the member in accordance with Scheme Clause 16 & GUIDANCE APPENDIX 13

## **5. Working Effectively**

### **5.1 Working effectively at meetings**

Meetings are of crucial importance to the work of Community Councils. It is at meetings that opinions, ideas, feelings, good intentions etc. get translated into hard decisions, and it is those decisions that will ultimately be translated into practical action in your community. If you really want to influence what is going on in your community then it is vital that you are able to participate effectively in the work of your Community Council's meetings.

It is perfectly normal that, in any meeting, the individuals present will have different, sometimes opposing views. For this reason, it is important that meetings are chaired effectively so that there is a balance between hearing what everyone has to say on a subject and getting through all the items of the agenda.

If there is something of major significance that you want to raise at a meeting make sure that you tell the Chair, Secretary, and/or Treasurer in advance, ideally at least 7 days prior to the date of the meeting, so that it may be included as an item on the agenda. This means that the person in the Chair can try to ensure that sufficient time is made available to discuss your item. If you do put an item on the agenda be prepared to make a brief verbal representation to the meeting, setting out:

- the background to the item;
- what you think the central issue is;
- what you think ought to be done about it.

Be prepared to actively listen to other people's ideas on the matter; they may have information on the subject that you don't, they may help you to see things from a different perspective, or they may come up with ideas that offer a better solution than yours. Remember that the key activity for a good Community Councillor is to make things happen for the community. Discussion, seeking consensus and collective decision-making should be common practice; 'point scoring' at meetings on the other hand should be avoided.

Sometimes you may be asked to participate in a sub-group of the Community Council, in order to research some points for the next meeting of the Community Council. Sub-groups can play an important part in clarifying issues so that decision making is easier at future full meetings. Although sub-groups may involve some extra time commitment you should try as far as possible to get involved so that the work of your Community Council is spread evenly and you get a deeper insight into what is going on at Community Council meetings.

A formal record of what was agreed at sub-group meetings should be kept in an appropriate form. Make sure whether you agree or otherwise with the formal record as this will be presented to the full Community Council meeting and will usually determine exactly what action is to be taken.

As a general rule, it is much easier to influence decisions by working together and co-operating, rather than by confrontation. This is equally true whether in meetings, in dealings with other members or in correspondence, e.g. when writing to Officials of the Local Authority.

Community Councils that make a positive contribution can gain respect, and be increasingly involved in consultations on any proposals affecting their community. It is crucial that effective working relationships are established.

## **5.2 Establishing priorities**

Some Community Councils have acknowledged that it can be more difficult to deal with matters that are not practical issues such as 'grass cutting' or 'potholes in the road'. While these 'bread and butter' issues are an important part of the work of a Community Council (and should be reported through SAC's system for reporting problems <https://www.south-ayrshire.gov.uk/report/> ) it should never be forgotten that there are other matters, that may appear to be less obviously important in the short term, but which may have a future bigger impact on the community e.g.

- changing economic conditions
- population changes in the local community
- long-term development proposals

It is important that placing too much emphasis on 'everyday' issues does not lead the Community Council to overlook matters like the ones above, which are of strategic importance to your community. The way to overcome this potential problem is for Community Council members to think as a collective body and work effectively with Local Elected Members to progress other matters.

Try to be clear about which issues are most important for your community and which to allocate most time to. This may mean choosing between the short-term and longer-term matters. Always remember that strategic issues are important and should not be set aside simply because there is another issue that appears on the surface to be more urgent.

One way to get through complex issues that are important would be to split up the task and allocate responsibility for bits of the task to different individuals or working groups of the Community Council, over a series of meetings.

Another way that Community Councils can deal with ongoing issues is for individual members with specific knowledge, experience or interest, to take on the role of 'looking out' for news on issues in local press or in the public sphere generally. This would also help in dealing with the wide range of consultation documents that Community Councils are asked to respond to e.g. a Weekly Planning List contact and/or sub-group are often appointed to ensure that timely responses to planning applications are made.

The Community Council should also seek to participate on other initiatives and structures, such as Locality and Community Planning Partnerships; and Community Safety Joint Action Groups etc. Appointed representatives to these bodies can ensure that the communities' voices are heard. A substitute representative is also useful to ensure continuity of attendance.

### **5.3 Preparation before and action afterwards**

Effective meetings don't just happen - there is a sequence of events leading up to and following on from a meeting that will help determine whether the meeting goes well or not.

To assist with preparation before a meeting and actions afterwards it is best practice that the minutes are produced shortly after a meeting and sent out to Community Council members and/or committees so that people can see what was said; what had been agreed; and what would be done before the next meeting.

It is important to send minutes not just to those that were at the meeting but to others who missed the meeting or who may be expected to do something as a result of the meeting. It is all too easy for people who have been involved to inadvertently slip out of the information loop, by simply missing one or two meetings.

When coordinating the circulation of minutes the Secretary will send an approved minute within 14 days from the date of the meeting which approved them to South Ayrshire Council as a matter of course, and make same available to the public for inspection via websites; libraries; and any other appropriate public space.

It is always important to make the minutes of meetings publicly available so that the wider community has an understanding of what the Community Council and its members are doing. To assist in this process it is also important that the minutes are made available to South Ayrshire Council and written in such a way that it is easy to identify what actions and timescales have been agreed and who is responsible. It is invariably the case that work between meetings moves things forward rather than the meetings themselves.

### **5.4 Key roles for the Chair**

The Chairperson, working with the Secretary and Treasurer, or perhaps other agreed Community Council members, has a lead role to play in between meetings in making sure that other members and/or third parties (the Community Council is seeking assistance from) are on target to report to scheduled meetings.

The Chair and Secretary should work together, and/or with others to set the agenda for the meeting, based on the priorities of the Community Council and any ongoing actions that are taking place between the meetings; and any other new and important emerging issues.

The Chair needs to run the meeting effectively. Included in this are starting and finishing on time; keeping people to the agenda; timetabling and managing the meeting so discussion doesn't get bogged down on one topic unless it merits it; and summing up at the end of each item so that action points are agreed and made clear, including who has been tasked with an action and within what timescale.

In order to manage the meeting in this business-like way, it is important for the Chair to have strong leadership qualities, as well as a range of personal and interpersonal skills that make for a productive and business like experience for all.

This involves not dominating a meeting, and making sure the views of all are heard, and not just those of the most confident or loudest around the table. It means being able to foster an environment where people are happy to ask questions if they are unclear about something and to support each other's work and interest.

The Chair has to maintain a neutral point of view. Where an issue arises that the Chair has an opinion on, they can temporarily vacate the Chair (handing over to the Vice-chair) in order to be able to state their viewpoint.

## 5.5 Key roles for others

It is often the case that members are championing specific areas of the Community Council's work, and they may be doing that through leading sub-groups. If this is the case then it is often important that they consider producing short summary reports or equivalent for the full Community Council meeting. They have a duty not to bring all the detailed discussions of a sub-group into the full meeting, but to summarise the key issues; the progress being made; and to highlight any decisions that need to be made by the full meeting.

Similarly the Treasurer should have produced a financial report for the regular and full meetings to enable the Community Council to look at and go over the main points as required and highlight areas where decisions or action may be required – at the very least this should be a statement of the current balance should there have been no financial activity since the previous meeting.

One of the main roles at the meeting for the Secretary (and Minute Secretary) is formally recording and producing the Minutes of meetings. Taking formal Minutes is a commonly underrated skill. One of the main abilities within this skill is to be able to summarise a discussion focusing in on the:

- topic being discussed;
- important facts;
- any significant points made;
- any major decisions made;
- actions agreed;
- timescales; and
- who is tasked with any actions.

Minutes should not be a verbatim account!

It's important that the Secretary asks for any points of clarification if he/she is unsure what has been stated, concluded, decided or agreed. In this clarifying role they can often quietly and legitimately support the role of the Chair.

And lastly, everyone on the Community Council has a role in supporting the Chair in his/her efforts to make the meeting business-like, well-timed, pleasant and inclusive.

## 5.6 Using sub-groups

Sub-groups often arise from a realisation that it is difficult to get everything done in one overall meeting of the Community Council. It is common for Community Councils to set up sub-groups to look at particular issues, or deal with work that has tight deadlines. An example of an ongoing issue would be planning, which requires inspection of the Weekly List of planning applications; this is because the deadline for responses can sometimes expire before the next Community Council meeting.

Sub-groups can prevent any one specific activity from overshadowing the agenda of a full Community Council meeting. In addition, a dedicated sub-group can focus on its specific project or task and spend more time on the detail, which can result in an increased achievement.

It then becomes important that there are good connections and feedback between the sub-groups and the full Community Council meeting. When a need for a sub-group has been identified, make sure that it has a clear remit for its work; what it can and cannot decide upon; and what has to be given final approval by the Community Council.

Remember the full Community Council holds ultimate responsibility for the minuted recommendations and actions of the sub-groups, and therefore the full Community Council must agree any important decisions it makes.

## 5.7 Venues for meetings

All meetings of Community Councils are open to members of the public and wherever possible should be held in a South Ayrshire Council venue contained within the Community Council boundary area (see Scheme Clause 12.1).

## 5.8 Quick checklist for meetings

1. Do your meetings start on time and finish on time?
2. Do your meetings never or rarely exceed two hours in length?
3. Does everyone turn up? Or, if not, have they put in their apologies?
4. Has everyone prepared by reading previous minutes and being aware of the agenda?
5. Do minutes go out early after a meeting?
6. Are the minutes usually a short and accurate reflection of what went on and the main things stated and if necessary agreed?
7. Are the action points on them clearly stated?
8. Are they sent to everyone who should see them?
9. Does the Chair or other members e.g. Co-Optees/Specialist Co-Optees follow up in between meetings to see what progress is being made and that people are geared up to report back at the next meeting?
10. Does the Chair work with the Secretary and any others to set the agenda ahead of the next meeting?

## 5.9 Insurance Policy

Community Councils are responsible for any loss, injury or damage to property or persons arising from its activities or from any equipment or services it provides. As such, Community Councils are responsible for ensuring that they have adequate insurance arrangements in place. Guidance should be sought to determine specific insurance requirements. This will include, but is not limited to, public liability. Other insurances may be required for property, equipment or special events such as fetes, gala days, firework displays etc.

Bespoke Insurance Policies, designed to reflect typical Community Council activities, are available and can be purchased by Community Groups. Any Policies purchased by Community Councils must be organised directly with the Insurer, however South Ayrshire Council will only meet costs where they relate to the cover for a Standard Public Liability Policy. Also see Guidance Clause 1.4 (J). Alternatively, Community Groups are free to seek advice from a registered Insurance Broker.

Please note;

Community Councils are currently constituted as unincorporated bodies, and as such do not have limited liability status. It should be noted that any insurance policy purchased may not include Indemnity Insurance i.e. providing legal exemption from penalties incurred through a Community Councillor's acts or defaults; the responsibility for a Community Councillor's actions and words lies solely with the individual. It should be made clear that Community Councillors should show due diligence with their individual and collective conduct, (see Community Councillors Code of Conduct Scheme APPENDIX 3) use of social media etc. in the same way that they would personally. If the conduct of a Community Councillor is such that grounds are raised and substantiated by undisputable evidence for someone to consider a lawsuit, the onus is on Community Councillors to explain themselves.

All Community Councils are advised to confirm with their insurer that any extra-curricular activities i.e. activities out with of regular meetings, are satisfactorily covered by the insurance policy purchased before proceeding. Community Councils have a duty to inform their Insurer of any changes which might affect their cover or require additional cover to be put in place.

Any queries regarding insurance cover should be directed in the first instance to [communitycouncils@south-ayrshire.gov.uk](mailto:communitycouncils@south-ayrshire.gov.uk)

## 5.10 General Data Protection Regulation – GDPR

The General Data Protection Regulation (GDPR) was implemented on Friday 25<sup>th</sup> May 2018. South Ayrshire Council is required to provide information for all Community Councillors of what South Ayrshire Council do with your information which has been, or will be, supplied when a formal Community Council Nomination Form is submitted to South Ayrshire Council i.e.

1. South Ayrshire Council will electronically and securely hold supplied information of Community Councillors because this is necessary for the Council to carry out its functions under the provisions of the Local Government (Scotland) Act 1973 which supports the establishment of Community Councils;
2. A privacy statement is provided alongside the nomination form for all prospective Community Councillors. The publication of limited information on South Ayrshire Councils Website is in line with the content of this statement. Any additional information will only be published with the agreement of the individual;

The Privacy Statement pertaining to Community Councils and current / prospective Community Councillors within the South Ayrshire Council boundary is included for your information as GUIDANCE APPENDIX 5. A copy of this Privacy Statement is also included on South Ayrshire Council's website.

In addition to the South Ayrshire Council Privacy Statement pertaining to Community Councils included at GUIDANCE APPENDIX 5; there is also a template for Community Councils to consider in relation to any information and/or data that they may hold or process.

All Community Councils **must** register with the ICO (Information Commissioners Office) and pay a registration fee. The cost will depend on potential membership of the Community Council. This can be done via <https://ico.org.uk/for-organisations/data-protection-fee/self-assessment/>

## 5.11 Promoting Equality

Community Councils should take responsibility for ensuring their members' participation in the activities of their Community Council complies with equal opportunities legislation. UK laws cover discrimination on the basis of sex, marital status, sexual orientation, age, religion, race, colour, nationality, ethnic or national origins and disability (see GUIDANCE APPENDIX 4).

As a Community Councillor it is important that you recognise from the outset that you are required to play a role in your Community Council. This means not simply offering your own views and opinions on local issues, or taking decisions that are based on your own self-interest.

The role of the Community Councillor is one that requires you to represent the views of your community. In practice, this will involve discussing issues with people in the community to clarify their views and assess the strength of their feelings on different topics.

It is also a good idea to encourage people to bring issues to you so that you can take them up at Community Council meetings. Try to check out the facts, however, before taking matters to the Community Council, and if there are two sides to the story, make sure that both of them are put forward. There is little point in taking up time at meetings to discuss problems that are based simply on misunderstandings or misrepresentations of the facts.

At some point it may be that you will find some conflict between your own personal views and interests and those of the community that you are representing. If such a situation does arise, make every effort to ensure that the views of the community take precedence. Experience shows that if the views of individuals on the Community Council are allowed to take priority then the community will very quickly lose confidence in the Community Council and its work may subsequently be devalued.

A task for any Community Council is to identify the needs and aspirations of its community and to take decisions that will lead to appropriate action in that community. At some point this might involve setting priorities on the competing or conflicting needs of different sections of the community.

Competition and conflict are normal in any community, so you shouldn't think of them as something that can be altogether avoided. What is important is that you approach competition or conflict in a fair and reasonable manner. This means taking a balanced view of your community's needs and aspirations and giving a fair hearing to representatives from different interest groups in your community, and any decisions should be balanced and be able to be justified.

## **6. Role of Office Bearers & Members**

### **6.1 The Chair**

The Chair has perhaps the most important single role to play in ensuring that Community Council meetings run smoothly, but even a good Chair will find the task challenging unless all the members of the Community Council give the role appropriate respect and support.

The Chair's job is to make sure that decisions are taken on all of the items that are on the agenda. In practice, this usually means that the Chair will have to make judgments about how much time to allocate to each agenda item. It also means that he or she may occasionally have to bring speakers back to the agenda and generally encourage people to make their contributions brief and to the point.

In regular meetings, the role of the Chair is a formal one; all speakers will be expected to address their comments through the Chair. This helps the Chair to keep control of the discussion. In meetings, where proceedings need not be so formal, the Chair may be content simply to steer the general direction of the discussion – this may be described as an enabling role. The extent to which a Chair adopts either of these roles will depend upon the circumstances at a particular time.

Perhaps most importantly of all, the Chair is expected to know the rules by which the Community Council functions, and ensure that at all stages of its work the Community Council is operating in accordance with the Governance for Community Councils i.e. the Scheme. In this context the Chair may be called upon to act as an arbiter when there is a disagreement about how the Governance should be interpreted.

For this reason, it is advised that a copy of the Scheme is at hand at every meeting of the Community Council, and that every member of the community can gain access to it. It is important to recognise that the Chair's role extends out with the meeting itself. The Chair may be called upon to act on behalf of the Community Council or to represent the Community Council in dealing with outside bodies. This role may also be delegated by the Community Council to other office bearers or members. It is advised that the Chair pro-actively shares 'courtesy' communication amongst the members should he or she be requested to act or attend an event on behalf of the Community Council between scheduled meetings.

Very often the Chair may be seen as the 'official' spokesperson for the Community Council and must be seen as authoritative and fair in all of their dealings with outside bodies, groups, individuals and the Press.

### **6.2 The Vice-chair**

The Vice-chair has no specific duties other than standing in for the Chair when he or she is unable to be present. The Vice-chair post can be a useful preparatory role for a future Chairperson, by 'shadowing' the current Chair, supporting the Chairperson in their role, and taking over some of



the Chairperson's work load when necessary or when asked to. This would be particularly applicable where the Community Council has appointed sub-groups to work on specific topics.

### **6.3 The Secretary**

The Secretary should take responsibility for:

- Arranging the venue for meetings;
- Forwarding, and responding to, correspondence, as agreed by the Community Council;
- Compiling the agenda for meetings (in conjunction with the Chair);
- Distributing the agenda in advance of meetings i.e. at least 7 days before;
- Copying and distributing minutes in advance of the next meeting, by post or email;
- Circulating a bullet point correspondence list to members along with the agenda;
- Taking minutes of meetings, or delegating this to a dedicated Minute Secretary;
- Liaison with officials of the local authority and other public bodies;
- Public relations, dealing with the media (the Community Council may decide to delegate this role to the Chair, or a dedicated media representative).

To be successful, a Community Council must have an energetic and conscientious Secretary prepared to put in the necessary time and effort. It is more than desirable for all members, but especially the Chair, to spread the Secretary's load by, for instance, delegating some of his or her responsibilities to other members.

It is important not to overload your Secretary - you might find difficulty getting volunteers! The duties may be allocated to more than one person, for instance having someone to act as Minute Secretary i.e. taking minutes at meetings; the circulation of minutes remains however, the responsibility of the Secretary – with support from all other members!

It may be considered essential by the Community Council that the Secretary has the necessary skills and capacity to fulfill their responsibilities e.g. access and knowledge of ICT; word-processing and photocopying facilities; and a familiar and confident user of the Internet, emailing and ideally social media.

### **6.4 The Treasurer**

The Treasurer is responsible for banking matters relating to receipt of the annual Administration Allowance; third party funding and donations; and issuing cheques and making payments on behalf of the Community Council.

The Treasurer must manage the bank account; and account for all funds received, and ensure money is only spent in a manner which meets the objectives and approval of the Community Council and its members, as recorded in the formal minutes.

The Treasurer must maintain the Community Council's financial records so that they can disclose, with reasonable accuracy at any time, the financial position of the Community Council.

All cheques issued should be signed by at least two of three persons appointed to act as signatories by the Community Council members. These appointments need to be recorded in the minutes, and notified to the bank in writing. It is necessary to have more than two authorised signatories, in the event of someone being unavailable at short notice. It should be a given that the Treasurer needs to be one of the three bank signatories. As a general rule, Treasurers should avoid paying out money except by cheque. This makes accounting for expenditure much easier.

The Treasurer must keep proper accounts of all receipts and expenditure and prepare an Annual Statement of Accounts. Community Councils need to use an independent, external competent person to verify the accounts. This need not be a professional accountant, but should be someone who has some relevant knowledge and/or is considered competent. 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.

The statement of accounts must be formally approved at the scheduled AGM held in April/May each year, when the Treasurer must report and answer any questions raised by members or the public. When certified and approved, accounts should be sent to South Ayrshire Council, as part of the process of consideration to receive the annual Administration Allowance for the appropriate year (see Scheme Clause 11.8/11.11).

The standard form of words for the Treasurer's Certificate is: *"I certify that the above accounts have been prepared by me and accurately reflect the financial provisions relating to the financial period .....*".

## **6.5 The Link Officer**

The role of Link Officers is to act as a main point of contact between a Community Council and South Ayrshire Council. The role is not intended to replace any existing links that Community Councils have developed with the Council. Rather it will be to advise and act as mentor to Community Councils – to point them in the right direction in terms of their relationship with the Council by, for example, identifying appropriate officers who should receive communications, responding to requests for Council publications, noting causes of concern, alerting Services to local feeling. An important element of the role will be to ensure that the local Elected Member is kept advised of issues and actions. It is also to be expected that Link Officers will advise Community Councils on procedural matters, if required.

Further information regarding the Link Officer role/structure can be found at GUIDANCE APPENDIX 12

## **7. Working Strategically**

There are two ways of working available to any Community Council on any given issue. It can choose to play a reactive role or it can choose to play a proactive role.

### **7.1 The reactive role**

Some Community Councils believe that their primary responsibility is to react efficiently to the issues and matters that are brought to them by members of their community; and to correspondence coming in from public bodies' e.g. Local Authority departments.

A view that could be taken by Community Councils is, if a problem or complaint is brought before the Community Council, then something will be done about it. In such circumstances the agenda would be made up almost entirely of issues such as street lighting needing repair, grass that needs cut, etc. Clearly these are issues of importance to the community, and therefore matters which need to be resolved.

Working in this way is reactive in the sense that individuals and organisations outside the Community Council set the Community Council's agenda.

### **7.2 The proactive role**

Some other Community Councils see it as their job, in addition to responding to issues such as those mentioned above, to facilitate an approach that does not wait for problems and issues to be brought before it. Rather, it would set out to identify the various issues that it thinks might affect the community, both in the short and longer term.

Having identified those issues as best it can, it would then proceed to set out some priorities for the community and the Community Council. This involves thinking what actions the Community Council might play in making things happen.

### **7.3 Examining what is going on inside and outside the community**

The first step is to take a careful look at the ways in which your community and local environment might be improved. Examine the needs that are apparent in the community, gather the evidence which supports the needs, and try to identify any related hopes and ambitions, based upon these needs, that could be translated into reality.

Then have a look at what is going on in the outside world. What are the major opportunities or threats? You might consider the likely impact of matters such as the availability of funding in this category. How could your Community Council take full advantage of the opportunities available, or take action to minimise the impact of any threats?

### **7.4 Reviewing the options**

The next stage is to set out all of the possibilities, all of the things that the Community Council might get involved in to benefit the community. These are your strategic options and they need to be carefully considered before deciding which particular options to pursue. Try to be clear about how much time, energy and resources would have to be put in to the various options, and establish whether or not those could be justified in terms of the outcome that you would want to achieve

### **7.5 Making strategic decisions**

Once you are satisfied that you have examined all of the options open to the Community Council it is possible to start taking decisions about which options offer most benefit, or make most sense given the circumstances. Effectively this means choosing a direction for the Community Council to pursue. Direction is important for any organisation since it allows the people involved to share a vision of where they are going (see Guidance Clause 1.1 and Scheme - Constitution Clause 3a).

Once you have chosen the overall direction, try to consult widely within your community. Find out whether people in general are behind you, and try to identify any particular concerns that they might have. By consulting early there is a greater likelihood that the community as a whole will be supportive of any action that the Community Council subsequently takes. It also helps to minimise the risk that the Community Council moves in a direction that might alienate the wider community. It may also galvanise the community, identify skills and contact in the wider community, and allow proactive actions to be taken by and for the wider community

### **7.6 Setting the objectives**

Once you are clear about what the overall vision is, it is easier to set an aim and specific objectives. For example, if your chosen aim is to improve the cleanliness of the area, then your objectives might be as follows:

- to make local people aware of the issues;
- to involve local schoolchildren in projects; and
- to carry out specific clean-up projects.

## **7.7 Developing the Strategy**

When the objectives are clearly set out you can then consider the things that need to be done in order to achieve them. This requires you to think about which actions are likely to be the most effective in the particular circumstances of your Community Council; a Strategy can help to achieve this, which is a way of simply setting down the steps to be taken in order to meet the objectives, achieve the aim, and ultimately fulfill the vision.

## **8. Report Writing**

If there is a particular issue which your Community Council feels strongly, you may want to write up a short report so that your fellow Community Councillors can make themselves familiar with it. Some people find the thought of writing a report quite daunting. However, writing a report can be very simple if you approach it in the right way; suggested stages of report writing are set out below:

### **8.1 Stage 1 - Planning the report**

The first thing to do is to write down on a piece of paper why you are writing the report. You should try to become clear about what it is that you are trying to achieve by writing a report. Are you merely trying to inform your fellow councillors about something or are you trying to influence them to take a particular decision on an issue?

Once you are clear about what it is that you want to achieve it is much easier to decide how to set about the task. Remember, very few people want to read reports just for the sake of it!

The next thing to do is to decide what information you will need to include, in order to achieve your objective. The golden rule here is to make sure that you include no more information than is absolutely necessary. You can always supply additional information if anyone asks for it!

### **8.2 Stage 2 - Preparing the report**

Having decided what you want to include you will then have to gather your information. This might involve taking statements from people, or doing some research of records. The important thing is to try to make sure that your information is accurate and balanced. People are seldom persuaded by a one-sided report; and remember the following points:

- Don't put in too many statistics as people generally find statistics hard to swallow (these can be put in an Appendix);
- Keep your sentences short and 'punchy', and try to avoid using long words and formal language that you would not normally use;
- Start with an introduction that explains in a nutshell what the report is about;
- Go on to develop your ideas in the main body of the report then do a short summary;
- Finish off with a conclusion that sets out clearly what it is that you are recommending the Community Council to do about the matter.

## **9. Media & Publicity**

### **9.1 Dealing with the Press**

The Press have two major priorities:

- to get 'copy' to fill their newspapers
- to get good 'stories', articles that have a human-interest value and which sell newspapers,
- to get reliable sources to comment on stories

#### **Press release**

From time to time you may want to issue a press release stating the Community Council's views or clarifying facts. This is particularly important when a controversial issue divides the community or when, in the opinion of the Community Council, their discussions have been either incompletely reported or misrepresented in the media.

When you are dealing with someone from the Press it's likely that they will make a quick assessment to determine what happens to the information that you have sent them. By giving your information a 'human interest' theme, it may be possible to get the coverage you are looking for...

For example, if you wanted to publicise a fundraising event in your community you might simply pass details of the event over to a local paper. Alternatively, you might write a short article focusing on someone who will really benefit from the fundraising. If you choose the first option, the newspaper may not run it or it's likely that the information will be tucked away in a corner of the paper where it may not be noticed. If you choose the second option, you may find that a fairly lengthy article appears.

The primary concern of the Press is to sell newspapers and that means providing news and information that people will want to read. So try to make sure that you are providing material that will interest people as well as simply informing them.

Perhaps the best way to interest the Press is to issue a 'Press Release', which at its most effective is probably a page of A4. It can be issued to both local and regional newspapers and on occasion may interest national papers. Don't forget local radio and television stations.

You should also keep in mind that reporters have the power to edit news items. In practice, this means they can put emphasis on particular words or events that you may not have intended, and your message may end up distorted. The solution is to try to ensure that you choose your words carefully; knowing that anything you say could end up as a headline. It is not difficult to make the headlines in a local paper, but it's sometimes difficult to live with the headlines that you make!

Try to remember the constraints that local newspapers work under. They have tight deadlines to meet, so make sure that you submit your press release in plenty of time. They also appreciate information and articles that can be printed without a lot of cutting and reorganising, so try to make sure that the information you provide is to the point.

#### **Press enquiries**

As a Community Councillor, someone from the press may approach you at some point looking for a story. If this happens, take your time and think about what you want to say, don't let yourself be rushed.

Remember, you can always say you will get back to the reporter with a comment, or email them through a statement, which gives you a chance to think. It's sometimes better to say nothing, than say something you may regret later.

## Public meetings

The press will often attend public meetings. This is a great way to fill their newspaper with local interest stories. You should always be aware that the press might be at your meeting; if you say something at a public meeting, the press has every right to print what you say.

They could also ask a question at your meeting in which case, they should identify themselves as a member of the press. However, that doesn't always happen, so it is best to be cautious.

If you are asked a question by a reporter and you don't know the answer, don't try to bluff it. Be honest and say you don't know; you can always get back to them.

### 9.2 Handling Press interviews

If a reporter is interviewing you, be careful about what you say. It's easy to be caught off guard and to say something that you didn't really mean. Be very wary about 'off the record' comments because these may end up being attributed to you.

The best approach is to think about what you want to say before the interview starts. Ask the reporter in advance about their questions and think about your responses.. Try to be clear about what sort of message you want to convey by preparing five or six key points and sticking to them.. Remember, you may want to check with the Chair or Secretary before you commit yourself to doing an interview.

### 9.3 Social media

The press likes to trawl social media looking for a story, so be aware. Think before you issue anything even in a closed group, as it may become public. If you are putting information out on social media, particularly on a contentious issue, have a think about what you would say to the press if they contact you about it.

### 9.4 Using Social Media & Creating Websites (GUIDANCE APPENDIX 7)

Social media is a part of our culture now, and it's important to take advantage of these new mediums.

- **Facebook Pages** are essentially profiles for organisations. A 'Page' allows your Community Council to have a public Facebook presence, which is visible on search engines such as Google, and can act as an extension of your own Community Council website;
- **Gmail** is Google's free Web and cloud-based email service. Gmail offers more than 10GB of free storage with the ability to upgrade to a larger storage capacity on demand. Gmail offers spam protection, phone calling, searching, chat for your Community Council. It is simple to configure for use;
- **Twitter** is an online social networking service and microblogging service that enables its users to send and read text-based posts of up to 280 characters, known as "tweets".
- Creating a Website Using **WordPress** is free to use. You need to register for an account on WordPress.com and agree to abide by the Terms of Service. WordPress has evolved throughout the years into a versatile content management system (CMS). WordPress currently powers 24% of all websites on the internet including Time Magazine; Google; Facebook; Sony; Disney; LinkedIn; The New York Times; CNN; eBay, and more.

Scottish community council websites are classed as 'Public Sector', meaning that they need to comply with recent accessibility regulations. For community councils, compliance may mean no more than having to include an accessibility statement on the website so that they have

contact details for someone if they encounter a problem with the site, e.g. a visually impaired user may find their reader can't access some published documents.

The following links explain what accessibility is about

- Explain Accessibility and what it means for Community Councils <https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps>
- Scottish Government Website explaining what you can/can't change in an Accessibility Statement. <https://www.gov.uk/government/publications/sample-accessibility-statement/sample-accessibility-statement-for-a-fictional-public-sector-website>

Accessibility means more than putting things online. It means making your content and design clear and simple enough so that most people can use it without needing to adapt it, while supporting those who do need to adapt things.

For example, someone with impaired vision might use a screen reader (software that lets a user navigate a website and 'read out' the content), braille display or screen magnifier. Or someone with motor difficulties might use a special mouse, speech recognition software or on-screen keyboard emulator.

## **9.5 Social Media Policy (GUIDANCE APPENDIX 7)**

Social media such as Twitter, Facebook, Google+, YouTube and blogging represent a growing form of communication, allowing engagement with your community and the public more easily than ever before.

However, it is also an area in which rules and boundaries are constantly being tested. Putting a policy in place for the appropriate use of social media to increase engagement, can also protect your reputation.

The Community Council should nominate a Communications Officer to co-ordinate and manage social media content on behalf of the Community Council. The Communications Officer will oversee expansion of social media although all passwords and access should be shared amongst at least 3 members of the Community Council – but remain accessible by all members should this be required.

Members and volunteers may, from time to time, and where appropriate, post on behalf of the Community Council using the organisation's online social media profiles. This should only be done with the express knowledge and authorisation of the Communications Officer (who has been granted delegated authority by the Community Council and which has been clearly minuted within the formal approved Community Council minute).

The reputation of the Community Council is first and foremost, and this involves maintaining a safe and friendly environment for its members. From time to time social media forums may be hijacked by trolls or spammers, or attract people who attack other contributors or the organisation aggressively. In order to maintain a pleasant environment for everybody, these posts need to be moderated and/or removed if deemed appropriate to do so.

## **10. Divergent Views**

### **10.1 Dealing with conflict**

Working in a Community Council may not, at first sight, appear to have much to do with 'politics'; indeed all Community Councils are required to act as non-political bodies at all times. However, it has to be recognised that the work of Community Councils does at times concern the exercise of power, albeit at a very local level. For example, there is the power to:

- get things done in the community;
- take issue with other tiers of government;
- advise on allocating resources within the community.

Wherever power is exercised there is always the possibility of conflict developing. This may be because individuals and organisations find themselves competing for access to the same resources in the community. Or it may be simply that individuals or organisations wish to demonstrate their ability to wield power and influence in the community.

But whatever the reason, conflict can break out from time to time even in the most peaceful of communities. When it does it is important to know how to deal with it effectively so that major rifts do not develop in the community. See Unacceptable Actions Policy GUIDANCE APPENDIX 15

Because community harmony is so important, Community Councils need to ensure that, as far as possible, they exercise their power in a fair and reasonable manner. They should also try to ensure that they work in a tactful and diplomatic manner, liaising and consulting with individuals and other organisations in the community wherever possible.

### **10.2 Conflict within Community Councils**

It also has to be recognised that conflict can break out within Community Councils, just as in any other part of the community. It may be that conflicts are imported into the context of the Community Council from outside, or it may be that conflict breaks out because of a particular issue that is on the agenda. In any case it is useful to think about dealing with such conflict before you actually find yourself in the situation. This gives you a chance to work out a strategy before you get caught up in the emotion of the event.

### **10.3 Personality clashes**

Conflict which relates to a clash of personality is perhaps the most difficult to deal with because the actual issue over which the clash takes place may simply provide an opportunity for the parties to demonstrate their strongly opposing views. Where this is the case they may be less concerned with reaching agreement or getting through the Community Council's agenda than with addressing their own personal agenda.

Such personality clashes can make other Community Councillors feel uncomfortable, and can prove damaging in the long term to the work of the Community Council. In this situation it is worthwhile remembering that it is not usually possible to change a person's personality. What can be changed, however, is their behaviour, that is, what they actually do.

If there are certain things which someone is doing that cause conflict in the group e.g. rudely interrupting other people, or monopolising the discussion, it may be possible to find a way of persuading that person to change his or her behaviour. This can sometimes be achieved by the use of appropriate pointers, aimed at making the person aware of the behaviour that other people find offensive. At other times it may be necessary to try to persuade the Chair to intervene more forcefully so as to prevent that behaviour leading to conflict.

In any case it is generally a good idea for Community Councillors to talk about how they feel about 'difficult' behaviour, otherwise there is a danger that communication will break down and conflict



may eventually emerge in an even more damaging form e.g. Community Councillors resigning and/or leading to an established Community Council becoming entirely undermined.

## **10.4 Conflict over community issues**

Another form of conflict that you might come across in meetings relates to the particular community issues on the agenda, rather than to more general clashes of personality. From time to time issues will arise that some Community Councillors feel particularly strongly about. This may be because of their personal beliefs or values, or it may be because they are representing the strong views that are held in sections of the community.

If you do find yourself in this sort of conflict it is important to show that, even if you don't see things in the same way as others, you do recognise that they feel strongly about the issue, and you understand what their concern is.

You should then explain your feelings on the matter, being firm but friendly, trying wherever possible to find concerns that you share with them. Then move on to the areas where you differ and try to use their ideas as a base on which to build a solution that is acceptable to all concerned e.g. *"I understand your concern about X and think that it's something that we ought to do something about. However, I would want to approach the problem from a different angle because I think that Y is important too. Why don't we do Z, which will meet your concerns about X and my concerns about Y?"*

In this way it is possible to demonstrate to other people that you are able to listen to other people's ideas as well as presenting your own. By demonstrating your ability to listen you will also increase the likelihood that other people will listen to you.

In all types of conflict a Community Councillor arriving at the meeting 'fired up' about a particular issue is unlikely to act constructively or agree compromise. An experienced Chair will, as early as possible, allow both sides ample time to state their case and then try to broker a compromise.

Planning issues can often arouse considerable ill-feeling and/or conflict, and are potentially divisive. It is important that all sides are given the opportunity to make their views known and the role of the Chair can be crucial in managing a difficult situation. Depending on the circumstances, it may be useful to hear representations from prospective developers and from those that are either supporting or objecting to development proposals. It is important that equal opportunity is given to all sides and in these circumstances in relation to speaking time; number of questions asked etc.

## **11. Sources of Funding & Accounting Procedures**

### **11.1 Sources of Funding**

Community Councils may generate income from sources other than the Administration Allowance awarded by South Ayrshire Council. The accounts of the Community Council should however disclose all income from whatever source it is obtained and show all expenditure even where it is not simply the expenditure of the Community Council Administration Allowance. It is common that any such sources of funding of this nature are likely to be committed and/or restricted.

There is a wide range of funding sources available for projects including UK Government, the European Union, charitable trusts and the national lottery. Eligibility for funding will depend on the nature of your organisation/group, activities that you are engaged in and the type and scale of the proposed project.

Community Councils can search for themselves through the hundreds of Government, Lottery, charitable and other funds available on a European, national, regional and local basis.

South Ayrshire Council can help the Community Council to discover new funding opportunities for your projects and ideas. We provide a funder search facility that helps you to find out which funder is likely to provide grants best suited to you. We can also assist you to develop and define your business plan, and put you in touch with experience and support from a variety of sources. Funding for projects is available from a number of sources including the UK/Scottish Government, The EU, charitable trusts and the national lottery. Whether you are eligible will depend on the nature of your organisation/group, its activities and the type and scale of the proposed project.

View the main grant funders <https://www.south-ayrshire.gov.uk/grants/#grantsource>

In addition to traditional grant funding there are a number of crowdfunding platforms, such as:

- [Crowdfunder UK](#)
- [JustGiving](#)

To allow us to assess the level of support you require please complete the [External Funding Enquiry](#)

The external funding service cannot provide advice on accessing funding for individuals, unconstituted organisations or profit making businesses. However the following contacts will be able to provide further information:

- Individuals – [Citizens Advice](#)
- Unconstituted bodies – VASA
- Businesses – [SAC Business Support](#)

## **11.2 Bank Accounts (GUIDANCE APPENDIX 1)**

The Community Council should nominate 3 unrelated members (see Scheme - Constitution Clause 17e/17f) to act as signatories to the Community Council bank accounts. All cheques and withdrawals should require two from these three signatures (one signatory should be the Treasurer). Any changes to authorised signatories should be approved by the Community Council and minuted in the first instance. Signatories should preferably be full members of the Community Council. However, in exceptional circumstances Co-Optees can undertake this function.

The level of cash held should not be excessive. Any petty cash should be held in a lock-fast container and stored securely. All income received should be banked and should not be used directly to meet expenditure. If funds are required for incurred expenditure they should either be paid by cheque or alternatively cash should be withdrawn from the bank.

Once banking has been made, all records should be retained and checked by the Treasurer against the bank statement or bank book to ensure that the income has been credited correctly.

## **11.3 Expenditure (GUIDANCE APPENDIX 1)**

All expenditure of a nonstandard nature must be approved in advance by the Community Council. All expenditure must be accompanied by proof of purchase, either an expenditure voucher or receipted invoice. Receipts should be given a sequential number and filed accordingly.

Details of the expenditure can be recorded in a cash book as soon as the expenditure is incurred. Where a receipt is not available, the person making the purchase should complete a form stating the nature of the expenditure. The form should be authorised by two of the three 'signatory'

members of the Community Council. A current account will normally be used for day to day transactions.

The Treasurer should await the bank statements and once received should carry out a bank reconciliation to ensure that the bank balance agrees with the balance recorded in the cash book. All bank statements should be retained.

Where petty cash is issued, all petty cash vouchers should be signed by the person requesting the money and countersigned by the Treasurer and one other authorised signatory - this must not be the person who is requesting the expenditure. All receipts for items of expenditure should be retained and attached to the appropriate petty cash voucher.

Reimbursement of travel expenses should only be available to persons on official Community Council business. Claimants should submit a detailed record of dates, times, destination, reason for travel and mode of transport. Reimbursement of travel expenses (for example bus, taxi, train, parking fees etc.) should only be awarded if accompanied by an appropriate receipt.

Where travel is by car, a detailed record of distances travelled should be submitted for reimbursement to be considered. Claimants should sign and date any claims for travel allowance and submit this to the Treasurer.

If the Community Council requires telephone calls to be made, reimbursement of expenses can be made at the discretion of the Community Council. Reimbursement will be authorised by the Community Council.

#### **11.4 Annual Accounts (GUIDANCE APPENDIX 1)**

An annual statement of accounts, including all income and expenditure, must be prepared at the end of the Community Councils' financial year i.e. from 1 April until 31 March in the following year.

The statement must be audited by a person unconnected with the Community Council. The audited accounts must be presented to the Community Council and the original signed copy passed to South Ayrshire Council immediately after the April/May AGM (see Scheme Clauses 11.8/11.11)

#### **11.5 Inventory (GUIDANCE APPENDIX 1)**

The Community Council must maintain an inventory detailing all the assets of the Community Council. The inventory should be updated on an ongoing basis (see Scheme Clause 11.12/11.13).

## **12 Election Process**

Full Community Council membership elections shall be held every four years with the election process taking place Jan to March. South Ayrshire Council shall conduct and administer Community Council elections including Full, Inaugural and By-Elections (by-elections take place on years two, three and four).

GUIDANCE APPENDIX 14

## 13 Summary

To summarise, the work and operational methods of Community Councils can be varied, and can lead to Community Councils interpreting their role in the community by carrying out tasks such as:

- environmental projects – clean up days, for example;
- organising local galas in partnership with other local groups;
- printing and distributing local newsletters, and running dedicated Community Council websites;
- conducting local surveys and campaigning on local issues;

It should not be forgotten, however, that the main purpose of your Community Council is to represent the views of your community. Given the current broad legislative remit of Community Councils, the scope for their potential for future development remains substantial.

# South Ayrshire Council

## Financial Accounting for Community Councils



# FINANCIAL MANAGEMENT

## FINANCIAL MANAGEMENT

### 1. Accounts

- 1.1 The Treasurer will be responsible for ensuring that the Community Council's accounts are kept up-to-date. The Treasurer must also ensure that monthly accounts, book of account, bank books and statements, together with a list of all assets are available for inspection at each meeting of the Community Council. The Treasurer will report on any concerns which he/she may reasonably have about the accounts/property to the first available meeting of the Community Council.
- 1.2 At each 31 March the Treasurer shall prepare an Income and Expenditure Account. This should represent a true record of the Community Council's financial transactions for the previous twelve months.
- 1.3 Treasurer shall then arrange for these accounts to be checked and properly vouched for by a competent independent examiner. The financial year for all Community Councils shall commence on 1 April and end on 31 March of the following year.
- 1.4 The competent Independent examiner shall be appointed annually (at the AGM) and may charge a reasonable fee for their services. 'Competent' need not be considered restricted to a qualified accountant and/or bookkeeper, but could be an individual who has the ability to itemise and balance income and expenditure figures accurately. The level of income held by your Community Council would define the qualification required.
- 1.5 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.
- 1.6 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, to be received by South Ayrshire Council no later than 30 September each year. It is the collective responsibility of the Community Councillors to ensure the submission of accounts.
- 1.7 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 etc to undertake a full audit of the accounts.

- 1.8 Once the audited accounts are received by the Secretary from the Treasurer they shall be distributed to the members of the Community Council and at the next meeting of the Community Council they shall be discussed and, if appropriate, accepted by the Community Council. Thereafter a date for the Annual General Meeting shall be set by the Community Council and the agenda, copies of papers referred to in the agenda and copies of the previous minutes shall be attached to the agenda. Copies of the agenda, papers, minutes and the audited accounts shall be made available to the members of the public at the Annual General Meeting but shall also be made available for inspection at a place specified in the public notice giving intimation of the date and time of the Annual General Meeting. Provided the correct public notification is given it may be possible for Community Councils to make arrangements to ensure that the Annual General Meeting follows immediately after the meeting of the Community Council at which the audited accounts are accepted.
- 1.9 The Treasurer is required to present the accounts to the Annual General Meeting and to reply to any questions which may be raised. If there are no questions concerning the accounts then a resolution accepting them shall be proposed, seconded and put to a vote of all qualified electors present at the Annual General Meeting.
- 1.10 The Community Council shall send a copy of the audited accounts to South Ayrshire Council as soon as possible once they have been approved by the Annual General Meeting.

## 2 Property Lists

- 2.1 The Treasurer is also responsible for maintaining an up-to-date inventory of all Community Council assets. The list should include all equipment, furnishings and property and should also indicate the normal location where the items are used and stored. The list must be given to the auditor for inclusion in each annual audit and may be made available to any designated officer of South Ayrshire Council if requested. The list must specify the date of acquisition of the property and must specify the source from whom the property was obtained or the source from whom the funds were received to acquire the property. It must also include the estimated value of the property.
- 2.2 The Treasurer is also responsible for the safety and security of all the Community Council's assets unless another person or persons have been specifically appointed, by the constitution or by a minuted resolution of the Community Council, to be responsible.
- 2.3 It is recommended that the Treasurer should seek competent advice appropriate to the value of the assets to ensure their safety and security. The Community Council is also recommended to consider the matter of insuring its assets and it should be the Treasurer's responsibility to provide information to allow a considered decision to be made.
- 2.4 If any person wishes to use any asset of the Community Council they should make an application in writing to the Secretary for this. Before agreeing to allow any other person to use an asset, the Community Council must check regarding insurance that it is permissible so to do. Any decision to allow any other person to use an asset or property of the Community Council must be taken at a meeting of the full Community Council. If the Community Council agrees to such person making use of any asset or property the Secretary will write to the person confirming the asset which may be used and the period during which it may be used and any other conditions which may be imposed by the Community Council. The person making the request must acknowledge the Secretary's letter in writing and must acknowledge that they have full responsibility for the asset during the period which they make use of it.



### 3 **The Bank Account**

- 3.1 A minimum number of three authorised signatories should be appointed to authorise financial transactions i.e. signing of cheques, on behalf of the voting members of the Community Council.
- 3.2 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.
- 3.3 Bank Account Signatories should hold full membership of the Community Council. However, in exceptional circumstances Co-Optees can undertake this function.
- 3.4 All payments/purchases of a non-standard nature should first be discussed at a Community Council meeting and minuted. (e.g. Purchase of equipment etc). It is acceptable for payments for ICO Registration, Insurance etc to be paid without prior discussion – although it should be reported that these payments have gone ahead.

### 4 **Dissolution**

- 4.1 On dissolution of the Community Council the Treasurer will co-operate fully with South Ayrshire Council to ensure the proper application of funds and property on dissolution as specified in the Scheme (see Scheme Clause 15.8-15.18).

## 5 Community Council's Administration Allowance

- 5.1 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 CC will receive a top up allowance thereafter – which will be based on **approved** expenditure for the previous year.

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

- 5.2 Each Community Council will receive an email in February/March of each year reminding the Community Council of the process for claiming the next year's administration allowance.
- 5.3 In the second and subsequent years of operation of this Scheme, a basic allowance reimbursing Community Councils for expenditure on approved items for the previous year will be made.
- 5.4 Before the Allowance is released to the Community Council, South Ayrshire Council should be in receipt of:
- A Completed Allowance Application Form
  - An up-to-date Bank Statement (to ensure that the Councils finance system is up to date)
  - Copies of all Community Council minutes and sederunts. At least six of the Community Council meetings must have been quorate. Administration allowances will not be issued unless copies of Community Council minutes are held on file by South Ayrshire Council (see Scheme Clause 11.5 iii)
  - A copy of the Community Councils Independently Examined Accounts
  - Completed Self Evaluation (RAG) Analysis
- 5.5 South Ayrshire Council may review the level of basic allowance awarded to Community Councils at any time.

## 6 Approved Expenditure for Community Council business

- 6.1 The Administration Allowance can be used with no restrictions on a range of approved expenditure. Community Councils can prioritise what they choose to spend the money on – but can only receive reimbursement of spend within the approved categories.

6.2 The Administration Allowance is provided to meet the operational costs listed below. Expenditure under each heading must be recorded in annual accounts. The approved list will be reviewed on an annual basis.

- 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
- Postage
- Production and circulation of minutes, agenda and annual reports
- Subscriptions
- Telephone costs/ISP costs/ Internet Service Provider- (Possible in villages)
- Travel costs
- Expenses for attending ceremonies
- Remembrance Day Wreaths
- Subsistence
- Honorarium
- Gifts
- Donations to Community Groups
- Stationery

**Other-** guidance on items of expenditure not falling into one of the categories above should be obtained from the Community Council Engagement Officer prior to incurring the expenditure. An example of this category would be local training events for Community Council members. Any expenditure over £250 must be approved and agreed with SAC Community Council Engagement Officer before expenditure is incurred.

All expenditure **must** be accompanied by receipts, and all expenditure must relate to Community Council business.

Should a Community Council have any queries on approved items of expenditure please contact [communitycouncils@south-ayrshire.gov.uk](mailto:communitycouncils@south-ayrshire.gov.uk) or the Community Council's Link Officer prior to any expenditure being incurred.

## **7 Expenditure Outwith the scope of the Community Council Administration Allowance -**

The following items of expenditure is not permitted

- Donations to political parties.

## **8 Income from other sources**

8.1 Revenue raised from events organised by the Community Council will be disbursed in whichever way it decides at its meetings, but again should be targeted at projects within the Community Council area, and discussed at a meeting/recorded in the minute.

## **9 Assets of Dissolved Community Councils**

Where a Community Council has ceased to function, the last Treasurer shall

- 9.1 submit to the Service Lead – Performance, Policy and Community Planning of South Ayrshire Council, the accounts and all bank books, etc, in his/her possession. Any remaining funds should be disbursed in accordance with the Constitution of that particular Community Council and a statement to that effect given to South Ayrshire Council. If no provision exists in the Constitution then the funds shall be held in trust for a maximum period of one year by South Ayrshire Council until a new Community Council is formed. (scheme Clause 15.17)
- 9.2 Prior to any funds being transferred or gifted, the Community Council shall return to South Ayrshire Council the balance of any unexpended funding received for that financial year. Any unspent external Funding should also be returned to the provider following advice.
- 9.3 Should a Community Council fail to return their accounts to be audited when they have wound up voluntarily, or have ceased to function, South Ayrshire Council shall have the right to take legal action to have the balance of any funds returned to it.

## 10 Completion of the Cashbook

10.1 One of the key positions for all Community Councils is that of Treasurer, who is responsible for handling a Community Council's financial affairs. These guidelines will assist in the recording of financial transactions, assist audit requirements and enable the Council and Community Councils to collate valuable information on the disbursement of Community Council funds.

10.2 The cash book can be held as a single spreadsheet covering both Income and Expenditure. The cashbook columns should cover:

- Date of Transaction
- Transaction Type (e.g. cheque, BACS, etc)
- Unique reference if there is one (e.g. cheque number for expenditure). For income this may often just be 'deposit'.
- Activity/Description of expenditure or income
- Amount Paid (for expenditure, so will be blank for income). For audit purposes, receipts should be included for all items of expenditure.
- Amount Received (for income, so will be blank for expenditure)
- Running balance (this will enable regular reconciliation to the bank account)
- Whether the transaction has yet cleared the bank (Yes or No)

10.3 The cash book should also be kept up to date with any automatic transactions which appear through the bank, such as bank interest, direct debits etc. It is therefore good practice to check the bank account regularly to enable the cash book to be kept up to date as well as ensuring there are no unusual transactions on the bank account.

Previous year cash books can be archived to a separate spreadsheet, and a new spreadsheet started for the current year.

## 11 Income and Expenditure Account

11.1 A spreadsheet is provided which shows how an Income and Expenditure Account (I&E) should be presented. The transaction details should follow the headings detailed above.

11.2 The starting point for the I&E is the closing position at the end of the previous year. When preparing the I&E, any unrepresented cheques from the previous year should be excluded as they are included in the I&E for the previous year.

**[NAME] COMMUNITY COUNCIL**  
**INCOME & EXPENDITURE**  
**ACCOUNT**  
**1st APRIL 2018 to 31st MARCH**  
**2019**

<u>INCOME</u>		<u>£</u>	<u>£</u>	<u>£</u>
	Opening Balance 01/04/xx		XX	
		XX		
		XX	XX	£0.00

<u>EXPENDITURE</u>		<u>£</u>	<u>£</u>	<u>£</u>
chq no		XX		
		XX		
		XX	XX	0
	Balance C/fwd			<u>£0.00</u>
	bank statement @ 31/03/xx		XX	
	plus Petty Cash		XX	
	less cheques not presented at bank	XX		
		XX	XX	<u>#VALUE!</u>

The above Income & Expenditure Account has been prepared from the records, vouchers and other information provided.

*[SIGNED]*  
Treasurer  
[Name] Community Council

## **APPENDIX 2**

### **Community Council Formula for Membership**

Under the Community Council Scheme, membership of a Community Council is:

- Core membership of 9
- One additional member per thousand of electors, up to a maximum of 18 where the population density is over the South Ayrshire average of 92.2/sq km
- Where a population density is under the South Ayrshire average of 92.2/sq km, a Community Council will have one additional member
- Maximum membership of 18

The above formula was agreed under phase one of the review consultation of Community Councils 2019, there was a further consultation completed in January 2020. The membership was ratified at South Ayrshire Council's Leadership Panel on 17th September 2019.

**SOUTH AYRSHIRE COUNCIL**  
**NAME, DESCRIPTION AND MEMBERSHIP OF COMMUNITY COUNCIL**

Name of Community Council	No of Members	South Ayrshire Council Electoral Ward(s)	Number of Electors
<b>Alloway, Doonfoot and St Leonards</b>	<b>16</b>	<b>5</b>	<b>7901</b>
Alloway	7		
Doonfoot	6		
St Leonards	3		
<b>Annbank</b>	<b>9</b>	<b>6</b>	<b>776</b>
<b>Ballantrae</b>	<b>10</b>	<b>8</b>	<b>514</b>
<b>Barr</b>	<b>10</b>	<b>8</b>	<b>245</b>
<b>Barrhill</b>	<b>10</b>	<b>8</b>	<b>254</b>
<b>Belmont and Kincaidston</b>	<b>13</b>	<b>4</b>	<b>4074</b>
Kincaidston	4		
Belmont North	4		
Belmont South	5		
<b>Colmonell and Lendalfoot</b>	<b>10</b>	<b>8</b>	<b>300</b>
<b>Coylton</b>	<b>10</b>	<b>7</b>	<b>2929</b>
<b>Craigie</b>	<b>10</b>	<b>6</b>	<b>284</b>
<b>Crosshill, Straiton and Kirkmichael</b>	<b>10</b>	<b>7</b>	<b>1410</b>
<b>Daily</b>	<b>10</b>	<b>8</b>	<b>897</b>
<b>Dundonald</b>	<b>11</b>	<b>6</b>	<b>2229</b>
<b>Dunure</b>	<b>10</b>	<b>7</b>	<b>714</b>
<b>Forehill, Holmston and Masonhill</b>	<b>14</b>	<b>4</b>	<b>5966</b>
Castlehill/Masonhill/New Holmston	7		
Holmston and Forehill	7		
<b>Fort, Seafield and Wallacetown</b>	<b>15</b>	<b>5</b>	<b>6154</b>
Fort	5		
Seafield	7		
Wallacetown	3		
<b>Girvan and District</b>	<b>14</b>	<b>8</b>	<b>5308</b>
<b>Kirkoswald, Maidens and Turnberry</b>	<b>10</b>	<b>8</b>	<b>963</b>
<b>Loans</b>	<b>9</b>	<b>6</b>	<b>666</b>
<b>Maybole</b>	<b>12</b>	<b>7</b>	<b>3479</b>
<b>Minishant</b>	<b>10</b>	<b>7</b>	<b>439</b>
<b>Monkton</b>	<b>10</b>	<b>6</b>	<b>967</b>
<b>Mossblown &amp; St Quivox</b>	<b>11</b>	<b>6</b>	<b>2060</b>
<b>Newton and Heathfield</b>	<b>14</b>	<b>3</b>	<b>5973</b>
Newton	3		
Heathfield	11		
<b>North Ayr</b>	<b>15</b>	<b>3</b>	<b>6894</b>
Whitletts and Lochside	6		
Dalmilling	5		
Craigie	4		
<b>Pinwherry and Pinmore</b>	<b>10</b>	<b>8</b>	<b>212</b>
<b>Prestwick</b>	<b>18</b>	<b>2</b>	<b>12289</b>



<b>Name of Community Council Sub-Ward</b>	<b>No of Members</b>	<b>South Ayrshire Council Electoral Ward(s)</b>	<b>Number of Electors</b>
<b>Symington</b>	<b>10</b>	<b>6</b>	<b>1336</b>
<b>Tarbolton</b>	<b>10</b>	<b>6</b>	<b>1755</b>
<b>Troon</b>	<b>18</b>	<b>1</b>	<b>12449</b>

# South Ayrshire Council

## Health & Safety Statement for Community Councils



## Health & Safety Statement

All Community Councillors, regardless of whether they are an office bearer or nominated representative, should take responsibility for ensuring that they take reasonable care to avoid injury to themselves and others whilst undertaking business on behalf of the Community Council e.g. attending meetings; conducting public meetings; attending conferences, seminars etc.

### **The Health and Safety at Work etc. Act 1974 states that:**

*“It shall be the duty of every employee while at work to take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions at work.” “As regards any duty or requirement imposed on their employer or any other person by or under any of the relevant statutory provisions, co-operate with them, as far as is necessary, to enable that duty or requirement to be performed or complied with.” “No person shall intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare in pursuance of any of the relevant statutory provisions.”*

Although the above may not immediately strike Community Councillors as being relevant to them, the principles contained within the Act do have resonance i.e. principally *“take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions”* and *“no person shall intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare”*.

### **All Community Councillors, regardless of status, should observe the following:**

- take reasonable care to avoid injury to themselves and others;
- report all hazards which they cannot eliminate or control themselves to the appropriate person;
- use all equipment owned by the Community Council safely and in accordance with the instructions;
- cease any activity or leave any area where there is serious/imminent danger to themselves or others;
- seek first aid treatment for any injury sustained;
- report all accidents, incidents or near misses to the appropriate person;
- co-operate in joint consultation on Health and Safety matters, and accept the need for safety training when appropriate;
- co-operate directly and fully with any investigation into the circumstances of any incident in which they, or the Community Council, are involved.

# South Ayrshire Council

## Equalities Statement for Community Councils



## Equalities Statement

Community Councils are an important part of South Ayrshire's community. They confirm the Government's commitment to an inclusive democracy which involves local people in the decisions made by their local authorities. The Scheme helps local authorities and community councils develop their relationship effectively and details the framework within which community councils exist.

Community Councils are voluntary bodies which exist within a statutory framework and which have been granted statutory rights of consultation. The general purpose of a Community Council is to ascertain, co-ordinate and express the wider views of the entire community within its agreed boundaries. They can complement the role of the local authority but are not part of local government.

The statutory objectives of Community Councils are set out in the Local Government (Scotland) Act 1973, Section 51(2) 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".

The Governance contains commitments for Community Councils to uphold equalities, and states that it shall be a duty of every Community Council to ensure that its general responsibilities and activities are carried out fully in accordance with current Equalities Legislation.

Community Councils are particularly committed to;

- Challenging and eliminating discrimination, harassment and victimisation;
- Advancing equality of opportunity and improving the diversity and make up of its members;
- Raising local awareness of equality and diversity.

Further information about the Equality Act may be found at [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

South Ayrshire Council recognises the voluntary status of Community Councils, and respects the individuality of the communities they represent. The active involvement of Community Councils will bring benefits both to South Ayrshire Council and local communities. Community Councils should support and complement the role of South Ayrshire Elected Members in ensuring that local opinion is taken into account in matters of policy or operation. Community Councillors should develop their relations with South Ayrshire Council into one of partnership.

Nominations are welcomed from everyone residing in the community who meet the scheme requirements. Vacancies on Community Councils are advertised in the local areas, and on the Community Council pages on the South Ayrshire Council website.

When a member of the local community submits a nomination form to join a Community Council, they are agreeing to conform to the requirements of South Ayrshire Council's core Governance for Community Councils which includes the Scheme, Constitution, Code of Conduct, Standing Orders, Annual Self-Assessment (RAG Analysis) and General Public: Complaints Procedure.

The Community Councils' objectives include promoting the well-being of the community and to foster community spirit, as well as fairly expressing the communities' views and diversity of opinions. Respect and objectivity are key principles that Community Councils, and their members,

have a responsibility to make sure they are familiar with, and that their actions comply with these, along with the Code of Conduct in its entirety.

Occasionally, South Ayrshire Council may undertake information gathering based upon equalities. Information being sought would relate to any of the protected characteristics as set out in the Equality Act (2010). Any provision of such information would be optional and anonymous.

Information will only be used to analyse the diversity of Community Council members and to identify possible gaps in protected characteristic groups. All information held will be strictly confidential and not shared with any third parties. Anonymous equalities information may be circulated amongst Community Councils to help them identify any actions which best support the existing Community Council members, and address any areas of underrepresentation from local communities.

# South Ayrshire Council

## General Data Protection Regulation



- (1) **South Ayrshire Council Privacy Statement for Community Councils and current / potential Community Councillors within the South Ayrshire boundary.**



## **Privacy Notice Community Councillor Nominations**

As the 'data controller' for the personal information – or data – we hold about you, **South Ayrshire Council** decides how your personal information is used/processed, and what it is used for.

This statement provides more details about how the Council uses your personal data when you agree to be nominated as a Community Councillor and/or become a Community Councillor, and provides information on how to get in touch with us if you need to know more.

### **Your personal data – what is it?**

Personal data is information relating to a living person who can be identified from that data. Identification can be based on the information alone, or in conjunction with any other information. The processing of personal data is governed by the General Data Protection Regulation 2016 (GDPR) and supplemented by the Data Protection Act 2018.

### **What Personal Data will we collect from you?**

We will only collect the personal information we need to progress your agreed nomination as a Community Councillor and provide you with relevant information, services and support if you are a Community Councillor in South Ayrshire. The personal data we will collect may include:

- Name
- Address and Postcode
- Land line telephone number
- Mobile telephone number
- Email Address

### **How will we use your information?**

We will use your information for the administration of the election of your community council and support you as a Community Councillor should you be elected to your Community Council.

### **What is the legal basis for using/sharing your information?**

The Council has a statutory obligation to assist community councils in terms of the Local Government (Scotland) Act 1973 and the Local Government (Scotland) Act 1994, which is considered to be our public task.



## Who will we share your information with?

When we will collect your personal data	Who we will share it with
When you stand for election as a Community Councillor	<ul style="list-style-type: none"> <li>• <b>The Public:</b> Your name and address will appear on the election ballot paper (if a Poll is required),</li> <li>• <b>AVJB:</b> Your name and address will be shared with the Ayrshire Valuation Joint Board to verify your application</li> </ul>
If you are elected to a Community Council	<ul style="list-style-type: none"> <li>• <b>The Community Council:</b> Your name and address will be passed to the Community Council you have joined to allow them to communicate with you and to allow a Notice to be displayed by the Community Council within the community of your membership;</li> <li>• <b>The Public:</b> Election results will be posted on the Council's website, which will include your name, the town where you live and postcode, for openness and transparency of election results.</li> </ul>
If you are elected to a key position on your Community Council (e.g. Chair or Secretary, and depending on the role you fulfil):	<ul style="list-style-type: none"> <li>• <b>The Public:</b> Your name, address, post code, telephone number and email address may be added to the Council's Community Council web page to allow members of the public to contact you;</li> <li>• <b>Council Elected Members &amp; Employees:</b> Your name, address, postcode, email address and telephone number will be placed on the Councils intranet to allow Elected Members, Support staff and Council Officers to contact you in for Community Council business</li> </ul>

## How long do we keep hold of your information?

We will retain your personal data in line with our corporate records retentions schedule, and hold your data for five years following the last action on your record.

## What are your rights?

The lawful basis for processing/using your personal data directly impacts which rights are available to you. For example, some rights will not apply, in this case we are not required to:

- Erase your personal information
- enable the right to data portability

However, you do have the following rights and can ask us to:

- correct your personal information if it is inaccurate;
- complete your personal information if it is incomplete;

- restrict the processing of your personal information in certain circumstances

You also have the right to object to the processing of your personal information, under certain circumstances.

**What are the consequences of failing to provide personal information?**

Where the provision of your information to the Council is a statutory or contractual requirement, or a requirement necessary to enter into a contract, you are obliged to provide the information. If the required information is not provided, the Council will be unable to undertake our statutory functions in terms of the administration and election of Community Councils.

**Do you require this statement in a different format?**

Please contact us if you require this information in an alternative format.

**How can you get in touch with us?**

If you wish to obtain any records held by the Council relating to you, or if you have any general data protection queries, please contact the Council's Data Protection Service at:

Data Protection Officer  
South County Buildings  
Ayrshire Council  
Wellington Square  
Ayr  
KA7 1DR

**Email:** [DataProtection@south-ayrshire.gov.uk](mailto:DataProtection@south-ayrshire.gov.uk)  
**Telephone:** 01292 612223

**Are you dissatisfied with the way your Personal Information has been handled?**

If you are unhappy with the way we have dealt with your personal information, you can complain to the Council's Data Protection Officer using the contact details noted above.

If you remain dissatisfied after contacting us, you have the right to complain to the Information Commissioner (<https://ico.org.uk/for-the-public/>):

**Information Commissioner's Office –  
Queen Elizabeth House  
Sibbald Walk  
Edinburgh  
EH8 8FT**

**Email:** [Scotland@ico.org.uk](mailto:Scotland@ico.org.uk)  
**Telephone:** 0303 123 1115

**(2) Further guidance for Community Councils to consider in relation to any information and/or data that they may hold or process.**

**South Ayrshire Community Councils - Privacy Notice Template**

This is the privacy statement for [insert name of community council].

**Who we are**

We are [insert name], more information on Community Councils can be accessed on the South Ayrshire's Council website at [insert link to Community Council's page]

**Your personal data – what is it?**

Personal data is information relating to a living person who can be identified from that data. Identification can be based on the information alone, or in conjunction with any other information. The processing of personal data is governed by the General Data Protection Regulation 2016 (GDPR).

**What information will we collect from you?**

We will only collect the personal information we need to provide you with relevant information, services and support.

**How we will use the information about you**

The Community Council will only be able to look into concerns which you raise if we can use your personal information, for example so we can contact you with the result of our inquiries.

**The legal basis for processing (using) your personal data**

If you have contacted us and provided your personal information, we will use your information only with your consent. You are free to withdraw your consent at any time.

Where we have been given information about other people then we may use this information because it is necessary for us to use it for the performance of a task carried out in the public interest.

For some activities, we also need to process more sensitive personal information about you for reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for us to process this more sensitive information for a number of reasons including:

- to carry out key functions as set out in law;
- with your explicit consent.

## **Who we share your information with**

[Insert a list of who you share the information with or add a statement we do not share your information with any other organisation]

## **How long do we keep hold of your information?**

We will keep your personal data for no longer than reasonably necessary.

[insert your own retention rule here]

## **Your rights**

You have the following rights:

You can ask us to:

- correct your personal information if it is inaccurate;
- complete your personal information if it is incomplete;
- restrict the processing of your personal information in certain circumstances; and
- erase your personal information in certain circumstances.

You also have the right to object to the processing of your personal information.

Withdrawing consent to use your information – Where we use your personal information with your consent you may withdraw that consent at any time and we will stop using your personal information for the purpose(s) for which consent was given.

**Please contact us as stated above if you wish to exercise any of these rights.**

## **Information we hold about other people**

Most of the personal information we hold relates to people who have approached us in connection with a particular issue. However we may also hold information about other people as well, where this has been given to us in connection with such an issue. In some cases we will contact these other people directly to inform them that we have been provided with information about them (and also to tell them about their rights under data protection law and advise them about the terms of this privacy statement) but in many cases this is impractical.

## **Profiling or automated decision-making processes**

We do not make use of automated decision-making processes or profiling.

## **Getting in touch**

If you wish to request a copy of the personal information that we hold about you or if you have any general data protection queries, our contact details are as follows:

[insert address]

Phone:[insert number]

Mobile Phone:[insert number]

Fax:[insert number if applicable]

E-Mail:[insert.name]

## **If you have a complaint**

If you are unhappy with the way we have dealt with your personal information, please contact us in the first instance and we will try to resolve the issue. However, if you remain dissatisfied you can complain to the Information Commissioner (<https://ico.org.uk/for-the-public/>).

Information Commissioner's Office – Scotland  
**Queen Elizabeth House**  
**Sibbald Walk**  
**Edinburgh**  
**EH8 8FT**

**Telephone:** 0303 123 1115  
**Email:** [Scotland@ico.org.uk](mailto:Scotland@ico.org.uk)

# South Ayrshire Council

## Use of Social Media for Community Councils



## Using Facebook

- **Facebook Pages v. Groups**

Facebook is an important tool for Community Councils. It's a good way to connect with residents, introduce the CC, and to reach out to people who may wish to give their views but find it difficult to attend meetings.

Social media is a part of our culture now, and it's important to take advantage of these new mediums. With that in mind, there are a few different account types to be aware of and use to get the most out of Facebook.

- **A Note on Facebook Profiles**

If you already have your own Facebook profile, it might be tempting to set one up for your Community Council. While this method is fast and easy, it is important to note that Facebook actively searches for and deletes Profiles representing organisations. This is because Profiles were designed solely to represent an individual, and not an organisation or a group. In addition, groups and pages provide more tools which will help your organisation flourish on Facebook. With these things in mind, skip the urge to create a profile, and take a look at **pages** and **groups** instead.

- **Facebook Pages**

Facebook Pages are essentially profiles for organisations. A Page allows your Community Council to have a public Facebook presence, which is visible on search engines such as Google, and can act as an extension of your own Community Council website.

Facebook Pages have administrators (Admins), which are Facebook users who have been given permission to post on behalf of the Community Council. When Admins post content to the Page's timeline, by default the posts show up as the Page's name and not as the Admin's. You can also customize the name of your Page as *facebook.com/yourcommunitycouncil*

Another advantage of Pages is a feature called *Insights*. Facebook Insights are analytics on who is interacting with content on your Page. Facebook Insights are only available to Pages, which is a key reason to use a Page for your Community Council.

One limitation to be aware of with Pages is that you cannot send a Message to all of the users who like your Page in the same way you can with a Profile or Group. You are limited to posting status updates on the Page which will then appear in the News Feed of your audience.

- **Facebook Groups**

Groups are better used for smaller collections of people and generally have a more personal feel to them. Groups have the advantage of customised privacy through public or invite-only access. You are also able to send Messages to members of a Group, which is helpful for coordinating group activities or discussions. In addition, Groups allow individuals to schedule events and even share documents with other members.

Unlike Pages, though, Groups cannot have their own Facebook URL which can make it more difficult to find in search engines. You must be logged in to Facebook to be able to see the Group or to join the Group. Another notable difference is that when owners of the Group post, they show up as their personal Profile rather than showing up as the Group.

- **Groups and Pages - Using Both**

One way that Community Councils can take advantage of both sets of features (Page and Group) is to create a Page to start for their Community Council as a whole, then set up a Group for a specific target audience like local residents or for all members of the Community Council.

- **Creating a Facebook Page**

Facebook Pages enable public figures, businesses, organisations and other entities to create an authentic and public presence on Facebook. Pages are visible to everyone on the internet by default. By becoming a fan, any Facebook user can receive Page updates in their News Feed.

To create your Facebook page, go to <https://www.facebook.com/pages/create.php> and select Local Business or Place. You can then fill in the name and address of your Community Council.

- **Profile Picture**

You can add a picture of your Community Council logo which will be associated with every post you make as the Community Council. To do this, you can either upload one from your computer, or link to one from your Community Council website. (Note: This step can be skipped, although it is recommended as it will make your website more visually appealing).

- **About**

Add a brief description of your Community Council in the About Section. Remember, a Facebook Page is by default viewable by anyone on the internet. Think about making your description outward facing, so people unfamiliar with Community Councils will feel welcome.

- **Facebook Web Address**

You can create a unique web address for your Page which will make visiting the page easier for visitors. Don't try to get too fancy with a long Web Address here, the goal is to make something easy to type for your users.

Once you have completed this section, your Facebook Page will be created. Now, you will want to Edit the page and add some content to attract attention to your page!

- **Editing a Facebook Page**

Once your Facebook Page has been created, you will be walked through the page setup. After you read through the "Getting Started" suggestions, getting your new Page up to speed can be broken down into two categories:

- Editing your Page and Building your Audience;
- Editing the Page Settings Customising the Look

The first thing you will want to do after creating your Page is make it unique to your Community Council / Organisation.

- **Cover Photo**

One of the best ways to do this is by adding a cover photo which will immediately make the page your own. A cover photo is the large image across the top of your Page. This can be an image of your area or something that people associate with your community.

For the best quality cover photo, upload an image that's 851 pixels wide, by 315 pixels tall. This will ensure that your image does not get squished in either direction on your Page.

- **Profile Picture**



It is also important to add a profile picture for your Page, if you did not do this in the initial setup. Your Page's profile picture will be shown next to messages and images you post to your Page. In the same way that your Cover Photos should represent your Community Council, your profile picture should be something unique to your Community Council/organisation.

Profile pictures are square, being displayed at 160 pixels wide, by 160 pixels tall. You can upload a picture that is larger than this, and Facebook will allow you to specify a portion of the image to use.

- **Editing the Settings**

You will notice a menu bar across the top of your page with buttons for both 'Editing your Page' as well as 'Building your Audience'.

**Update Info:** This section allows you to make changes to the basic information of your Facebook Page. This includes the Name, Address, Description, and general information about your Page. The more information you can include in this section, the more your users will get out of your Page.

- **Manage Permissions**

This section allows you to lock down your Page from general Facebook users. This includes the ability to hide your entire Page from Facebook, restrict the ability for users to post comments/images on your Page, and the ability to block Profanity. Since everyone can view a Page by default, it is a good idea to lock down the ability for users to post to your Page as well as implement a profanity blacklist to prevent unwanted comments from being added to your Page.

- **Admin Roles**

You can assign different users access to work on your Page through this section. Each admin user can have a different role depending on what they will have access to on your page. If you have multiple people in the Community Council who want to help with the page, it is a good idea to setup the users with different tasks/roles to spread the work out in the Community Council. The following roles are available for your administrators:

- **Manager** - Can manage admin roles, send messages and create posts as the Page, create ads, and view insights.
- **Content Creator** - Can edit the Page, send messages and create posts as the Page, create ads, and view insights.
- **Moderator** - Can respond to and delete comments on the Page, send messages as the Page, create ads, and view insights.
- **Advertiser** - Can create ads and view insights. You can read more about Ads in the Building your Audience section below.
- **Insights Analyst** - Can view insights. You can read more about Insights in the Building your Audience section below.

- **Manage Notifications**

You can adjust email notifications in this section, to specify if you want to receive email notifications about your Page.

- **Use Activity Log**

The Activity Log shows you a timeline of the events which have happened relating to your Page. This is a good way to track what has happened on your Page from its creation to present day.

- **Claim this Page**

By 'Claiming' your page, you prevent anyone else from coming to your page and allowing them to become an administrator without your consent. In order to claim your page, you will need to show proof that you are an authorised representative of your Community Council. This can be done with an email address connected to your official website (i.e. you@yourccommunitycouncil.com) or through a scanned document connecting you to the organisation.

- **Use Facebook as "Your Page"**

Using Facebook as your Page allows you to post comments and items as Your Page itself. This way, when users view the content which you post, it will appear to come from your Community Council or organisation rather than yourself. This is a good way to make the community more interactive. You can tell when you are using Facebook as your Page by looking at the Name and Icon on the right side of the Top Bar. Make sure that this is set to the correct user before trying to make a post from your personal account.

- **Building Your Audience**

Building Your Audience begins with inviting people to become a fan of your Page. You have the option to invite your friends on Facebook, as well as invite people by email address. Inviting friends from Facebook is easy, all you have to do is click on **Invite Friends...** and then check the box for each friend who you want to see your Facebook Page.

For people who aren't on Facebook, you have the option to send them an email telling them about the page. Once they receive the email, they will be invited to join Facebook so that they can interact with your Page.

In addition to cultivating your Facebook community, getting **likes** on your Facebook Page also helps by unlocking some useful features on your Page as well, such as **Insights**.

- **Insights**

Insights provide Facebook Page owners with statistics about their content. You are able to track how many active users your Page has, the amount of Likes on your various content, how many people are talking about your Page, and your total reach to Facebook users.

Once your Page has received 30 Likes you will have access to Insights. This is another reason it is important to build a community around your Facebook Page. By looking at your insights, you can see how people respond to your content, and cater your posts to your viewers. It is important to keep your Page updated regularly. You will be able to see the effect of letting your page go un-updated in your Insights as well, as the viewership will drop off.

- **Advertising**

If you would like to spend a little money to get your Page more views, you can create advertisements for your Page. Advertisements can either link to your Page itself, or a specific story (such as a post about your upcoming Festival or Gala Day). Advertisements on Facebook can be targeted to different audiences, so this can be a great way to spread the word for different events at your Community Council.

To create an Ad, go to <https://www.facebook.com/advertising> and click Create Ad. You will then be walked through a three step process of creating and tailoring your ad for your targeted goal. First, you will choose an ad for your entire Page or specific content.

Next, you will be able to select many different options for targeting your Advertisement to people such as a specific location, interests, language, or connection to other Users/Pages. The last step for creating an Ad is to setup a Pricing Schedule. You can either pay by "Clicks" or "Impressions".

- **Creating a Facebook Group**

While Pages were designed to be the official profiles for entities, such as celebrities, brands or businesses, Facebook Groups are the place for small group communication and for people to share their common interests and express their opinion.

Groups allow people to come together around a common cause, issue, or activity; they may express objectives, discuss issues, post photos, and share related content.

To create your Facebook Group, go to <https://www.facebook.com/about/groups/> and click Create Group. The next page will give you some initial options for creating your Facebook Group:

- **Group Name**

This will be the Title of your group. It can be anything, but it is a good idea to give your Group a meaningful name. If you are making a Group for your Community Council, make sure the Community Council name is in the title as well.

- **Members**

The members are the focus of any Group. While you can add members (and have them request to join) after setting up the Group, you must add at least one member during the setup.

- **Privacy**

- **Open:** This can be good for a general purpose Group. The members and content written by the group is visible to the general public. If you are planning on posting a lot of pictures from activities, and other Community Council content which you don't want visible by anyone on Facebook, consider the next two privacy options.
- **Closed:** This option is good for discussion based content, or for sub-groups working on a particular task or project. The list of members is visible but the content being posted is only visible to those in the Group.
- **Secret:** This option provides the maximum privacy. Only members of the Group are able to see that it exists, who's in it, and the content that is posted. You will have to add each member to the Group, as they won't be able to search for it on their own.

Your last step will be to choose an icon for your Group. This is a small graphic which will be associated with your page. You can skip this step if you'd like, and this can be changed later from your Group's Setting page.

Once you have completed this section your Facebook Group will be created. Now you can begin adding content to attract your users to your Group!

- **Using a Facebook Group**

Once your Facebook Group has been created, you will be taken to your Group's home page. Along the top you will see the Profile Pictures of the members of your group, followed by a menu bar:

- **Your Group**

This is the Home Page of your Group. It resembles a user's wall and functions much the same way. You can post content (articles, messages, images, links) which will then be visible to all members of your Group. This is also what members will first see when visiting your page.

- **About**

The About page shows a list of all of your members as well as a description of the Group. Your description can be anything, but it is a good idea to include a mission statement, so that joining members will know the purpose of the Group.

- **Events**

This section is a great way to plan future events. You can create an Event for a specific day, with a specific purpose, and send an invitation to every member of your Group to attend. You can then keep track of who can come and send any changes or updates to those members.

- **Photos**

Photos allows you to upload pictures relating to your Group. You can create galleries for your different events so that all of your members can see them. This is a good way to keep the images centralised, as opposed to waiting for individual members to upload their own images to their own pages and tagging each member.

- **Files**

If you have any documents related to your Group, you can now add them to Facebook. This could include registration forms, flyers, or other information for your group. Remember that this is stored on Facebook's servers, so any sensitive information may be best left off of the site.

- **Editing the Settings**

Facebook Groups are very flexible. Once they are created, you can still change many of the properties to fit an evolving Group. To do this, click on the Settings button followed by Edit Group Settings. On the Edit page you can change the Name of the Group, the Privacy settings, how members are approved, the **Group Address**, the Description of the Group, and Posting Permissions. A Group Address allows you to create an email address which will send an email to every member of your group. This can be handy when sending out an update which should reach every member of your Group.

## **How to Create a Gmail Account for a Community Council**

Gmail is Google's free Web and cloud-based email service. Gmail offers more than 10GB of free storage with the ability to upgrade to a larger storage capacity on demand. Gmail offers spam protection, phone calling, search and chat for your Community Council. It is simple to configure for use by a group.

### ***Step 1***

Open your Internet browser and navigate to the Gmail website <https://mail.google.com/>

### ***Step 2***

Select "Create an Account."

### ***Step 3***

Enter the appropriate information in the following fields: Name, User Name, Password, Birthday, Gender, Mobile Phone and Email Address. When configuring a Gmail group account, the person configuring the account may use their first and last name.

#### **Step 4**

Select "I agree to the Google Terms of Service and Private Policy."

#### **Step 5**

Click "Next Step" and add a profile photo if applicable.

#### **Step 6**

Click "Next Step" and "Continue to Gmail." Login with the new group Gmail account and validate access.

#### **Step 7**

Share the Gmail account and password with your group for group access

### **Guide to Using Twitter**

- **What Is Twitter?**

Twitter is an online social networking service and microblogging service that enables its users to send and read text-based posts of up to 280 characters, known as "tweets". It was created in March 2006 by Jack Dorsey and launched that July. The service rapidly gained worldwide popularity, with over 328 million users as of January 2018, generating over 500 million tweets and handling over 1.6 billion search queries per day. It has been described as "the SMS [text message] of the Internet."

Over 15 million users are signed up in the UK with a significantly high proportion under 25 years old.

- **How can it help your Community Council?**

A Twitter page can be used by any Community Council as long as they are willing and receptive to engage with their community in this way. Twitter can be used on computers as well as on smartphones and mobile devices which can provide a useful platform to engage in a quick, effective way. It is an especially useful tool for getting a brief message out to a wide audience, so publicising a community event, promoting a special offer in the local shop, requesting volunteer support or communicating in a community emergency are the types of activity that could all be carried out via Twitter.

Once the page is set up (a step by step guide on how to go through the process is included in the next section) and residents are signed up, you have a platform to broadcast short messages, share pictures, advertise events and update local information and news.

- **How do you set up a Twitter page?**

Going to [www.twitter.com](http://www.twitter.com) will take you to the sign-up page, enter your name, email and password and this will take you to the Join **Twitter today screen**. Select your user name, it will provide you with a list of available ones; accept the Terms and Conditions and click **Create my account**.

Once logged in, Twitter will take you through a few steps to get you following categories and people from your email contacts.

'Following' is how you will receive updates from people as it is essentially the same as subscribing to news updates from someone.

You will be faced with various prompts when setting up your Twitter account. Twitter helps you try and find people and categories to follow to start you off. This might be of some use in giving inspiration on whom to follow, although you can easily just skip through each step.

- **How do you post a tweet?**

Posting a tweet is very simple.

Clicking in the **Compose new Tweet** box will open up the box to enable you to type your tweet. Remember you only have 280 characters to use here so it needs to be short and concise.

Also, here you can see data on the number of tweets you have posted, the number of people following you and the number of followers you have.

- **Re-tweets (RT)**

Re-tweeting means a follower of your Twitter feed can re-post your message onto their Twitter feed. It will then be read by this person's followers, therefore reaching a wider audience. You can also re-tweet other people's messages. Hovering the mouse or cursor over any tweet will display the options to **Reply** or **Re-tweet**.

- **Useful tactics - Hash tags or #tags**

Twitter defines a hash tag as "The # symbol, called a hashtag, is used to mark keywords or topics in a Tweet. It was created organically by Twitter users as a way to categorize messages."

People use the #tag in messages before a relevant keyword allowing it to become searchable and therefore visible to other users interested in the subject that it is referring to.

#tags are a very important tool on Twitter.

It is a powerful way of getting other people to read your tweet and can dramatically increase visibility and the size of your network. Twitter users often follow #tags that they are interested in, and the # often refers to a subject or something of interest, for example, #XYZCommunityCouncil, or #SAC

A #tag can be anything; they can be included anywhere in your Tweet and will then be shown to all following the #tag.

For example, searching on #SAC shows all tweets, from everyone on Twitter who has put #SAC in their tweet

- **Mentions (@)**

A mention is when a Twitter @username is included anywhere within a tweet. It is a way of tagging or highlighting someone in your tweet.

Along with your followers, each user mentioned in the tweet will see it in their Twitter feed and it will also appear in their list of "Tweets mentioning". This is very useful, as it is a direct way of letting someone know you are talking about, or to them, even if they are not following you.

- **How do you increase followers?**

1. Tell people that you are on Twitter, add your Twitter name to contact details / email signatures etc.

2. Use the search option to find and follow people - Identify relevant people, groups, organisations in your area or business area and follow them, such as: Councils / Councillors / MPs / Police / Church and religious leaders / Schools Local businesses / cafes / restaurants / pubs / Charities / Youth Council members / Sports clubs / Local residents / local groups
3. #tags dramatically increase visibility and the size of your network.
4. Using @ in front of another users name will mean that they will be made aware that you are talking to or about them. E.g. @ddppbb1234 thanks for this document!
5. RT or Re-Tweet means that you can easily pass on other peoples' Tweets to your followers.
6. Use Twitter to have a dialogue, not just to tell people about what is happening, but to respond to specific questions aimed at your organisation.
7. Make all Tweets interesting and relevant.
8. Make the experience interactive for your followers by including links to pictures, videos and interesting stories. You can use a web address (URL) to shorten sites so you do not use up all of your characters. [www.bitly.com](http://www.bitly.com) or [www.tinyurl.com](http://www.tinyurl.com) are free sites that allow you to enter a web address and they will convert it to a shorter version for you to post in your Twitter update.
9. Use slightly more informal language.
10. Tweet regularly, but not too often.

There is also a wealth of information on the internet about how to boost Twitter followers, such as the link below:

<https://blog.hootsuite.com/how-to-get-twitter-followers/>

- **How do you manage the account?**

To make the page successful it does need some attention. Interesting tweets need to be uploaded on a relatively frequently basis.

Reviewing your page on a frequent basis and responding to comments is good practice, along with adding new content weekly. If this level of use seems daunting, logging on every couple of days would be adequate. This doesn't need to take a long time; quite often this can be done in a few minutes.

The key thing to remember with Twitter security is that it is an open site. Anyone could choose to follow you and see all of your Tweets, so whatever you Tweet, make sure that you are happy for this to be in the public domain. Always make sure you use a strong password to avoid anyone trying to hack your account.

All of the key information you should need to know has been included in this document.

## **Creating a Website Using WordPress**

- **Why Use WordPress?**

WordPress is free to use. You need to register for an account on WordPress.com and agree to abide by the Terms of Service.

WordPress has evolved throughout the years into a versatile [content management system \(CMS\)](#). WordPress currently powers 24% of all websites on the internet, including Time Magazine, Google, Facebook, Sony, Disney, LinkedIn, The New York Times, CNN, eBay, and more.

Website hosting, security, and backups are included.

Hundreds of free customizable themes and colour schemes are available.

WordPress websites can be integrated with Facebook, Twitter, Tumblr, and other social networks.

Popular features like sharing, stats, comments, and polls are included. There's no need to install plugins.

Online support and the WordPress.com support forums are available 24/7 via <https://en.support.wordpress.com/>

WordPress is mobile enabled, which means that websites are viewable on a range of devices including Tablets and mobile phones.

- **How Do I Create a WordPress website?**

**To learn how to create a website using Wordpress.com, see the step by step guide listed at:**

<https://learn.wordpress.com/get-started/>



# South Ayrshire Council

## Social Media Policy for Community Councils



# **NAME Community Council**

## **Policy on the appropriate use of Social Media – adopted INSERT DATE**

### **1. Introduction**

1.1 Social media such as Twitter, Facebook, Instagram, Snapchat, YouTube and blogging represent a growing form of communication, allowing engagement with your community and the wider public more easily than ever before.

1.2 However, it is also an area in which rules and boundaries are constantly being tested. This policy acts to increase our engagement while protecting our public reputation.

### **2. Purpose**

2.1 The Community Council seeks to encourage information and link-sharing amongst its membership, the community, and volunteers, and seeks to utilise the expertise of its members and volunteers in generating appropriate social media content.

2.2 At the same time, social media posts should be in keeping with the image that the Community Council wishes to present to the public, and posts made through its social media channels should not damage its reputation e.g. there should be no posts which could bring the Community Council's apolitical status into question.

2.3 The Community Council may choose to engage widely with communities using social media such as:

- Twitter
- Facebook
- Instagram
- Snapchat
- WordPress/Blogger
- YouTube/Vimeo
- iTunes/Podcasting

2.4 Due to the fast-moving nature of social media and the constant development of new social media programs, it is important that this policy and its procedures be reviewed at regular intervals.

2.5 The Community Council may seek to grow its social media base and use this to engage with existing and potential members, the wider community, potential funding sources and other stakeholders. At the same time, a balance must be struck which avoids placing the Community Council's reputation at risk.

2.6 In respect of the above, the Community Council would draw the attention of all parties to section 2.2 above

### **3. Core Policy**

3.1 The Community Council's social media use shall be consistent with the following core values:

- **Integrity:** The Community Council will not knowingly post incorrect, defamatory or misleading information about its own work, the work of other organisations, or individuals. In addition, it will post in accordance with relevant organisations' Copyright and Privacy policies. In addition, the Community Council will not knowingly post (or enable postings from third parties), which do not comply with its commitment to Equal Opportunities and

apolitical activities – see Guidance Clause 9.4 for information and link to develop an Accessibility Statement.

- **Professionalism:** The Community Council’s social media represents the collective Community Council membership and should seek to maintain a professional and uniform tone at all times. Community Council members may, from time to time and as appropriate (e.g. as previously agreed and minuted by the collective membership of the Community Council), post on behalf of the Community Council using its online profiles.
- **Information Sharing:** The Community Council encourages the sharing and reposting of online information that is relevant, appropriate to its aims, and of interest to its members.

#### 4. Responsibilities

4.1 The Community Council should consider nominating a Communications Officer to co-ordinate and manage social media content on behalf of the Community Council. The Communications Officer will oversee expansion of social media although all passwords and access should be shared amongst at least 3 members of the Community Council.

4.2 The members (amongst whom passwords and access have been shared) may, from time to time and where appropriate, post on behalf of the Community Council using its online social media profiles. This should only be done with the express knowledge and authorisation of the Communications Officer and/or the collective membership of the Community Council.

4.3 The Communications Officer has ultimate responsibility for:

- Ensuring that all posts are in keeping with the Community Council’s core Social Media Policy;
- Ensuring appropriate and timely action is taken to correct or remove inappropriate posts (including political, defamatory and/or illegal content) and in minimising the risk of a repeat incident;
- Ensuring that appropriate and timely action is taken in repairing relations with any persons or organisations offended by an inappropriate post;
- Moderating and monitoring public response to social media, such as blog comments and Facebook replies, to ensure that trolling and spamming does not occur, to remove offensive or inappropriate replies, or caution offensive posters, and to reply to any further requests for information generated by the post topic.

4.4 It is important to maintain the balance between encouraging discussion and information sharing, and maintaining a professional and appropriate online presence.

#### 5. Delegation

5.1 Social media is by nature a 24/7 operation; as such, such responsibilities as outlined above may be delegated by the Communications Officer to other appropriate members of the Community Council.

#### 6. Processes

6.1 Before social media posts are made, Community Council members should ask themselves the following questions:

- Is the information I am posting, or reposting, likely to be of interest to the members and community?
- Is the information in keeping with the objectives (see clause 3 of the Scheme - Constitution) of the Community Council?
- Could the post be construed as an attack on another individual, organisation or project?
- Would the Community Council’s funders be happy to read the post?

- If there is a link attached to the post, does the link work, and have I read the information it links to and judged it to be an appropriate source?
- If reposting information, is the original poster an individual or organisation that the Community Council would be happy to associate itself with?
- Are the tone and the content of the post in keeping with other posts made by the Community Council? Does it maintain the organisation's overall tone?

6.2 If there is any uncertainty about whether a post is suitable, it should not be posted (or enabled to be posted) until the item has been reviewed by the Communications Officer. A few moments spent checking can ensure that the Community Council's integrity is not compromised.

## **7. Damage limitation**

7.1 In the event of a damaging or misleading post being made, the Communications Officer should be notified as soon as possible, and the following actions should occur:

- The offending post should be removed;
- Where necessary, an apology should be issued, either publicly or to the individual or organisation involved;
- The origin of the offending post should be explored and steps taken to prevent a similar incident occurring in the future e.g. blocking posts which do not comply with the Scheme and/or this policy on acceptable use of social media (see sections 8.4 & 8.5 of this policy).

## **8. Moderating social media**

8.1 The reputation of the Community Council is first and foremost, and this involves maintaining a safe and friendly environment for its members. From time to time social media forums may be hijacked by trolls or spammers, or attract people who attack other posters or the Community Council aggressively. In order to maintain a pleasant environment for everybody, these posts need to be moderated.

8.2 Freedom of speech is to be encouraged, but if posts contain one or more of the following, it may be time to act:

- Excessive or inappropriate use of swearing;
- Defamatory or aggressive attacks on the Community Council, other individuals, organisations, projects or public figures;
- Breach of copyrighted material not within reasonable use, in the public domain, or available under Creative Commons license;
- Breach of data protection or privacy laws;
- Repetitive advertisements;
- Topics which fall outside the realms of interest to members and the community, and which do not appear to be within the context of a legitimate discussion or enquiry.

8.3 If a poster continues to post inappropriate content, or if the post can be considered spam:

- Remove the post as soon as possible;
- If possible/appropriate, contact the poster privately to explain why you have removed the post and highlighting the Community Council's appropriate use of social media policy;
- Ban or block the poster to prevent them from posting again.

- 8.4 Banning and blocking should be used as a last resort only, and only when it is clear that the poster intends to continue to contribute inappropriate content. However, if that is the case, action must be taken swiftly to maintain the welfare of other social media users.
- 8.5 The decision to block, ban and remove posts ultimately lies with the Community Council, but the Communications Officer can take a preliminary view and present this to the Community Council members for further consideration.

# South Ayrshire Council

## Training & Development for Community Councils



## Proposed Training for Community Councils

Training and Development opportunities are designed to support and enable Community Councils to deliver the roles within the Community Council structure. These training opportunities will be provided on a regular basis.

This list is not exhaustive and as issues become current additional training may be offered. Training opportunities from external sources are also open to Community Councillors.

<b><u>Title</u></b>	<b><u>Content</u></b>
<b>Capacity Building:</b>	Committee Skills Training/Roles & Responsibilities
<b>Governance for Community Councils:</b>	Scheme/Constitution/RAG/Code of Conduct/Standing Orders/ General Public Complaints Procedure/Development of Community Councils Forum
<b>Legislation:</b>	Purpose & Powers of Community Councils/What does good democracy look like-Contested Elections/ Responsibilities of CC's and of Local Authorities (1973 Act)/Community Empowerment Bill/Role and Relationship with Elected Members/examples of successful Partnerships with SAC/GDPR/Freedom of Information requests/ How to access information without requesting FOI
<b>Community Engagement:</b>	Overview of the National Standards and adoption of the good principles/Feedback Tools/Methods & Approaches/ How to strengthen representation with effective marketing and Community Engagement/Social Media/Conflict Resolution/managing expectations
<b>Community Planning:</b>	The role of the Community and support arrangements/Participation Requests
<b>Representation:</b>	Basic Introduction to Planning/Licensing process's/Community Councils rights and powers/Understanding of roads, footpaths and streetlighting legalities and responsibilities
<b>Digital Communication:</b>	Awareness of Social Media platforms and how to use them/Marketing Techniques/basic digital training
<b>Insurance Cover:</b>	What are Community Councils covered for with respect to Insurance Liability/What are the rules/Health & Safety awareness within your community

# South Ayrshire Council Planning





## PLANNING

### 1 Planning System in Scotland

The Government announced in 1993 that after Local Government Reorganisation, as part of the [Local Government etc. \(Scotland\) Act 1994](#), Community Councils would have a statutory right to be consulted on local planning issues. This has been the case since 1996.

The Government was keen to see an effective Community Council network able to play its part in considering planning issues of local concern. This was in line with its longstanding commitment to securing greater public involvement in environmental matters.

### 2 The Purpose of Planning

Planning guides the future development and use of land. Planning is about where development should happen, where it should not and how it interacts with its surroundings - *“the right development in the right place”* The aim is to promote sustainable economic growth while protecting and enhancing the natural and built environment in which we live, work and spend our leisure time. Careful attention to layout, design and construction should result in places where people want to be.

### 3 Development Planning

Planning in Scotland operates through a ‘plan-led system’ The [Planning etc. \(Scotland\) Act 2006](#) introduced a new statutory basis for development planning in Scotland including the replacement of structure plans and local plans by Local Development Plans. The [South Ayrshire Local Development Plan \(LDP\)](#) was adopted in September 2014 and is the Council’s principal policy document for determining planning applications. LDP’s are more concise, simple and map-based documents than the older local plans. They are reviewed every 5 years or sooner. A range of statutory Supplementary Guidance sits alongside the LDP to provide more detailed policy guidance on certain issues, such as town centers’ and renewable energy. Non-statutory planning guidance (not part of the development plan) also exists to provide detail on other topics The LDP sets out a strategic spatial plan and vision for South Ayrshire. It is the spatial representation of the Council’s corporate vision. The LDP contains strategic policies and secures land zoning for specified uses (e.g. land for housing/industry etc.) to provide increased certainty for development. A key feature of Local Development Plans is the extensive opportunity for community engagement and public consultation in developing the Plan - engagement is generally front-loaded in the process, before and during the Main Issues stage. Community Councils will be consulted throughout the LDP process to help gain an understanding of community aspirations and local issues. The Council produces a Local Development Plan [ldp2 dps update \(south-ayrshire.gov.uk\)](#) which provides details of the development plan preparation process, including opportunities for participation and timescales/stages of the Plan.

## 4 Development Management

Development Management is the process through which decisions are made on applications for planning permission. In addition to determining planning applications, Development Management includes giving advice to the public; pre-application discussions, processing related applications, e.g. listed buildings, conservation area, and advertisement consents; monitoring; implementation of approved applications; enforcement; and appeals. When a planning application is submitted to South Ayrshire Council: It is checked for all the necessary information. When the application has all the necessary information it is registered. All neighbours within 20 metres of the site are notified by the Council. The council deals with both major and local applications. The Town and Country Planning Hierarchy of Developments Scotland Regulations 2009 defines what is a major development. Neighbouring property is notified of the receipt of a planning application. Where there is no neighbouring property on which a notice can be served, an advert is required; Major developments require the applicant to undertake pre-application consultation with Community Councils prior to submitting a Proposal of Application Notice for a major application. The application will appear on the weekly list of applications received, published on the Council website. The application **may** be advertised in the local press and plans lodged at the local post office. Progress on applications can be viewed via the Council's website at [Register of planning applications \(south-ayrshire.gov.uk\)](http://south-ayrshire.gov.uk). The Council will consult with statutory Consultees. The Planning officer will visit the application site. The proposal will be assessed against the development plan and other material considerations. The application will be determined as per the Adopted Scheme of Delegation, and the Service Standard.

## 5 Decision Making Process

The Planning Acts require decisions to be made in accordance with the development plan unless material considerations indicate otherwise. Circular 3/2013 Development Management Procedures (Annex A) provides information on the range of considerations which might be considered as material in planning terms. The range of considerations which might be material in planning terms is wide and can only be determined in the context of each case; but material considerations should be related to the development and use of land. Scottish Planning Policy, Planning Advice Notes and Circulars can be material considerations. [The Scottish Government's planning website](http://www.scotland.gov.uk/Topics/Planning) provides links to relevant documents. The planning system operates in the long term public interest. It does not exist to protect the interests of one person or business against the activities of another. Depending on the type of application i.e. major or local, and also the terms of the Scheme of Delegation the application may be determined by: Full Council, Regulatory Panel, or a delegated decision by an appointed officer. The Local Review Body will only determine an appeal for a local development. Once a decision on an application has been made, only the applicant has a right of appeal.

## 6 Role of Community Councils

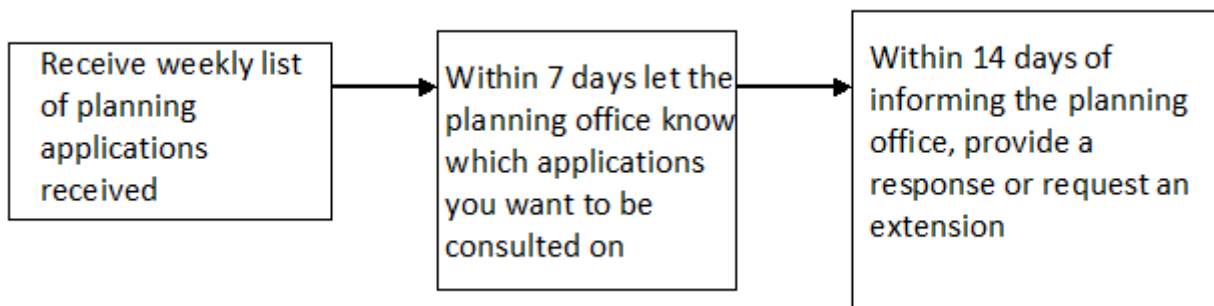
Where planning matters are concerned, whether they be planning applications or a new Local Development Plan, the role of the Community Council is to find out, gather and present the views of the community. Opinion may well be divided. The Community Council is charged with presenting these views in a balanced and coherent fashion. The Community Council does not have to decide which view they support nor are they required to approve or oppose developments. SAC does not automatically consult Community Councils. CC's should request a consultation from the Planning Service; when a formal consultation is sent to the Community Council, the Community Council will have 14 days to provide their comments. It is open to a Community Council, like any other statutory consultee, to ask the Council to use its discretion to allow a reasonable extension in special cases: for example those which are unusually complex or controversial. Comments from the CC will be made available to view publically via the Council's website. Community Councils should also be consulted on pre-application consultations from developers seeking to submit a Proposal of Application Notice for a major application.

## 7 The Community Council as a Statutory Consultee

The law states that if a Community Council exists within the area which the development is to take place –

The Community Council, within 7 days (excluding Saturday and Sunday, December 25th and 26th and January 1st and 2nd) of the date on which the planning authority sent to that Community Council in accordance with regulation 23(1) the list which includes information about the application for such development, informs the planning authority that it wishes to be consulted; or

The development is likely to affect the amenity in the area of the Community Council.



Timescales are important or the Community Council will not be treated as a Statutory Consultee – if not following this process, any comments will be treated as public representations. This can affect the trigger for a Committee decision in terms of the Council's Scheme of Delegation.

## Participating in the Planning Process

Action	Options and Points to Consider
Decide what will be the Community Councils involvement in planning matters	<ul style="list-style-type: none"> <li>• Look at the applications that are of community interest</li> <li>• Only look at development of the Local Development Plan</li> <li>• Take no part in planning matters</li> </ul>
Decide who in the Community Council will look at planning matters	<ul style="list-style-type: none"> <li>• The whole committee</li> <li>• A planning sub-group</li> <li>• An individual who will co-ordinate the Community Councils views</li> <li>• No-one: the Community Council decides against involvement in planning matters</li> </ul>
Decide who the Community Council point of contact for South Ayrshire Council will be	Someone needs to be identified for South Ayrshire Council to receive weekly lists and other planning documents – this could be the Chair, Secretary or sub-group chair
Decide how the Community Council will address the planning process timescale	Decisions on planning applications have a strict timescale – Community Councils are unlikely to meet as frequently as this requires so provision needs to be made to respond quickly to planning matters of interest
Write a formal note of the above decisions and decide when the Community Council policy will be reviewed	It is important to have a record of the Community Council planning policy- this can either be a separate document or recorded in the minutes of the Community Council meeting
Identify the relevant planning officer in South Ayrshire Council	Each area has a named development management case officer and a development plan liaison officer – the Community Council may want to meet with these officers to establish an effective working relationship

### Commenting on applications

What is the nature of the Community Interest	Consider size, location, design, environmental impact, infrastructure, Local Development Plan issues
Are these issues material to the proposal?	For example, do they specifically relate to the development or use of land?
Is the Community Council aware of any neighbour representations – comments or objections?	Community Councils should avoid being caught in neighbour disputers and should only look at the planning issues.
Is there anything the Community Council could propose by way of compromise?	Different aspect, modify design retain or plan hedges/trees etc.

### Further reading on planning matters

South Ayrshire Council planning website:

<http://www.south-ayrshire.gov.uk/planning/>

Scottish Government website:

<http://www.gov.scot/Topics/Built-Environment/planning>

Planning Aid Scotland

<https://www.pas.org.uk/>

# South Ayrshire Council

## Licensing



# LICENSING

## LICENSING APPLICATIONS

### Introduction

#### 1 Regulatory Panel (Civic Government (Scotland Act) 1982)

The **Regulatory Panel** of South Ayrshire Council deals with licence applications for

- Taxis and Private Hire Cars and Drivers
- Booking Offices
- Late Hours Catering
- Public Entertainment
- Street Traders
- Houses in Multiple Occupancy
- Tattoo and Skin Piercing
- Second Hand/Metal Dealers
- Market Operators`
- Knife Dealers
- Theatres
- Cinemas.

(the above list is not exhaustive but covers the main licence applications made).

For further information please visit: <https://www.south-ayrshire.gov.uk/licensing/>

- 1.1 No list of competent objectors is given in the 1982 Act and no special status is given within the Act to Community Councils.
- 1.2 Schedule 1 of the Civic Government (Scotland) Act 1982 lays out the procedure which requires to be followed in relation to any objection or representation relating to an application for the grant or renewal of a licence in terms of that Act.
- 1.3 The Regulatory Panel will only consider objections or representations if they:-
  - are in writing;
  - specify the ground of the objection;
  - specify the name and address of the person making the objection or representation;
  - are signed by him/her or on his/her behalf;
  - are made within 28 days of either the first date when public notice of an application was given or the date on which a further public notice is required to be displayed or the date on which the application was made whichever is the latest; and
- 1.4 Late objections or representations will only be considered if the Licensing Authority is satisfied that there is sufficient reason why they were not made on time.

- 1.5 An objection or representation may be made by personal delivery or by ordinary or Special Delivery or Royal Mail Signed For post so that in the normal course of post it might be expected to be delivered on time. The Licensing Authority is required to send a copy of any relevant objection or representation to the applicant to whose application it relates.
- 1.6 In terms of Paragraph 4 of Schedule 1 to the 1982 Act the Licensing Authority may, before reaching a final decision upon an application, give the applicant and any person who was made a relevant objection or representation in relation to the application, an opportunity to be heard. If the Licensing Authority does give the objector or the applicant the opportunity to be heard the parties must be given not less than 14 day's notice of the hearing. This notice will be given in writing. However, the Authority is not obliged to give applicant or objector a right to be heard in respect of an application.
- 1.7 If a relevant objection or representation is made and no hearing is to be given to the applicant he/she must be given the opportunity to give his/her views in writing on the objection or representation within a period of not less than 14 days.
- 1.8 Paragraph 5 of Schedule 1 to the 1982 Act stipulates that where an application for the grant or renewal of a licence has been made to a Licensing Authority it shall (a) grant or renew the licence unconditionally; (b) grant or renew the licence subject to conditions or (c) refuse to grant or renew the licence.
- 1.9 Conditions to which the licence may be subject must be reasonable and may include restricting the validity of the licence to an area specified in the licence and where the licence is intended to replace an existing licence, may include a condition requiring the holder of the existing licence to surrender it.
- 1.10 An authority should not refuse an application if it is of the view that its concerns could be met by granting the licence subject to appropriate conditions.
- 1.11 The Licensing Authority must refuse an application to grant or renew a licence if, in its opinion one of several grounds of refusal have been established but otherwise must grant the application. The statutory grounds for refusal are:
- that the applicant (or Director or partner or other person responsible for its management) has been disqualified from holding a licence or is not a fit and proper person to be the holder of the licence;
  - the activity to which the licence relates would be managed by or carried on for the benefit of the person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;
  - if the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel which are not/is not suitable or convenient for the conduct of the activity having regard to; the location, character or condition of the premises or the character or condition of the vehicle or vessel; the nature and extent of the proposed activity; the kind of persons likely to be in the premises or vessel; the possibility of undue public nuisance; or public order or public safety or other good reason for refusing the application.

Notification of the authority's decision must be made within 7 days of the decision.

## **2 At the Hearing**

- 2.1 The Act does not prescribe in detail the conduct of the hearing at which a Licensing Authority considers an application. However, it is the usual practice in South Ayrshire for the Convener to call out the type of application being applied for together with the name of the applicant and for the applicant and/or his/her agent to come forward and identify themselves. The name of any objector will be called and the objector asked to identify him/herself. The objector is normally then asked to state the nature of the objection. This statement should be confined to speaking to the reasons for the objection as outlined in the written objection sent to the Licensing Authority. No new or additional grounds for objecting may normally be raised at this stage since, clearly, the applicant will have had no advance notice of these as the Act requires. Once the objector has spoken to his/her objection, the applicant will be given the opportunity to reply.
- 2.2 Following this the objector and applicant in turn may be given further opportunity to make representation to the hearing but this will be at the discretion of the Committee.

## **3 Decision**

- 3.1 The legislation only requires the Licensing Authority to intimate its decision within 7 days of it being made. However, it is the practice for the Committee to announce its decision in public on the day on which it is made. At that stage no further decision relating to the applications in question will be permitted, nor will reasons for the decisions be given. A statement of reasons for the decision may be requested and such a request should be made in writing and must be made within 28 days of the decision.
- 3.2 Written objections and requests for statements of reasons should be sent to:
- Licensing  
County Buildings  
Wellington Square  
Ayr  
KA7 1DR
- 3.3 Should you require further information on the above, please write to the above address. or email [licensing@south-ayrshire.gov.uk](mailto:licensing@south-ayrshire.gov.uk)



## **4 Licensing (Scotland) Act 2005 and Gambling Act 2005**

- 4.1 The **Licensing Board** deals with all types of licences relating to alcohol and gambling.
- 4.2 In relation to the Gambling Act premises licences any interested party or responsible authority may make representations/objections
- 4.3 In relation to Licensing (Scotland) Act 2005, anyone may object or make representations either for or against the application although frivolous objections may have costs awarded against them.

## **5 How to Object**

- In writing by the date specified on the website or notice.
- The objection must be lodged with the Licensing Section.
- The objector must send a copy of the objection by Special Delivery, Royal Mail Signed For, hand delivery or by email to [licensing@south-ayrshire.gov.uk](mailto:licensing@south-ayrshire.gov.uk).
- The written objection must also specify reasons in support of the identified ground for refusal. The objection must give name and address of the person making the objection and be signed by them or on their behalf.
- The Licensing Board will consider all competent objections whether or not the objector appears at the meeting.
- All objectors will be invited to attend the meeting and will receive a letter giving details of the time and place and application number.

## **6 At the Meeting**

- The application number will be called out.
- The applicant and/or their agent will come to the microphone at the front of the hall.
- The Clerk will read out a list of objectors and invite any of those objectors who are present and wish to address the Board to come forward and identify themselves.
- A decision has to be made by the Board as to whether the objection is competent, both in terms of service and content.
- The applicant/agent will address the Board on the merits of the application.
- The objector will then outline his/her reasons for objections. No new issues can generally be raised; the objector must cover the grounds listed in the written objection.
- The applicant will be given another opportunity to address the Board.

- Questions can be asked by the Board members to both the applicant and the objector.

## **7 Decision**

After considering all representations the Board will adjourn to consider these submissions. The Board will then return and announce the decision. It will also write to the applicant, police and any party appearing giving notice of its decision and they may then request a statement of reasons within 14 days of that notice.

# South Ayrshire Council

# Community Resilience



## Community Resilience?

What is Community Resilience I hear you ask – well, according to the Scottish Government, it is **“Communities and individuals harnessing resources and expertise to help themselves prepare for, respond to and recover from emergencies**, in a way that complements the work of the emergency responders. It is based on a culture of preparedness, in which individuals, communities and organisations take responsibility to prepare for, respond to and recover from emergencies.” But, basically, it is an expansion of being a good neighbour and “holding the fort” until the council and other emergency services get there – if the situation warrants that.

Following on from where we are now, it would be great if communities could build on the great work that took place in responding to Covid 19 and start up a community resilience group in their area. There is a group in North Ayrshire which initially established on the Isle of Cumbrae to respond to Covid 19 and is now in the process of establishing, as the Community Resilience Team.

The Cumbrae team is building on the good relationships they established with a number of community groups to set up the Millport Support Group, which helped with food distribution and prescriptions etc. but have recognised the value of continuing this work “in peace time”.

During an emergency a community resilience team is sometimes used as a local contact so that the council can find out what the situation is like in their area, as there could be a delay in us getting to you. A community resilience team might also be able to look after people in a rest centre if an area of the town is evacuated for any reason (although during the pandemic, we are not advising opening rest centres) or just ensuring that everyone has somewhere safe to go in the short term.

While it would be great if communities could start a community resilience team, we also try to encourage personal / family resilience. We have learned a lot of lessons from Covid and whilst not encouraging anyone to start stockpiling food, being prepared, is having at least three or four days' worth of food available in case of bad weather, power outages, etc. Ideally, this food should be edible without being cooked (tinned cooked meat or fish, etc.) but gas stoves may still work during a power outage. A wind-up radio is also good for a prolonged power outage, but please remember that the radio in your car will still work and you can check the news updates regularly through this (although eventually your car battery may run flat). We hope that by building on everyone's personal resilience, community resilience is the next step. We are always advised to attend to our own lifejackets first before helping others in the airline information and this is just the same.

If you want any further information please contact Ayrshire Civil Contingencies team on [acct@south-ayrshire.gov.uk](mailto:acct@south-ayrshire.gov.uk) and we will call you to discuss further. Or have a look on the Scottish government's Ready Scotland website (<https://ready.scot/>)

If you want to be more personally resilient start by making a Household Emergency Plan for yourselves as detailed below:

# Household Emergency Plan

If an emergency happens it may be some time before help arrives. It's very important that you and your family get together to prepare.

- **Agree a plan in advance with those in your home.**
- **Complete this template together and keep it safe in case you need to use it.**

**If the emergency means it is not safe to go out,** the advice is usually to:

**GO IN** (go indoors and close all windows and doors),

**STAY IN** (stay indoors),

**TUNE IN** (to local radio, TV or the internet, where public information and advice from the emergency responders will be broadcast.)

My Local Radio station:

Frequency:

**If you have to leave your home, get out, stay out, and take others with you.**

Think of two meeting places: one near home and one further away, in case you can't get home.

<p><b>Meeting Place 1 (near home)</b></p> <p>Location .....</p>	<p><b>Meeting Place 2 (further away)</b></p> <p>Location .....</p>
---	--

Pick a friend or relative who lives out of the area, who you will agree to call to say you're OK, should you need to leave home. Make sure this person knows.

**Friends' name and numbers:**

.....

If it is safe to do so you should check on your neighbours and vulnerable people living close by. Have a think about who they are in advance.

<p><b>Important Numbers</b></p> <p>Emergency services, <b>999</b></p> <p>Non-Emergency, <b>101</b></p> <p>NHS 24, <b>111</b></p> <p>Floodline Scotland, <b>0345 988 1188</b></p>	<p><b>Your Numbers</b></p> <p>Schools/Colleges:.....</p> <p>Carer/Childminder: .....</p> <p>Work: .....</p> <p>Doctor: .....</p>
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<b>Loss of power, 105</b> <b>Gas emergencies, 0800 111 999</b> <b>Scottish Water, 0800 077 8778</b>	Insurance: ..... Local authority:..... Vet: .....
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Other numbers & Information:

# Pack an Emergency Kit

You should keep enough **food and water** and other **essentials** at home for at least **three days**.

Whether you have to stay in or get out, packing a small emergency kit will help you get through. Keep it in a safe place at home where you can reach it easily. Your kit should be kept in a waterproof bag and the **top ten things to include** are:

1. Radio with spare batteries, or a wind-up radio
2. Torch with spare batteries, or a wind-up torch
3. First aid kit
4. Important documents like birth certificates and insurance policies
5. Bottled water and ready-to-eat food that won't go off. Pack a can opener if needed
6. Spare keys to your home and car
7. Spare glasses or contact lenses
8. Toiletries and details of important medicines
9. Pencil and paper, penknife, whistle
10. Pet supplies

Always prioritise **PEOPLE OVER POSSESSIONS**. However, if you have to leave your home, and there's time to gather them safely, you could also think about taking:

- Essential medicines
- Pets
- Mobile phone and charger
- Cash and credit cards
- Spare clothes and blankets
- Games, books, a child's special toy
- What else is important to you and your family?

Find out how to turn off your gas, electricity and water supplies to your home.

You could also **consider moving (and securing) important possessions** to the upper levels of your home or to higher ground if you are at risk of flooding e.g. your essential documentation, photos, jewellery, medicines, or your vehicles.

**For further advice on being prepared for emergencies see**

[www.ready.scot](http://www.ready.scot)

# South Ayrshire Council

## Link Officers





## Community Council Link Officers

- South Ayrshire has 29 Community Councils of which 25 are currently active, all have support of a Link Officer, link officers will aim to attend every meeting unless unavailable to do so.
- The role of the Link Officer is to provide a link between the Community Council and South Ayrshire Council, provide advice and guidance on the work of the Community Council as outlined in the Governance Document, 'Scheme for Establishment of Community Councils 2020'.
- The majority of Community Councils in South Ayrshire are also supported by at least one elected member for the area, who also provides support and often follows up on issues raised by the Community Council.
- There is a dedicated Community Council e-mail address, and web-page within the South Ayrshire Council website, and community councils are encouraged and supported to develop their own website. Information which is relevant to Community Councils is sent out via the e-mail address, which is checked daily.
- Information and advice are also available through a national Community Council website, supported by Scottish Government.
- In order to provide ongoing support for Community Councils and ensure the most effective use of resources South Ayrshire Council has moved forward by providing Link Officer support for a 'cluster' of community councils or individually. This would mean that a Link Officer could be responsible for a number of community councils in the area (possibly two or three) or an individual Community Council.
- The day to day complaints/operational issues which are currently raised at community council meetings (such as potholes, bin collection etc) should be logged through the Councils online repairs system <https://www.south-ayrshire.gov.uk/report/> which would provide a more accurate tracking system, and overall picture of the level of complaint for South Ayrshire Council.
- Community Councils would be able to contact their Link Officer by phone or e-mail for advice and guidance.
- A number of community councils have requested Link Officer support when there have been issues of conflict within the Community Council. This is not the role of the Link Officer, and is now addressed within this Guidance Clause 10 Divergent Views, and within Scheme Clause 15 Compliance.
- Additional training or advice on dealing with difficult situations can be offered, to allow the community councils to manage conflict and disagreement more effectively.

## 1. CC Link Officers

<b>Community Council</b>	<b>Link Officer</b>
Alloway, Doonfoot and St Leonards	Chris Campbell
Annbank	Currently no Community Council
Ballantrae	Vacant
Barr	Vacant
Barrhill	Ainsley McCrindle
Belmont and Kincaidston	Matthew Grant
Colmonell and Lendalfoot	Sarah Logue
Coylton	Stewart Harrison
Craigie	William McMahon
Crosshill, Straiton and Kirkmichael	Ryan Douglas
Dailly	Chris Campbell
Dundonald	Madeleine Shirra
Dunure	Milissa McCulloch
Forehill, Holmston and Masonhill	Sandra McMath
Fort, Seafield and Wallacetown	David Porte
Girvan and District	Cherlene O'Donnell
Kirkoswald, Maidens and Turnberry	Currently no Community Council
Loans	Tracy Winner-Scott
Maybole	Alison Wales
Minishant	Currently no Community Council
Monkton	Gillian Anderson
Mossblown and St Quivox	Currently no Community Council
Newton and Heathfield	David Porte
North Ayr	Currently no Community Council
Pinwherry and Pinmore	Chris Campbell
Prestwick	Jill Tomlinson
Symington	Jan McGarry
Tarbolton	Lorraine McKenzie
Troon	Paul Scully

The table above shows a cluster approach to Link Officer support for Community Councils, which have been linked to relevant Health and Social Care Localities.

**DECLARATION OF INTERESTS**

.....**COMMUNITY COUNCIL**

I,  a member of  
.....Community Council

EITHER

I have no interest to declare

OR

I have set out below under the appropriate heading interests which either I have, or a close family member has, which members of the public might reasonably think could influence my judgement on a relevant matter coming before the Community Council.

1. **Employment, office, trade, profession or vocation**

--

2. **Sponsorship**

--

3.

**Contracts**

--

4.

**Interests in land or property**

--

5.

**Membership of local Groups or Associations**

--

6.

**Other – please specify**

--

**Signed:**

--

**Date:**

--

*This form, once completed, should be returned to the Secretary of the Community Council for retention.*

The Community Council will hold any information you provide for future use in relation to the administration of the Community Council. This will be held in paper copy by the secretary in a secure location – but be available at each meeting – for reference purposes.

The processing of personal data is governed by the General Data Protection Regulation 2016 (GDPR) and supplemented by the Data Protection Act 2018.

Your information will not be shared with any other party, and will be securely disposed of upon demit of office.

# South Ayrshire Council

# Elections



# COMMUNITY COUNCIL ELECTIONS

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Document 1	-	Provisional Timetable
Document 2	-	Sample of Notice of Election
Document 3	-	Sample of Nomination Form
Document 4	-	Sample of Candidates' Statement
Document 5	-	Sample of Ballot Paper
Document 6	-	Sample of Results Document
Document 7	-	Sample of Petition
Document 8	-	Co-Option Form
Document 9	-	Vacancy Advert
Document10	-	Notice of New Co-opted Member

# COMMUNITY COUNCIL ELECTIONS

## 1 General Provisions

- 1.1 Each Council shall comprise of Members elected in terms of this Scheme.
- 1.2 Elections shall be held four yearly, starting in 2021, for all Community Councils.
- 1.3 Where the number of valid nominations received is less than half of the number of vacancies, the Community Council will not be able to be formed. Similarly where a Community Council has formed and the number of Community Councillors falls to less than half of the total membership of the Community Council, the Community Council will cease to function and will be dissolved (see Scheme Section 15).
- 1.4 A Community Council may be reformed by Petition in terms of this Scheme (see Document 7)
- 1.5 Members may be elected at a By-election in the years two, three and four following the four yearly Full election.
- 1.6 Members of a Community Council will represent that Council area as a whole and will be elected by a secret ballot. The poll will be an all-postal ballot and organised by the Returning Officer and his/her staff. The election timetable will be arranged so that each newly elected Community Councillor will be appointed from 1st April.
- 1.7 South Ayrshire Council Elected Members, Members of the Scottish Parliament, Members of Parliament and Members of the European Parliament, for the area (or part of the area) covered by a Community Council shall have *ex officio* membership.

## 2 Appointment of Returning Officer

- 2.1 The Returning Officer for Community Council elections shall be the Service Lead – Performance, Policy and Community Planning, South Ayrshire Council. He/she may appoint Deputies to discharge all or any of his/her duties.
- 2.2 The decision of the Returning Officer is final and cannot be challenged on election petition.

## 3 Timetable

Community Council elections will be held four yearly, with by-elections being held in years two, three and four. The timetable for the conduct of Community Council elections is detailed in Document 1. In each fourth year South Ayrshire Council will publish in the local press and on its website the Notice of Election as shown in Document 2. In subsequent years, during by-elections, South Ayrshire Council may choose to advertise only in the locality where the by-election will take place.

## 4 Notice of Election

The Returning Officer shall publish a Notice of Election as shown in Document 2 or to like effect.



## **5 Nomination**

Forms of nomination will be available at such locations as determined by the Returning Officer and published in the Notice of Election. Completed nomination forms shall be delivered to the place appointed by the Returning Officer and specified on the Nomination Form as shown in Document 3.

Nominations Forms must only be completed by the individual person proposing themselves to become a community councillor.

## **6 Qualification of Candidate**

To qualify to be nominated to stand for election to a specific Community Council, a candidate must

- 6.1 be 16 years of age or over (by the date of the close of nomination).
- 6.2 have his/her name appearing on the current Register of Local Government Electors for the area concerned. Or in the case of alternative measures, for example, proof of residency documentation, Employment Details, register for council tax (over 16's) can be considered.
- 6.3 be resident in the Community Council area or sub area for which he/she is being nominated.
- 6.4 not be an Elected Member of a local authority (or an Elected Member of any other legislature).
- 6.5 not be a person who would be disqualified from being nominated in a Local Government Election in terms Subsections 1(B), (ba), (C), (2), (3) and (3B) of Section 31 of the Local Government (Scotland) Act 1973 as amended. (These relate to sequestration and bankruptcy and to criminal convictions where a sentence of imprisonment without the option of fine has been passed).

## **7 Consent to Nomination**

Every candidate must consent to his/her nomination in writing. Consent to nomination will be included in the Nomination Form. By completing the nomination form, candidates agree to South Ayrshire's terms within the accompanying Privacy Notice (GUIDANCE APPENDIX 5)

## **8 Nomination Form**

The signature of the candidate on the Nomination Form requires to be witnessed. The witness must be 16 years of age or over, be able to write, not be blind, be of sound mind and be known to the candidate.

## **9 Witnessing more than One Nomination Paper**

A person can witness more than one nomination paper in respect of the same Community Council election.

## 10 Qualification of Electors

All electors at a Community Council election shall be resident in the area or sub area of that Council and shall:

- have attained the age of 16 years as at the date of the close of nominations.
- be persons whose name appears on the Register of Local Government Electors for the area concerned. Or in the case of alternative measures, for example, proof of residency documentation, Employment Details, register for council tax (over 16's) can be considered.
- not be subject to any legal incapacity (as applies at other elections).

## 11 Nomination Paper

A sample of the nomination paper to be used at Community Council elections can be found in DOCUMENT 3.

## 12 Delivery of Nomination Paper

Nomination papers must be delivered to the address specified on the nomination paper no later than the date and time specified on the nomination paper.

## 13 Candidate's Statement / Canvassing

A candidate may wish to make a statement saying why he/she wants to be elected. It must not be longer than 50 words. This statement will be published, together with any other validly nominated candidates' statements, where there will be a contested election. There is no obligation on a candidate to complete this part, it is entirely optional. No other form of canvassing for votes will be permitted.

## 14 Validity of Nomination Papers

- 14.1 Where a nomination paper is delivered prior to the close of nomination, the candidate shall be deemed to stand nominated unless and until the Returning Officer decides that the nomination paper is invalid.
- 14.2 The Returning Officer is entitled to hold a nomination paper invalid only on one of the following grounds; either that the particulars of the candidate or the persons subscribing the paper are not as described above, or that the paper is not completed as so required.
- 14.3 As soon as possible after each nomination has been received by the Returning Officer, he/she shall examine it and decide whether the candidate has been validly nominated.
- 14.4 Where the Returning Officer decides that a nomination paper is invalid, he/she shall endorse and sign the paper of the fact and reasons for his/her decision.
- 14.5 The Returning Officer shall send a letter of his/her decision that a nomination paper is valid or invalid to each candidate at his/her address as given on the nomination paper.
- 14.6 The Returning Officer's decision that a nomination paper is valid or invalid shall be final.

- 14.7 In the event that the number of candidates validly nominated is less than half the total number of vacancies on any Community Council, no Community Council shall be established at that time. South Ayrshire Council shall, after consultation with Elected Members whose Electoral Wards include the area and any other individuals deemed appropriate by South Ayrshire Council, take such action as may be required.
- 14.8 A candidate shall be able to withdraw his/her nomination paper after it has been delivered up until the date and time fixed for the close of nomination. The request to withdraw must be made in writing by the candidate (or his/her authorised representative) or by e-mail.

## **15 Political Parties**

A political party shall neither nominate nor sponsor a candidate in a Community Council election.

## **16 Method of Election**

16.1 If, after the close of nominations, the total number of candidates validly nominated is greater than the total number of vacancies available for a Community Council (or sub ward), a poll will take place.

Temporary provisions have been made by South Ayrshire Leadership Panel to allow for the ability to remove sub-warding within Community Councils, for the purpose of the election process. (See Scheme Clause 3.5)

16.2 The poll will be an all-postal ballot. A style of a ballot paper is enclosed in DOCUMENT 5.

16.3 Ballot papers will be posted to all electors resident in the specific Community Council area or sub ward. Or in the case of alternative measures, for example, proof of residency documentation, Employment Details, register for council tax (over 16's) can be considered.

16.4 Ballot papers must be returned no later than the date and time specified on the ballot paper. Pre-paid postage envelopes, addressed to the Returning Officer, will accompany each ballot paper.

## **17 Counting of Votes**

The counting of votes will take place in the County Buildings, Wellington Square, Ayr or at such other location as the Returning Officer may decide. All candidates will be notified in writing of the location, date and time of the count. Candidates will be permitted to attend the counting of votes wherever possible.

## **18 Term of Office**

The term of office shall be from 1 April (year one) to 31 March (year four) except for the provision of Censure – (Scheme Clause 16). And in subsequent years from the date of election until year four.

## **19 Rejected Ballot Papers**

Any ballot paper:

19.1 on which there are more votes cast than there are vacancies;

19.2 on which anything is written or marked by which the voter can be identified;

19.3 which is unmarked or void for uncertainty;

shall be endorsed with the words 'rejected' by the Returning Officer, such ballot papers shall not be counted and the Returning Officer shall draw up a statement showing the number of ballot papers rejected.

## **20 Decisions on Ballot Papers**

The decision of the Returning Officer on any question arising in respect of a ballot paper shall be final.

## **21 Equality of Votes**

Where, after the counting of the votes (including any re-count) is completed, an equality of votes is found to exist between or among any candidates and the addition of a vote would entitle any or some of those candidates to be declared elected the Returning Officer shall forthwith decide between or among those candidates by lot, and proceed as if the candidate or candidates on whom the lot falls had received an additional vote.

## **22 Declaration**

In a contested election, when the result of the poll has been established, the Returning Officer shall declare to be elected the candidates to whom the majority of the votes have been given. The Returning Officer will then prepare a Notice of the Result stating the total number of votes given to each candidate, indicating who has been elected together with a statement showing the ballot papers rejected. The Returning Officer shall, in writing, give notice to all candidates of the result of the election and shall inform them whether or not they have been elected. A copy of the Notice of Result is contained in DOCUMENT 6.

## **23 Absent Voting**

There shall be no provision for absent voting.

## **24 Appointment of Agents**

Candidates are not permitted to appoint an election agent or counting agent.

## **25 Uncontested Election**

If, after the expiry time for the delivery of nomination papers, the total number of candidates validly nominated is equal to, or less than, the total number of vacancies available on the Community Council the Returning Officer shall give notice that there will not be a poll for that Community Council. The candidates validly nominated will be duly elected to serve on that Community Council and the Returning Officer will write to each candidate advising them of their appointment (except if the provisions of paragraph 14.7 of this Appendix applies).

## **26 Areas with no active Community Councils**

If an area does not have an active Community Council, members of the public interested in forming a Community Council must submit a Petition as detailed in 3.12 – 3.16 of the Scheme Document.

South Ayrshire Council will then initiate the election process, as detailed above, as soon as is practicable.

## **27 Demission of Office – Community Councillors**

Community Councillors demit office as follows:

- 27.1 Not re-elected to the Community Council – with effect from 31 March.
- 27.2 Resignation – this must be made in writing to the Secretary of the Community Council (where the Secretary is resigning this must be made in writing to the Chair of the Community Council) and must state the date from which the resignation is to take effect. Resignations may only be withdrawn with the consent of the Community Council. A copy of the resignation letter must also be sent to the Service Lead – Performance, Policy and Community Planning at the same time as it is sent to the Secretary or Chairperson. Should an individual require assistance in providing a written resignation, the Community Council is obliged to provide support to the individual to accomplish this.
- 27.3 Becomes an Elected Member of South Ayrshire Council (or of any other legislature)
- 27.4 Non-attendance – where a Community Councillor has not attended three consecutive Community Council meetings without reasonable excuse or prior notification, or where there is no agreed leave of absence, that Community Councillor will be deemed to have demitted office and the subsequent vacancy will fall to be filled. (see Scheme Clause 16.19 through to 16.21 and 7.7)
- 27.5 No longer resident in area – where a Community Councillor is no longer resident within the area of the Community Council he/she must resign from the Community Council. If he/she does not resign, he/she will be deemed to have demitted office. (see Scheme Clause 16.17, and clauses within)

## **28 Disposal of Documents**

On completion of the counting in a contested election the Returning Officer shall seal up all the counted and rejected ballot papers, together with the verification sheets which shall be sealed and retained for six months from the counting of votes by the Returning Officer among the records of South Ayrshire Council.

## **29 Inspection of Documents**

These documents shall not be open to public inspection.

## **30 Destruction of Documents**

After the expiry of six months from the day fixed for the counting of votes the Returning Officer shall cause all the documents to be destroyed.

## **31 Public Meetings**

No opportunity will be extended to any candidate to address a public meeting.

## COMMUNITY COUNCIL ELECTIONS

## PROVISIONAL TIMETABLE



Date	Function
1st week in November	The Returning Officer will arrange a Planning Meeting with officials to discuss election arrangements.
1st/2nd week in January	Send out form seeking accurate information for full and co-opted membership. (Send out Nomination Forms with this letter.)
Last Friday in January	Above form to be returned.
1st week in February	Advert to be placed in local newspapers. Also send advert to Secretaries to be displayed locally.
Last Thursday in February (4.00 pm)	Closing date and time for nominations.
1st/2nd week in March	Issues of postal ballot papers.
Last Wednesday in March (4.00 pm)	Last day for receipt of ballot papers.
Last Thursday in March	Counting of Votes
1 April	Community Council appointments to commence.

LOCAL GOVERNMENT (SCOTLAND) ACT 1973  
**NOTICE OF ELECTION**  
**COMMUNITY COUNCIL ELECTIONS XXXX**

A poll is to be held for Community Council members to serve on the undernoted Community Councils.

Name of Community Council	Sub Ward	No of Vacancies
<b>Alloway, Doonfoot and St Leonards</b>		<b>16</b>
	Alloway	7
	Doonfoot	6
	St Leonards	3
<b>Annbank</b>		<b>9</b>
<b>Ballantrae</b>		<b>10</b>
<b>Barr</b>		<b>10</b>
<b>Barrhill</b>		<b>10</b>
<b>Belmont and Kincaidston</b>		<b>13</b>
	Kincaidston	4
	Belmont North	4
	Belmont South	5
<b>Colmonell and Lendalfoot</b>		<b>10</b>
<b>Coylton</b>		<b>10</b>
<b>Craigie</b>		<b>10</b>
<b>Crosshill, Straiton and Kirkmichael</b>		<b>10</b>
<b>Dailly</b>		<b>10</b>
<b>Dundonald</b>		<b>11</b>
<b>Dunure</b>		<b>10</b>
<b>Forehill, Holmston and Masonhill</b>		<b>14</b>
	Castlehill/Masonhill/New Holmston	7
	Holmston and Forehill	7
<b>Fort, Seafield and Wallacetown</b>		<b>15</b>
	Fort	5
	Seafield	7
	Wallacetown	3
<b>Girvan and District</b>		<b>14</b>
<b>Kirkoswald, Maidens and Turnberry</b>		<b>10</b>
<b>Loans</b>		<b>9</b>
<b>Maybole</b>		<b>12</b>
<b>Minishant</b>		<b>10</b>
<b>Monkton</b>		<b>10</b>
<b>Mossblown and St Quivox</b>		<b>11</b>
<b>Newton and Heathfield</b>		<b>14</b>
<b>North Ayr</b>		<b>15</b>
	Whitlets and Lochside	6
	Dalmling	5
	Craigie	4
<b>Pinwherry and Pinmore</b>		<b>10</b>
<b>Prestwick</b>		<b>18</b>
<b>Symington</b>		<b>10</b>
<b>Tarbolton</b>		<b>10</b>
<b>Troon</b>		<b>18</b>

Nomination Forms may be obtained by contacting:

**Returning Officer**  
**Community Council Elections**  
**County Buildings, Wellington Square, Ayr KA7 1DR**  
**Telephone: (01292) xxxxxx/xxxxxxx.**  
**E-mail: [communitycouncils@south-ayrshire.gov.uk](mailto:communitycouncils@south-ayrshire.gov.uk)**

Latest time for the delivery of nomination papers is: **XXXXXXXX at 4.00 pm**

Nomination Forms must be returned in a sealed envelope to the above address.



**LOCAL GOVERNMENT (SCOTLAND) ACT 1973**

**ELECTION OF A COUNCILLOR FOR THE**

**\_\_\_\_\_ COMMUNITY COUNCIL**

**\_\_\_\_\_ SUB WARD (if applicable<sup>o</sup>)**

**Latest time for delivery of this form to the  
Returning Officer, Community Council Elections, County Buildings,  
Wellington Square, Ayr KA7 1DR – XXXXXXXX**

The information provided by you as part of this nomination will be subject to processing by the Council as data controller. Full details of how the Council process your data can be found on the Council Privacy Notice enclosed with this nomination and also available at:

[Community council nominations privacy notice - South Ayrshire Council \(south-ayrshire.gov.uk\)](http://south-ayrshire.gov.uk)

<b>1.</b>	<b>SURNAME:</b>			
<b>2.</b>	<b>OTHER NAMES:</b>			
<b>3.</b>	<b>ADDRESS:</b>			
<b>4.</b>	<b>POST CODE:</b>		<b>5.</b>	<b>TEL NO:</b>
<b>6.</b>	<b>EMAIL:</b>			

I certify that the above particulars are correct, that I am aged 16 years or over on XXXXXXXX and whose name appears on the Register of Local Government Electors for the Community Council referred to above and that I am not disqualified from candidature in terms of the Community Council Scheme for South Ayrshire Council (eg by being a member of South Ayrshire Council or by being disqualified from candidature in a Local Government Election in terms of subsections 1(b) or (c) of Section 31 of the Local Government (Scotland) Act 1973).

I consent to my nomination as candidate.

<b>6.</b>	<b>SIGNATURE OF CANDIDATE:</b>	
<b>7.</b>	<b>DATE:</b>	

<b>8.</b>	<b>SIGNATURE OF WITNESS:</b>	
<b>9.</b>	<b>NAME WITNESS:</b>	
<b>10.</b>	<b>ADDRESS OF WITNESS:</b>	

The following Community Councils contain sub wards:

North Ayr; Forehill, Holmston and Masonhill; Belmont and Kincaidston; Fort, Seafield and Wallacetown; Alloway; Doonfoot and St Leonards; Newton and Heathfield.

If a candidate wishes, he/she may also complete a statement saying why he/she wants to be elected. It must not be longer than 50 words.

**Candidate's statement**  
(must not exceed 50 words)

This statement will be published together with any other validly nominated candidates' statements, where there will be a contested election. There is no obligation on a candidate to complete this part, it is entirely optional.

PLEASE COMPLETE IN BLOCK LETTERS

SAMPLE

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**GUIDANCE NOTES:**

- The candidate must complete sections 1-7. The witness must complete sections 8-10.
- Candidates must be 16 years or over on **XXXXXX**
- Candidates must be resident in the area or sub ward of the Community Council they wish to represent.
- Candidates' names must appear on the Register of Local Government Electors for the area concerned. Or in the case of alternative measures, for example, proof of residency documentation, Employment Details, register for council tax (over 16's) can be considered.
- Latest time for delivery of nomination forms is **4.00 pm** on **XXXXXX**.
- Nomination Forms must be delivered to:-  
  
 Returning Officer  
 Community Council Elections  
 South Ayrshire Council  
 County Buildings  
 Wellington Square  
 AYR KA7 1DR
- Helpline: (01292) XXXXXX or XXXXXX

<b>FOR OFFICIAL USE ONLY</b>		
<b>Electoral Number</b>	<b>Distinctive Letter</b>	<b>Number</b>

Document 4

# COMMUNITY COUNCIL

ELECTION

XYZ  
COMMUNITY COUNCIL

Y SUB WARD

[DATE]



XYZ  
COMMUNITY COUNCIL

Y SUB WARD

This year Community Council Elections are taking place between **XXXX**. The poll will be a postal ballot and your ballot paper and a pre-paid, addressed return envelope is enclosed. The ballot paper must be received by the Returning Officer at the County Buildings in Ayr by 5.00 pm on **XXXX**, otherwise your vote will not be included in the count. Each candidate was asked to make a brief statement if he/she so wished. The statements are printed in this leaflet.

## CANDIDATES' STATEMENTS

1. **BLUE**  
Hugh, 71 Green Road, Merrytown

*Having been a Community Councillor for over twenty years, if elected I will do my best to represent the community as I have done for a long time previously.*

2. **GREEN**  
John, 10 Brown Avenue, Merrytown

*John Green chose not to make a statement.*

3. **PURPLE**  
James Purple, 67 Main Street, Merrytown

*James Purple chose not to make a statement.*

4. **WHITE**  
Janet White, 19 Long Street, Merrytown

*As a newer resident I hope to be able to bring fresh ideas for improving our community.*

Document 5

**XYZ COMMUNITY COUNCIL**

**Y SUB WARD**

**BALLOT PAPER**

You may not vote for more than **X** candidates.

**INSTRUCTIONS TO VOTER**

CANDIDATE	ADDRESS	VOTE
<b>BLUE,</b> Hugh	71 Green Road, Merrytown	
<b>GREEN,</b> John	10 Brown Avenue, Merrytown	
<b>PURPLE,</b> James	67 Main Street, Merrytown	
<b>WHITE,</b> Janet	19 Long Street, Merrytown	

1. You may vote for up to **X** candidates.
2. Mark your choice with a cross (X). Do this secretly. If you cannot vote without assistance, the person assisting you must not disclose how you have voted.
3. Put no other mark on the ballot paper or your vote may not be counted.
4. Put the ballot paper in the 'Ballot Paper Envelope'. Return it without delay.
5. Ballot Paper Envelopes must be received by the Returning Officer at the County Buildings, Wellington Square, Ayr **not later than X pm on XX XX 20XX**
6. Helpline: Tel: 01292 XXXXXX / XXXXXX  
 Email: [communitycouncils@south-ayrshire.gov.uk](mailto:communitycouncils@south-ayrshire.gov.uk)  
 Website: [www.south-ayrshire.gov.uk/communitycouncil](http://www.south-ayrshire.gov.uk/communitycouncil)

# A contested election

DOCUMENT 6

## XYZ COMMUNITY COUNCIL

### Y SUB WARD

Electorate	█
Total Votes cast b/f	█
Percentage Poll	█ %

Here is the result for the XYZ Community Council Y Sub Ward

NO	NAME	VOTES
1	BLUE, Hugh 71 Green Road, Merrytown	█
2	GREEN, John 10 Brown Avenue, Merrytown	█
3	PURPLE, James 67 Main Street, Merrytown	█
4	WHITE, Janet 19 Long Street, Merrytown	█

and I declare the following to be elected to the XYZ Community Council Y Sub Ward

NO	NAME	VOTES
		█
		█
		█

The number of rejected ballot papers was █ \_\_\_\_\_

\_\_\_\_\_ 20XX

Signed: \_\_\_\_\_  
Returning Officer

**PETITION**  
TO THE  
**SOUTH AYRSHIRE COUNCIL**

**BY TWENTY ELECTORS  
OF THE  
XYZ  
COMMUNITY COUNCIL AREA**

**W**E, the twenty undersigned electors (alternative measures applicable), residing within the XYZ Community Council area at the addresses stated and being registered as electors at these addresses for the Register of Electors in force as at the date of this petition, HEREBY PETITION the South Ayrshire Council, in terms of the Scheme for Community Councils, to re-establish XYZ Community Council within six weeks of delivery of this petition.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

*Note:* This petition to be delivered to the

Service Lead – Thriving Communities  
South Ayrshire Council  
County Buildings  
Wellington Square  
AYR KA7 1DR

No	NAME	ADDRESS	SIGNATURE	No ON REGISTER OF ELECTORS *
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				

SAMPLE

\* For official use only.

**South Ayrshire Council**  
**Community Council Co-option**  
**Form of Nomination**

DOCUMENT 8

The undernoted candidate is hereby proposed and seconded for CO-OPTION to the following Community Council and, where applicable, the relevant sub-area.

**COMMUNITY COUNCIL**.....

**SUB-AREA** (*where applicable*).....

	FULL NAME (BLOCK CAPITALS)	HOME ADDRESS IN FULL (BLOCK CAPITALS)	SIGNATURE AND DATE
<b>CANDIDATE</b>			
Candidates Email Address/Telephone No.			
<b>PROPOSER</b>			
<b>SECONDER</b>			

I certify that the above particulars are correct, that I am aged 16 years or over at the date of signing and whose name appears on the Register of Local Government Electors (alternative measures applicable) for the Community Council referred to above and that I am not disqualified from candidature in terms of the Community Council Scheme for South Ayrshire Council (eg by being a member of South Ayrshire Council or by being disqualified from candidature in a Local Government Election in terms of subsections 1(b) or (c) of Section 31 of the Local Government (Scotland) Act 1973).

The Council will hold any information you provide, for future use in relation to the administration of Community Councils. This information will be held within the Council's computer systems.

The processing of personal data is governed by the General Data Protection Regulation 2016 (GDPR) and supplemented by the Data Protection Act 2018.

Your information will be shared with the Ayrshire Valuation Joint Board to verify your application, and with the Community Council you have joined. Your Community Council will display your name, town and post code within the Community Council area for openness and transparency.

I consent to my nomination as co-option candidate.

<b>SIGNATURE OF CANDIDATE:</b>	
<b>DATE</b>	

The completed nomination form should be sent to XXXX, XXXXXXXXXXXXXXXXXXXX



## XYZ COMMUNITY COUNCIL

## VACANCIES

The XYZ Community Council currently has X vacancies.

Community Councils give local people a real say in matters such as local service delivery and other issues which affect daily lives.

Community Councils have a local and statutory interest in the planning process. Local Authorities are required to consult Community Councils on planning applications affecting their areas.

Liquor licensing and some other licensing matters may also be of keen interest to Community Councils and are areas on which Community Councils views might usefully be sought.

Anyone resident within the area of XYZ Community Council who is aged 18 years or over who is interested in becoming a Community Councillor should contact the Secretary as detailed below before XXXX 20XX. [  
**4 weeks should be allowed from the date of publication of the notice for nomination to be received** ]

J Brown  
Secretary  
XYZ Community Council  
Date:  
(Contact details – generic email address etc)

XYZ COMMUNITY COUNCIL

CO-OPTION

Notice is made that Rona Blue, Merrytown was duly co-opted onto XYZ Community Council until 31 March, XXXX at the XYZ Community Council Meeting held on ~~XX XXX 20XX~~.

Anyone wishing to comment on this co-option should do so to the Secretary as detailed below no later than *[within 4 weeks of the date of this notice]*

SAMPLE

J Brown  
Secretary  
Date:  
(Contact details – generic email address etc)

*[This Notice must be published within 7 days of the Community Council meeting.]*

# South Ayrshire Council

## Unacceptable Actions Policy for Community Councils



# Policy on Unacceptable Actions by Constituents (**Voting Members of the Public**)

## **1. Introduction**

1.1 This Policy sets out South Ayrshire Community Councils' approach to the relatively few constituents whose actions or behaviour we consider unacceptable. The term also includes anyone acting on behalf of a constituent or who contacts us in connection with Community Council business. The principles set out in this Policy also apply to our dealings with constituents who are complaining about us (Community Council) and they will be referred to the Community Council complaints procedure.

## **2. Policy aims**

### **2.1. *In this Policy, we aim to:***

2.1.1. deal fairly, honestly, consistently and appropriately with all constituents, including those whose actions we consider unacceptable. We believe that all constituents have the right to be heard, understood and respected. We also consider that our Community Councillors have these same rights.

2.1.2 be accessible to all our constituents. However, we retain the right, where we consider a constituent's actions to be unacceptable, to restrict or change access to our service.

2.1.3 ensure that other constituents, Community Councillors or Council staff do not suffer any disadvantage from someone who acts in an unacceptable manner.

## **3. Unacceptable Actions by Constituents**

### **3.1 *Definition:***

People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a constituent coming to us. We do not view behaviour as unacceptable just because a constituent is forceful or determined. However, the actions of constituents who are angry, demanding or persistent may result in unreasonable demands on our resources or in unacceptable behaviour towards our Community Councillors. It is these actions that we consider unacceptable and aim to manage under this Policy. We have grouped these actions under three broad headings:

### **3.2 *Aggressive or Abusive Behaviour :***

3.2.1 Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause members of the Community Council to feel afraid, threatened or abused.

3.2.2 Examples of behaviours grouped under this heading include threats, physical violence, personal verbal abuse, derogatory remarks, and rudeness towards our members when they are engaged on Community Council business. We also consider that inflammatory statements and unsubstantiated allegations can be abusive behaviour.

3.2.3 We expect our Community Councillors to be treated courteously and with respect. Violence or abuse towards them is unacceptable. We understand the difference between aggression and anger. The anger felt by many constituents involves the subject matter of their contact with us. However, it is not acceptable when anger escalates into aggression directed towards Community Councillors.

### 3.3 ***Unreasonable Demands:***

3.3.1 Constituents may make what we consider unreasonable demands on on the Community Council members through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the constituent.

3.3.2 Examples of actions grouped under this heading include:

- demanding responses within an unreasonable time-scale;
- insisting on seeing or speaking to a particular Community Councillor;
- continual phone calls or letters: and,
- repeatedly changing the substance of the issue or complaint, or raising unrelated concerns.

3.3.3 We consider these demands as unacceptable and unreasonable if they start to impact substantially on the work of the Community Council, such as taking up an excessive amount of Councillor time to the disadvantage of other constituents, services or functions.

### 3.4 ***Unreasonable Persistence:***

3.4.1 We recognise that some constituents will not or cannot accept that we are unable to provide a level of service other than that provided already. Constituents may persist in disagreeing with the action or decision taken in relation to their issue or complaint, or contact us persistently about the same issue.

3.4.2 Examples of actions grouped under this heading include:

- persistent refusal to accept a decision made in relation to an issue or complaint;
- persistent refusal to accept explanations relating to what we can or cannot do; and,
- continuing to pursue an issue or complaint without presenting any new information.

3.4.3 The way in which these constituents approach us may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.

3.4.4 We consider the actions of persistent constituents to be unacceptable when they take up what we regard as being a disproportionate amount of time and resources.

## 4. **Managing Unacceptable Actions by Constituents**

4.1 There are relatively few constituents whose actions we consider unacceptable. We aim to manage these actions based on their nature and extent. If our ability to do our work and provide a service to others is affected adversely, we may need to restrict that constituent's contact with us in order to manage the unacceptable action.

4.2 We aim to do this in a way, wherever possible, that allows a complaint to progress to completion through our Community Council Complaints Procedure.

4.2.1 We may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these.

4.2.2 We try to maintain at least one form of contact.

4.2.3 In extreme situations, we tell the constituent in writing that their name is on a 'no personal contact' list. This means that they must restrict contact to the Community Councillor identified within the

Community Council Complaints Procedure only, whether this is in writing, personal contact or through a third party.

- 4.3 The threat or use of physical violence, verbal abuse or harassment towards members is likely to result in the ending of all direct contact immediately with the constituent. Incidents may be reported to the police. This will always be the case if physical violence is used or threatened.
- 4.4 We also view the use of social media to be covered by this policy.
- 4.5 We do not deal with correspondence (letter, fax or electronic) that is abusive to members. When this happens we tell the constituent that we consider their language offensive, unnecessary and unhelpful. We ask them to stop using such language and state that we will not respond to their correspondence. We may require future contact to be through a third party if they persist.
- 4.6 Community Councillors will end telephone calls if the caller is considered aggressive, abusive or offensive. The Community Councillor taking the call has the right to make this decision, tell the caller that the behaviour is unacceptable and end the call if the behaviour does not stop.
- 4.7 Where a constituent repeatedly phones, visits, sends irrelevant documents or raises the same issues, we may decide to:
- only take telephone calls from the constituents at set times on set days or put an arrangement in place for a third party to deal with calls or correspondence from the complainant in future.
  - require the constituent to make an appointment to see a named third party; or,
  - that the constituent contacts the Community Council in writing only;
  - return the documents to the constituent or, in extreme cases, advise them that further irrelevant documents will be destroyed; or
  - take other action that we consider appropriate. We will, however, always tell the constituent what action we are taking and why.
- 4.8 Where a constituent continues to correspond on a wide range of issues, and this action is considered excessive, then they will be told that only a certain number of issues will be considered in a given period and be asked to limit or focus their requests accordingly.
- 4.9 Constituent action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the constituent continues to dispute the Community Council's decision relating to their complaint or issue. The constituent will be told that no future phone calls will be accepted or interviews granted concerning this complaint or issue. Any future contact by the constituent on this issue must be in writing. Future correspondence is read and filed, but only acknowledged or responded to if the constituent provides significant new information relating to the complaint or issue.

## **5. Constituent Confidentiality**

- 5.1 Where appropriate, we will always respect the confidentiality of a constituent. However, confidentiality is not an absolute obligation as the law has always recognised that where appropriate it is permissible to release information which would normally be confidential if this is necessary to fulfil an overriding public interest, such as protecting someone else from harm. There may be cases where the professional's view is that there is no substance behind such a threat. If someone threatens someone else, we should be able to take appropriate steps in response such as alerting that person, the police or associated agencies.

## **6. Deciding to Restrict Constituent Contact**

- 6.1 Community Councillors that directly experience aggressive or abusive behaviour from a constituent have the discretion to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this Policy.
- 6.2 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the Community Council are only taken after careful consideration of the situation and may include advice taken from a third party and/or legal services. Wherever possible, we give a constituent the opportunity to modify their behaviour or action before a decision is taken.
- 6.3 Constituents will be issued with a warning letter containing a copy of this Policy. They will be told why their actions are deemed to be unacceptable, and asked to moderate this behaviour. If this is not done, then they will be told that a contact restriction can be put in place.
- 6.4 When a decision has been made to restrict future contact, the constituent will be written to with details of the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place.
- 6.5 If a serious threat of violence is made, then a warning letter is not necessary and the constituent can be issued with a restricted contact letter immediately.

## **7. Appealing a Decision to Restrict Contact**

- 7.1 A constituent can appeal a warning letter, on the grounds of factual inaccuracy. They can do so, in writing only, to the Chair of the Community Council.
- 7.2 A constituent can appeal a decision to restrict contact. This must be done within 10 working days of receipt of the letter. Another third party, previously not involved in the original decision considers the appeal. They advise the constituent in writing that either the restricted contact arrangements still apply or a different course of action has been agreed. This should be done within 10 working days.

## **8. Recording and Reviewing a Decision to Restrict Contact**

- 8.1 Where it is decided to restrict constituent contact, an entry noting this is made in the relevant file and on appropriate computer records.
- 8.2 A decision to restrict contact may be reconsidered if the constituent demonstrates a more acceptable approach. The Community Council reviews the status of all constituents with restricted contact arrangements on a regular basis.

# South Ayrshire Community Councils Protection of Children & Vulnerable Adults Guidance





## **Introduction**

Community Councils are a statutory organisation, the purpose of a Community Council is to *“In addition to any other purpose which a Community Council may pursue, the general purpose of a Community Council shall be to ascertain, coordinate 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”*.

## **Principles**

All persons, whether members of the Community Council or attendees are required to abide by the law of the land, including, with limitation, the Protection of Children (Scotland) Act 2003; Protection of Vulnerable Groups (Scotland) Act 2007, and Children and Young People (Scotland) Act 2014. The Community Council has a duty of care to ensure members and volunteers comply with such laws. The Community Council shall at all times seek to ensure that all persons, including vulnerable groups and children, shall be kept safe and free from harm and protected from physical, sexual, verbal and emotional abuse when involved with the Community Council. Community Councils shall require that all persons shall comply with this guidance. To meet these obligations Community Council members should agree to this guidance, and, under the direction of the Community Council members the Chair shall have overall management responsibility for ensuring compliance by all members.

## **Underpinning principles**

1. A child is recognised as someone under the age of 18.
2. A child has the right to relax, play and join in a wide range of activities.
3. The protection and wellbeing of all children and vulnerable adults in our care is everyone's responsibility.
4. A child or vulnerable adult, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identity have the right to protection from all forms of harm and abuse.
5. A child or vulnerable adult has the right to express views on all matters that affect them, should they wish to do so.
6. A child's or vulnerable adult rights, wishes and feelings should be respected and promoted.
7. The best way to promote the wellbeing, health and development of children and vulnerable adults is to work in partnership with the child/adult, parents/carers and other relevant organisations.

## **Promoting Good Practice**

- Community Council members and volunteers will not be in a situation where they find themselves on their own with a child or vulnerable person.
- When a person has been identified as having additional needs or behaviour that is likely to require additional supervision, the Community Council will ensure that they will have adequate supervision in attendance with them.
- Members and volunteers should consider the individual needs of each participant, particularly where additional support has been brought to our attention.

- All members and volunteers, when working with young people, should demonstrate behaviours that promote the welfare of young people, to reduce the likelihood of allegations being made.
- Being an excellent role model which includes not smoking or drinking alcohol in the company of young people when in the role of organiser.
- Always work in an open environment.
- Treat all persons equally, with respect and dignity, abiding by the Community Councils Code of Conduct.
- Be aware and respectful of people from different religions and cultures.
- Building balanced relationships based on mutual trust.
- Respecting the personal space of participants and volunteers.
- If any physical contact is required, it should only be provided openly and with explanation.

### **Practices to be avoided**

The following should be avoided except in emergencies:

- Avoid spending time alone with young people away from others.
- Avoid taking a role with responsibilities for which you are not appropriately trained. For example: physically handling disabled participants.
- Do not promise to keep secrets for a young person as this may be at the detriment of the young person's welfare.
- Should not share more contact information than is essential to conduct Community Council business. For example: Facebook, mobile number, email, etc.
- Do not use physical intervention to manage challenging behaviour.

If cases arise where these situations are unavoidable, ( i.e. Litter picking or other community projects). It should be with the full knowledge and consent of the young person's teacher or parent/carer.

### **Practices Never to be sanctioned**

- Physical punishment or the threat of such.
- Refusal to speak with or interact with a child.
- Verbal intimidation, ridicule, humiliation or reducing a young person to tears as a form of control.
- Engaging in rough or sexually provocative actions.
- Allowing or engaging in any form of inappropriate touching.
- Allowing young people to use inappropriate language unchallenged.
- Making sexually suggestive comments to a young person.
- Failing to act upon and record any concerns raised by a young person.
- Doing things of a personal nature for young people that they can do for themselves. For example: feeding them.
- Inviting or allowing young people to stay with you at your home unsupervised.

## **Use of Photographic Filming Equipment**

Photographing and filming young people under the age of 18 is allowed with prior consent and only used for the reason that it was given for.

It is the duty of the person responsible to obtain permission prior to posting any photos or videos on the website or social media platforms.

Further information can be found by referring to the Code of Conduct for Community Councils within the Scheme for Establishment of Community Councils

### **If you have Child Protection Concern contact:**

South Ayrshire Council's Social Work Child Protection Services on 01292 267675 or call 0800 328 7758 if out of hours. You can also email [InitialResponseTeam@south-ayrshire.gov.uk](mailto:InitialResponseTeam@south-ayrshire.gov.uk)

**Police – 101**

## APPENDIX 17

During the 2020/21 COVID 19 Pandemic, South Ayrshire Council agreed to waive some of the restrictions that the Scheme for the Establishment of Community Councils contained in order to assist Community Council to continue to conduct their business. The Information below was passed to Community Councils to enable them to hold their Meetings and make decisions (among other relaxations) while the public was unable to gather because of social distancing.

“In the event of an emergency resulting in a risk either to public safety or to public health, South Ayrshire Council may suspend or amend the governance requirements for Community Councils In order to facilitate the continued operation of Community Council activities.

### Specifically:

- In the event that the Community Council cannot hold the required number of meetings no action will be taken by South Ayrshire Council to dissolve the CC
- AGM's may be postponed
- Elections may be postponed
- Co-optees may act as Office Bearers for a period in excess of 11 months with power to expend monies on behalf of the CC
- Administration Allowances will not be affected as a result of failure to hold meetings.

### However:

- Meetings must be open to members of the public and minuted.
- Members of the public shall be given the opportunity to address the meeting (**Public Forum Agenda item**)
- Community Councils shall make efforts to advertise to the public the possibility of attending meetings to be held virtually.
- Agendas shall give notice that a meeting may be attended virtually, give adequate notification of how to access the online platform
- Community Councils shall continue to make the Agenda and Minutes of their meeting available in as many places as are reasonable in the circumstances (including online availability)
- The ability to make and carry out decisions- during quorate virtual meetings decisions can be made and ratified during emergency situations allowing that the appropriate criteria has been followed.
- Public meetings must be held in a face-to-face environment to facilitate any voting or debate
- Community Councils shall ensure that its administrative and financial commitments are met e.g. payments of Insurance Premiums, ICO Registration, preparation of Annual Accounts.
- Where membership numbers fall below quorum, meetings may be held but decisions cannot be taken until there are sufficient co-optees to render the Community Council quorate

During an emergency Community Councils will be kept informed by South Ayrshire Council of any further changes or alternative measures to be taken"

Should another situation arise that limits the Community Council's ability to function effectively – then South Ayrshire Council **may** consider reintroducing **some/all of** the above measures to facilitate the smooth running of the Community Councils activities.