



WEST DEAN PARISH COUNCIL

INDUCTION PACK FOR PARISH COUNCILLORS

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SECTION A – GETTING STARTED

1) Declarations of Acceptance of Office

You cannot act in your office as Councillor (including participating in any meetings of the Council or a Committee) until you have signed the Declaration of Acceptance of Office, which is included in your induction pack. This form must be signed in the presence of the Clerk or a Parish Councillor, prior to your first meeting. Please note that when you sign the Declaration you will undertake to observe the Code of Conduct adopted by the Council so it is essential you have read the Code, a copy of which is included in your induction pack and about which more details are given at paragraph 3 below.

2) Registering Financial and Other Interests

All Members of local authorities are statutorily required to register with their authority various financial and other interests. A registration form is included in the induction pack for you to complete and return to me within 28 days of election/co-option. This is a requirement of the Code and will enable you to register your financial and other interests. I will ensure that the form, when complete, is lodged with the Council's Monitoring Officer who keeps all forms from Parish Councillors on a public register.

The Details, which you will need to register, are set out in full in Part 5.9 of the Code of Conduct. You are also required to register any change to the interests previously registered, within 28 days of becoming aware of any such change. If you have any changes to register at any time please inform me so that I can provide the appropriate form for completion and submission to the Monitoring Officer, please note that Councillors are responsible for keeping their Register entries up to date.

The fact that you have registered a particular interest in writing does not absolve you from making a disclosure of that interest at meetings should circumstances arise. In fact, it should, remind you of the need to make a disclosure. Further information on making disclosures at meetings is given in Section D.

3) Code of Conduct

The Council has adapted and adopted the National Association of Local Councils (NALC) code of conduct. When signing your Declaration of Acceptance of Office as a Councillor, you undertake to observe the Code. The importance of this cannot be over-emphasised, particularly as breaches to the Code are liable to be reported to the Forest of Dean Monitoring Officer.

He/she must consider complaints and these may be investigated and if a case is serious enough, it may be referred to an independent panel to make a judgement, which could result in the suspension of the person concerned, to the disqualification of the person as a Councillor for up to five years. (Localism Act 2011 Chapter 20, Part 1, Chapter 7 Standards, para 34 Offences) Members are under a duty to report any perceived breach of the Code. A copy of the Code of Conduct can be found on the West Dean Parish Council website in the policies section link below, <https://westdeanpc.org.uk/about/policies/>

4) Attending your first meeting

The first meeting you will be able to attend is the next Full Council meeting scheduled after you have signed your Declaration of Acceptance of Office. An agenda and papers will be sent to you, electronically usually, at least 3 working days before the meeting.

If you have any queries regarding any item, please do not hesitate to contact the Clerk.

SECTION B - GENERAL INFORMATION

1) The Annual Parish Assembly and the Council AGM

The Annual Parish Assembly is not a council meeting. It is a meeting of the Parish Electors. Strictly speaking the electors can set the agenda, and in practice these meetings often celebrate local activities and debate current issues in the communities. Members will therefore find it useful to be present.

The Chair of Parish Council calls the Assembly and if present will chair it. It is best practice to hold the Annual Assembly and the Annual Meeting of the Parish Council on different occasions to avoid confusion.

The Annual Parish Assembly is held between April/May each year.

The Annual Parish Council meeting is held in May each year.

2) More about Meetings and Who to Contact

Calendar of Meetings

The Parish Council meeting dates are the last Wednesday of every month, except December. Committee Meetings are scheduled by the Chair of the committee but normally are as follows:

- Planning Committee – 1st and 3rd Tuesday of each month
- Governance Committee – 3rd Tuesdays bi-monthly
- Highways & Footpaths Committee – 3rd Tuesdays bi-monthly
- Climate & Biodiversity Committee – 2nd Thursday of each month
- Finance & Staffing Committee – As required

A meeting schedule is published each month with the Council agenda, this also gives the time and location of the meetings, please note that dates may be added, deleted or changed.

Organisation of Meetings

Meetings usually take place at the West Dean Centre but the Parish Council have a commitment to take Council meetings to other venues in the Parish during the summer months, please ensure that you check on your agenda for the correct venue. All Full Council meetings start at 7pm and committee meeting times are stated on the relevant committee agenda.

An agenda is produced by the Clerk or Deputy Clerk for each meeting, copies of the agenda and supporting materials are made available via a Dropbox link to Members generally a week in advance of the meeting, giving the statutory 3 clear days' notice. Please also ensure that you check the link for any additional or late supporting materials being added.

Agenda, Reports and Minutes

After each meeting Minutes are prepared by the Clerk or Deputy Clerk. These are circulated to Members before the next meeting. The Council agenda, together with the minutes of the last meeting and of Committee meetings forms the basis on which the Council conducts its business. The Council also has a system of public participation with a designated time set aside at Full Council meetings for this purpose.

When you receive the agenda and reports for meetings, you will sometimes find a report marked 'CONFIDENTIAL'. Any information in this report is to be treated as confidential and should not be divulged to anyone who is not an Elected Member of the Council.

Constitution of Committees and Committee Structure

The constitution of committees is ex officio, this means that all elected Members are also members of all Parish committees and will receive copies of all agendas, minutes and supporting documents for every committee meeting.

Who to Contact

The Clerk – Kim Carpenter – can be contacted on 01594 564484 or email – clerk@westdeanpc.org.uk

The Deputy Clerk – Phil Holland – can be contacted on 01594 564484 or email – deputyclerk@westdeanpc.org.uk

The Clerk will deal with any complaints, or requests for action or matters concerning the business of the Council.

The Deputy Clerk will deal with all matters relating to the administration of the West Dean Centre.

3) Members Allowances

The Council may make payments in respect of travelling expenses for Members attending training events or attending meetings as representatives of the Council but need to be specifically approved by Council in advance.

4) Freedom of Information (FOI)

The Council is obliged by law to make information on its activities available to the public on request. It maintains a scheme known as a Publication Scheme, which is available to the public and this contains classes of information, which are routinely available to the public.

Information held by Members of the Council will also be covered by FOI and therefore Members may be approached to produce their records if a specific enquiry warrants it.

5) Website and Email

The parish council has a website which includes a page on Councillors:

[Your Councillors – West Dean Parish Council \(westdeanpc.org.uk\)](http://westdeanpc.org.uk)

Please provide the Clerk with some text that you would like included on this page (generally people give a little about their background and what they hope to concentrate on/achieve whilst serving the council).

You will also need to arrange a mutually convenient time with the Clerk to have your photograph taken for the web page (this can be done before/after a meeting).

Once you have signed your Acceptance of Office you will be issued with a parish council specific email address, this will normally be redirected to your nominated contact email.

You will need to ensure that all correspondence made relating to council business is made using the official email address as this complies with the General Data Protection Regulations.

SECTION C – ROLES OF MEMBERS AND CLERKS

1) Introduction

This short note has been prepared with the intention of giving newly elected Members of the Parish Council some guidance as to the respective roles of both Member and the Clerks in helping the Council to function, and how these roles work in practice.

2) The Role of Members

Members are collectively responsible for making Council policy, for which they are accountable to the electorate.

Members are not directly involved in the day-to-day provision of services to the public. This does not mean that there should be no contact between Members and the Clerk on such matters and, indeed, Members may often find that they are asked by electors to pursue matters on their behalf. However, Members have no executive authority, and will need to deal with all matters either through their collective Council membership or in liaison with the Clerk concerning, say a Parish problem.

It therefore follows that there are no circumstances where an individual Member can issue an instruction to the Clerk, Deputy Clerk, or a Contractor. Likewise, a Member must never act 'on behalf of the Council' in the organisation of any function or service. Care should be taken in letters/comments to the Press, to ensure they understand you speak as a 'Parish Councillor' and not on behalf of the Council as a whole. Generally, the Clerk on behalf of the Council issues Press Statements.

The Role of the Chair

To preserve order and manage the running of council meetings. Also, to be the figurehead for the Council at Civic Events. The Chair is elected by the Council.

Some of their main responsibilities include:

- Liaising with the Clerk regarding the setting of agendas.
- Managing the discussion at meetings ensuring that all members get the opportunity to put forward their comments/points of view and that voting is undertaken in line with Standing Orders.
- To make the casting vote at meetings when there is an equality of votes.
- To undertake a training course in Chairmanship.

3) The Role of the Clerk/RFO

The role of the Clerk is twofold, for she is accountable to the Council. Firstly, she is the professional advisor to the Council or 'Proper Officer' on matters of policy and, secondly, the executor of Council policy, i.e., in the carrying out of instructions of the Council. Some of the main responsibilities of the Clerk include:

- Arranging meetings; including the writing of agendas, supporting paperwork and reports, minutes, publications, etc.
- Responding to correspondence sent to the council.
- Actioning any decision made by the Council.
- Researching into potential projects, issues raised, strategic plans.
- Project manager; facilities manager; services manager
- To line manage other members of staff
- To undertake any decisions delegated by the Council, particularly in urgent/emergency situations.

The Clerk is also the Responsible Financial Officer for the Council, as thus she administers the financial affairs of the Council ensuring they are managed in line with Financial Regulations and relevant legislation.

4) How these Roles work in practice

Members make decisions on matters of major policy at meetings of Full Council, after having considered the recommendations made on these policies by any of the Council Committee or from reports regarding the tendering

for the supply of goods or services or the introduction of additional policies presented by the Clerk, depending on their delegated powers.

Within the framework of policies decided by Members at Council, the Clerk, often in consultation with the Chair, will take many decisions every working day. Most of these decisions will be concerned with the day-to-day management of services to the public, but others will be concerned with more important matters.

5) Statutory Powers and Duties

The Council derives its powers from statute. A few of these are mandatory (i.e., the Council must carry them out) but most are discretionary (i.e., the Council can carry them out if it wishes). In all cases, both Members and Officers must work within the law.

6) Summary

Members are responsible for making council policy, but do not have executive authority.

The Clerk is responsible for advising Members on the making of Council policy and for ensuring such policy is carried out.

The Council's Terms of Reference determines which Committee, if any, deals with matters, and at which level decisions are taken.

Many matters are delegated to the Clerk, who can make decisions on them working within established Council policies.

The day-to-day management of services is the responsibility of the Clerk.

Both Members and the Clerk must work within the law.

Mutual respect between the Clerk and Members is essential for the Council to function effectively. Personal attacks on the Clerk should be avoided (and would be contrary to the Code of Conduct), as under the convention of Local Government, Officers are unable to defend themselves from such comments in public.

7) Table of Differing roles and responsibilities

	The Clerk	Council and Councillors
Accountability	The role of the Clerk is twofold, for which they are accountable to the Council. 1. They are the professional advisor to the Council on matters of policy. 2. The Clerk implements the decisions of the council and provides independent, objective, and professional advice, information and administrative support to the council. The Clerk is not just a secretary and is not at the beck and call of the Chair or other Councillors; the Clerk is answerable only to the Council as a whole.	The council as the corporate body, can only do what legislation requires or permits it to do and within that framework: 1. Members are collectively responsible for making council policy, for which they are accountable to the electorate. 2. Members have no executive authority and will need to deal with all matters through their collective council membership. 3. Ensure the council is properly managed.
Delegation	Legally councils can agree to delegate decisions to clerks, details of which should be included in the Council's Delegation Scheme.	Councillors collectively make decisions on council matters BUT councillors cannot individually make (or be delegated to make) decisions on behalf of the council.

Services and Facilities	The clerk is responsible for the day-to-day operation and administration of the council. In addition, they may have to act as a project manager, personnel director, public relations officer, finance officer etc.	Members are not directly involved in the day-to-day provision of services to the public. There are no circumstances where an individual member can issue an instruction to the clerk, deputy clerk or a contractor.
Financial Management	The Accounts and Audit Regulations impose specific duties on the Responsible Financial Officer (RFO) – often this is the clerk. These included: 1. Establishing and reviewing annually a sound system of internal control and arrangements for the management of risk. 2. Maintaining the accounting records and implementing sound accounting control systems. 3. Signing the Annual Governance and Accountability Return (AGAR) and ensuring the exercise of public rights is correctly published.	Councillors share collective responsibility for financial management of the council and must make arrangements for its finances to be administered by the RFO. The councillor's role is to ensure: 1. The RFO acts properly so the council avoids risk of loss, fraud, or bad debt, whether through deliberate or careless actions. 2. Robust financial checks are carried out regularly.
Meetings	The clerk is the Proper Officer of the council in law and their responsibilities include: 1. Preparing, signing, and sending out agendas for meetings. 2. Providing advice and administrative support. 3. Implementing all council decisions following the meeting.	Councillors have a responsibility to: 1. Attend meetings when summoned to do so. 2. Take part in meetings and consider all the relevant facts and issues on matters which require a decision. 3. Take part in voting and respect decisions made by the majority of those present. 4. Confirming the minutes of the last meeting are correct before being signed by the Chair.

(From The Clerk magazine, www.SLCC.co.uk)

SECTION D – DECLARING NON-REGISTERABLE AND DISCLOSABLE PECUNIARY INTERESTS

1) Introduction

The law relating to the declaration of non-registerable and disclosable pecuniary interests in meetings is complicated. The purpose of this note is to simplify matters as far as possible, and to advise Members of where to find more detailed information, which they will need to refer to as, circumstances arise.

Agenda papers are generally shared approximately 5 days in advance of the meeting to which they relate. On receiving the agenda, you should check the items of business listed and consider whether there is a need to declare an interest (and, if so, what type of interest) in any of the items. The Clerk is always willing to offer advice and guidance before (but preferably not on the day of) a meeting but should not be asked to do so during a meeting.

If during the meeting you become aware of a non-registerable or disclosable pecuniary interest, it is acceptable to declare that interest at any point during the meeting.

2) Declaration of non-registerable interests of disclosable pecuniary interests at meetings.

If you have a non-registerable interest or a disclosable pecuniary interest in an item under consideration at a meeting, you must declare that interest verbally and say what the nature of interest is. You must do this when the agenda item for the declaration of interests is requested by the Chair of the meeting, this is usually item no. 2 on all agendas. This is a requirement of Standing Orders, and is aimed at ensuring that all such declarations are properly recorded in the Minutes of the meeting.

You must immediately retire from the meeting room while any discussion or vote takes place on the matter unless you have the benefit of a current and relevant dispensation in relation to the matter.

As to when there is a need to declare a non-registerable interest of disclosable pecuniary interest, Members should refer to their copy of the Code of Conduct. Any failure by a Councillor to disclose a non-registerable interest or disclosable pecuniary interest in a matter which is considered at a meeting of the Council (including meetings of any committee or sub-committee) is a breach of the Code of Conduct.

The circumstances in which you may be required to disclose a non-registerable interest of a disclosable pecuniary interest are complex, and you must therefore read and become familiar with the contents of the Code of Conduct.

Briefly, however, a non-registerable interest is one which affects the Member concerned more than most other people in the area; this includes those who live, work or have property in the council's area. Members will also have a non-registerable interest if various people or bodies listed in the Code, and connected to them, are similarly affected. This includes their partner, relative or a close personal friend. The rule of thumb is that it is not enough to avoid actual impropriety, but that you should avoid any occasion for suspicion or any appearance of improper conduct. If you are in any doubt whatsoever, it is better to err on the side of caution, and make a declaration of an interest, and retire from the meeting.

3) Dispensations

In certain circumstances Councillors may be granted a dispensation which enables them to take part in Council business where this would otherwise be prohibited because they have a Disclosable or Non-Registerable Pecuniary Interest. Provided Councillors act within the terms of their dispensation there is deemed to be no breach of the Code of Conduct or the Law. Refer to A Guide to Awarding Dispensations 2012.

Section 31 (4) of the Localism Act 2011 states that any dispensation may allow the Councillor:

- a) to participate, or participate further, in any discussion of the matter at the meeting(s); and/or
- b) to participate in any vote, or further vote, taken on the matter at the meeting(s)

if a dispensation is granted, the Councillor may remain in the room where the meeting considering the business is being held and if the dispensation allows may also vote.

Please note: If a parish councillor participates in a meeting where he/she has a Disclosable Pecuniary Interest and he/she does not have a dispensation, they may be committing a criminal offence under s34 of the Localism Act 2011.

The decision must be based on one or more of the following criteria:

- a. So many members of the decision-making body have a Non-Disclosable or Non-Registerable Pecuniary Interest that it would impede the transaction of the business (ie. the meeting would be inquorate); or
- b. the authority considers that the dispensation is in the interests of persons living in the authority's area; or
- c. it is otherwise appropriate to grant a dispensation.

Any Councillor who wishes to apply for a dispensation must fully complete a Dispensation Request form and submit it to the Proper Officer of the council (the Clerk) as soon as possible before the meeting at which the dispensation is required. In reaching a decision on a request for a dispensation the Clerk will consider:

- a. the nature of the Councillor's prejudicial interest
- b. the need to maintain public confidence in the conduct of the Council's business
- c. the possible outcome of the proposed vote
- d. the need for efficient and effective conduct of the Council's business
- e. any other relevant circumstances

4) Gifts and Hospitality

Guidance regarding the acceptance of gifts and hospitality, and the declarations of such, is also included in the Code of Conduct.

All Members must record in a Register of Interest, maintained by the Proper Officer, any gifts or hospitality that you are offered or receive in connection with your official duties as a member and the source of the gift or hospitality that could be seen by the public as likely to influence your judgment in these matters, this is reflected in the Code of Conduct. Such registration must be made in writing within 28 days of the gift or hospitality having been received.

Clearly, you should treat with caution any offer of a gift or hospitality that is made to you personally, particularly if the person making the offer may be doing or seeking to do, business with the Council, or may be applying for planning permission or some other kind of decision.

SECTION E – GUIDANCE NOTES

1) THE GENERAL PRINCIPLES OF PUBLIC LIFE

The following is a list of principles, which the Secretary of State has ordered should govern the conduct of Members. The Code of Conduct is consistent with these principles.

Selflessness

Members should serve only the public interest and should never improperly confer as advantage or disadvantage on any person.

Honesty and Integrity

Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity

Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability

Members should be accountable to the public for their actions and the way they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their office.

Openness

Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

Personal Judgement

Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect of Others

Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers, and its other employees.

Duty to Uphold the Law

Members should uphold the law and, on all occasions, act in accordance with the trust the public is entitled to place in them.

Stewardship

Members should do whatever they are able to do to ensure that their authority uses their resources prudently and in accordance with the law.

Leadership

Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

2) Other Assistance

Training

You will be able to access training on 'Being a Better Councillor' and there is an expectation that you will attend this training as soon as possible after taking office. The Clerk will be able to provide training dates and will be able to book the training through the Gloucestershire Association of Town and Parish Councils (GAPTC). You will also be provided with the details of the member section of the GAPTC website where additional resources are available to assist you in your role.

Mentoring

Some councillors volunteer as mentors. If you would like a mentor assigned to you please contact the Clerk.

Mentors can help by:

- Reviewing queries on agenda items prior to meetings
- Providing background information on any key items being discussed
- Sitting next to the new Councillor during meetings to provide any support required.
- Reviewing the meetings with the new Councillor after each meeting to ensure they understood the conduct of the meeting and the debate.

The Chairs of each Committee will explain to the new councillor the role of their committee and the key issues for the committee. Conversations with all Chairs should be undertaken within the first three months of taking office.

3) Organisation Chart



