

Your Town or
Parish Council

Induction Guide
for Councillors

[DATE]

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NB. **Highlighted** words in the following document are referred to in the appendices

Welcome

Congratulations on your election or co-option and welcome to the Parish Council.

You are now a part of the democratic framework in the [district of *TwoTier* and county of *Unitary or Onetier*] representing your community at the grass roots level.

This Guide is to help you through the early stages of working with council colleagues and the parish council staff.

In order to take up council duties all parish councillors are required to complete the following forms:

- **Declaration of Acceptance of Office** which will be provided to you by your Clerk, and must be completed as soon as you are elected or at least before you take your seat at the first meeting of the council. If you are not present for that first meeting the Council may agree to allow you to make the declaration at a later date: and
- **Register of Members' Disclosable Pecuniary Interests** (see paragraph 3, page 7)

You will also be provided with a copy of the council's

- **Code of Conduct** (see paragraph 3, page 7) and
- **Standing Orders**
- **Financial Regulations**

1.0 Introduction to the Council

Your Town or Parish Council is made up of x no. Councillors who are elected to represent the civic parish of Your Town or Parish. The total electorate of the parish as at January 2019 is [XX] electors.

The council's main source of income is known as the 'precept' which is collected by the Billing Authority, *TwoTier* District Council, as part of the Council Tax. From 1st April 2019 the annual amount payable by the average Council Tax band D household in this parish is [£61.04] which contributes to the overall precept amount for the year of [£60,680]. (Nationally the average precept figure for 2018/19 is £64.05).

Local Councils are an essential part of local democracy acting on behalf of the wide variety of communities they represent by:

- Giving views, on behalf of the community, on planning applications and other proposals that affect their area
- Providing services and undertaking projects and schemes to benefit local residents
- Working in partnership with other bodies to achieve benefits for the parish
- Alerting relevant authorities to problems that arise or work needing to be done.

1.1 Contact Information

Councillors should be aware of the various ways to contact the clerk, what access they have to the clerk's office and that they can accordingly signpost the public. See also the attached sheet listing notable **Contact Information** at appendix A.

e-mail: [\[clerk@Your Town or Parish-pc.gov.uk\]](mailto:clerk@Your Town or Parish-pc.gov.uk)

website: [\[http://www.Your Town or Parish-pc.gov.uk\]](http://www.Your Town or Parish-pc.gov.uk)

phone: [0123 456 7890 (landline) or 07490 906282 (mobile)]

by post: [80 Oxbow Lane, Your Town or Parish, Onetiershire ON14 8NF]

The Clerk is paid to work for [XX] hours per week and is available in the office between [10am – 2pm Monday to Thursday and between 2pm – 4pm Thursdays].

2.0 Roles and Responsibilities

It is helpful for all councillors to understand their roles and responsibilities (set out below) to avoid any misunderstandings at a later date.

Councillors bring different skills, have different attitudes and give different reasons for wanting to be a councillor, but all need to work as an effective team with the Chairman as team leader.

The Clerk will provide advice and implement the council's decisions. The Clerk, whose statutory title is 'proper officer', is answerable only to the Council acting as one body, the employer. The Clerk may also hold the statutory position of Responsible Financial Officer (RFO or 'Section 151 Officer'). See also para 2.4 below.

The advice of the Clerk / RFO / s151 Officer is important and he/she should always be a councillor's first point of contact.

2.1 Councillors' duties

As a councillor you have the following duties which are set out in law:

- You must, within 28 days of taking office, sign a Declaration of Acceptance of Office, agree to abide by the council's adopted Code of Conduct, and register any Disclosable Pecuniary Interests.
- You must attend meetings when summoned to do so and have sole responsibility for disclosing any pecuniary interests before an item is discussed.
- You must inform the clerk of an intended absence in order that it can be recorded and approved. If a member does not attend any meeting of the Council, Council Committee or Sub-committee, or does not carry out an executive function as a member, for six consecutive months he/she automatically ceases to be a member of the authority.

If a member has special reasons for not being able to attend meetings there may be circumstances under which the council can extend the period. The Council can only extend the period before the six months have elapsed.

- You are entitled to vote at meetings
- You can resign at any time by giving written notice to the Chairman.

2.2 Councillors' Role:

- To set the council's budget and thereby the precept
- Develop policy and make policy decisions
- Represent the community by protecting and promoting community interests
- Act as custodian to the public purse
- Abide by the Council's Code of Conduct
- Act collectively as employer

2.3 Beware of what a Councillor cannot do!

A Councillor on his/her own cannot:

- Make a decision on behalf of the Council
- Instruct the Clerk or staff in their duties
- Write to the press on council matters as if he/she is authorised to do so
- Represent the Council as and wherever they wish
- Resign by walking out of a meeting. (A resignation must be in writing addressed to the Chairman).

2.4 Role of the Clerk

The Clerk is the professional officer employed by the Council to provide professional advice and administrative support. The Clerk prepares the council for taking decisions, before, during and after meetings, implements decisions and protects the Council as a Corporate Body. Responsibilities range across organising meetings and events, managing sites, facilities, staff and finance, to marketing, negotiating and public relations.

The 'qualified' Clerk will have obtained the Certificate in Local Council Administration (CiLCA) as a minimum. The Society of Local Council Clerks (SLCC) provides a valuable support network for clerks, as well as training and advice.

2.5 Role of the Chairman

The Council **must** have a Chairman, responsible for ensuring that proper decisions are taken in council meetings, that meetings run smoothly and on time. The Chairman ensures that all councillors have the opportunity to speak at meetings and that procedure is followed in accordance with Standing Orders. If, during the meeting, there is a tied vote the Chairman can use a casting vote to decide the question.

The Chairman is often the public face of the council, representing the council in a civic capacity and sometimes speaks on behalf of the council.

The Chairman is elected at the Annual Parish Council Meeting, which, for all town and parish councils, is always held in May.

2.6 Role of the Council as a Whole

The Council is a corporate body, a legal entity separate from that of its members. Its decisions are the responsibility of the whole Council. The Council has been granted powers by Parliament including the important authority to raise money through taxation (the precept) and a range of powers to spend public money.

Services can include involvement in traffic calming, community safety, street lighting, playing fields, rights of way, allotments, cemeteries, litter, war memorials, seats and shelters.

The Planning Authority (your district council) will consult the Parish Council on any planning applications arising within the parish, upon which the Parish Council may comment.

The services currently undertaken here at [Your Town or Parish] Council include:

- *[Footway lighting (58 lighting points)*
- *Provision and maintenance of Play Park, including play equipment*
- *Provision and maintenance of Playing Field, including play equipment*
- *Lengthsman scheme (delegated by the County Council)*
- *Maintenance of grass verges within Your Town or Parish 'village'*
- *Planters at the entrances to Your Town or Parish village and in Oxbow Road*
- *Use, care and maintenance of four notice boards (3 in Oxbow Road and one in the car park to Your Town or Parish playing field)*
- *A newsletter issued twice a year (and space in 2 editions of parish magazine)*
- *Provision and maintenance of parish council website*
- *Liaison with community service officers*
- *Provision of grant funding where relevant to the parish*
- *Comment on notified planning applications and local development*
- *Provision of highways bench seating at various sites*
- *Annual Christmas lights and Switch-on event*
- *Support for the village businesses and community groups*
- *Liaison with community stakeholders]*

2.7 The Council as Employer

Councils often have to deal with a range of employment issues which require clear and straightforward employment policies and procedures that help to deal with employment issues quickly, fairly and consistently.

The Clerk is employed by the Council and answers to the Council as a whole. The Clerk manages any other staff that may be employed by the Council. No one Councillor can act as the line manager of either the Clerk or other employees. These rules and principles should build on mutual respect and consideration between the Clerk and the Council.

Employment-related policies include: Dignity at Work - Member/Officer Protocol; Delegation to the Clerk; Disciplinary Procedure; Employee Appraisal; Training Policy; Health & Safety at Work. The Clerk has a contract of employment based on the NALC/SLCC model.

3.0 Councillors' Code of Conduct

Under the Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, members of Parish and Town councils are required to register their and their partner's disclosable pecuniary interests in a register held by the Monitoring Officer at [TwoTier] District Council within 28 days of becoming a member or co-opted member. Provisions in relation to Disclosable Pecuniary Interests are enforced by criminal sanction that came into force on 1 July 2012. A copy of the register is available from the District Council for public inspection and is published on their website, with a link to the parish council's website.

The Parish Council, in accordance with the Localism Act 2011, Section 27, adopted a Code of Conduct which took effect on 1 July 2012 to promote high standards of behaviour by its members whenever they conduct the business of the Council, or when they claim to act or give the impression of acting as a representative of the Council.

The Code is based on the Nolan Principles of Public Office which include selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

A copy of the Code of Conduct with a Register of Disclosable Pecuniary Interests Form and an **Application for Dispensation** is attached at Appendix B.

Members are asked to familiarise themselves with their obligations under the Code, what interests to declare and how to declare them, how to apply for a dispensation, and what to do if you are offered gifts or hospitality; see the information on **Interests**, appendix B5.

3.1 Things a Councillor should not do

It is important for councillors to be aware that they must not:

- Bring their council or office into disrepute
- Misuse their official position to their own advantage or to the advantage or disadvantage of others
- Unduly influence any person who works for the council
- Stop somebody seeing or getting copies of documents they are allowed to have;
- Misuse council resources or authorise their misuse, in particular for any party political purposes.

4.0 The Decision Making Process

Council meetings are where councillors play their part as decision makers. They are formal events where the public and press have a right to observe how the Council operates, the exception being when sensitive matters are discussed such as legal, contractual or staffing matters.

Decisions are often called 'Resolutions' and these are mostly made by the full Council, please remember these are corporate decisions. Decision-making can be delegated to Committees where they exist and sometimes to the Clerk.

The **Annual Parish Council Meeting** takes place in May and in an election year (ie every 4 years) the council must meet on or within 14 days following the fourth day after the day of the election. There must, by law, be at least 3 other Council meetings in the year and at [Your Town or Parish] there is one full council meeting held every month except in August and December. The meeting schedule is set at the Annual Parish Council meeting.

The **Annual Parish Meeting** takes place on any date between 1 March and 1 June inc. This is not a council meeting, but it is hosted by the Parish Council as required by law; it is an opportunity for parish electors to speak and set the agenda to consider local issues.

4.1 Powers and Duties

Parish Councils can take part in, and pay for, a wide range of activities that are allowed for by various Acts of Parliament. There is a useful reference list in '*The Good Councillors' Guide*' a copy of which may be provided with this Introduction folder and is available online via: www.nalc.gov.uk and the county association.

Unless General Power of Competence (see below) applies, councils wishing to incur expenditure on doing something that is not legally specified via any of the various Acts of Parliament, have a 'Section 137' power (*Local Government Act 1972, s137*). This allows the council to spend up to a certain amount on a service that benefits the community as a whole. The total amount for one year is calculated as £x per elector; for 2021/22 £x is £8.41.

Under the Localism Act 2011 local councils are being encouraged to take over more services and have the right to challenge and bid for community assets. In addition, the General Power of Competence is a new power of first resort that allows eligible parish councils in England to do “anything that individuals generally may do”.

The general power aims to give councils more freedom to work together with others in new ways to drive down costs and increase their confidence to work creatively and innovatively to meet local people’s needs.

To be eligible to use the General Power of Competence the two mandatory requirements are that:

- 1) Two-thirds of members must have been elected; and
- 2) the Clerk must be qualified to CiLCA standard.

[At its meeting in June 2014 Your Town or Parish Parish Council agreed to adopt the General Power of Competence. The decision to adopt was re-visited after the election in May 2015 and agreed (minute no. 15/05/07(v) refers); it was reviewed again in May 2019 (minute no. 19/05/07(iii) refers) and is due for further review in May 2023.]

4.2 Meetings, Conduct of Business, Standing Orders

Rules about the way meetings must be run, some of which are set by legislation, are contained within the Council’s **Standing Orders**, a copy of which is at Appendix C.

Standing Orders set out the order of business, rules about debate, voting requirements, and the procedures for public participation. Members are asked to read Standing Orders to ensure they are aware of the protocol on the conduct of meetings. [Your Town or Parish] Council Standing Orders are reviewed annually at each Annual Parish Council meeting.

4.3 Council Meeting Agendas

At least three clear working days before a meeting a public notice of the meeting will be placed on the Council’s notice boards and on the website.

At the same time, the agenda will be emailed to members along with a summons to attend detailing the date, time and place of the meeting. The agenda and associated papers will also be uploaded to the parish council’s website. Topics requiring a decision cannot be added to an agenda after it has been issued.

[The agenda is also sent by email to the county and district councillors for the parish and to community representatives such as the police support officers, parish paths warden along with an invitation to attend to present a report on their respective roles.]

Members are advised to either request a paper copy of the agenda and associated reports from the Clerk, which will be available to collect from the parish council office or to pick up at the meeting, or to print off their own copy to bring to the meeting.

If you wish to raise an item for inclusion on the agenda, contact the Clerk with details at least 2 weeks before the meeting.

It is the responsibility of the Clerk, often in consultation with the Chairman, to set the agenda and as much information should be provided to members to ensure good decisions are made. Agenda items headed ‘Matters Arising’ or ‘Any Other Business’ do not give sufficient information on which to make decisions. Councillors should not be expected to make sudden decisions and should not decide on expenditure without sufficient warning, research or preparation.

4.4 Helpful suggestions for Meetings

Agendas and Reports

- Upon receipt read the agenda and associated reports to identify key items.
- Make sure that you understand what actions are being proposed.
- Think about what the result will be if those actions are taken.
- Are the costs involved justified?
- Think about whether there are any alternatives that could be explored.
- If you have any questions, please contact the Clerk or the Chairman or the author of the report – preferably before attending the meeting.

In the Meeting

- Having read the Agenda and its associated reports in advance of the meeting as the advice set out above, then....
- Identify the areas where you feel you have a contribution to make.
- Prepare yourself – check your facts, the background; ask for an explanation from your Clerk and/or fellow Councillors.
- Read your Standing Orders so that you understand the procedure; if in any doubt, please ask your Clerk.
- Remember it is your duty alone to declare an interest and if in any doubt check with the Clerk on the best course of action. It's all about public perception – so if a member of the audience in full possession of the facts believes your interest is so great it is likely to prejudice good decision-making, then you should declare!
- If possible, tell the Chairman in advance that you wish to speak and on which Agenda item.
- Be prepared to intervene on other items – often debates will lead into unexpected territory which may be of particular interest or relevance to you and your constituents.
- Remember not to confine yourself to the Ward which you represent. Consider the parish area as a whole.
- Beware the law of defamation!

Apologies for Absence

You have a duty to attend but if something crops up and you cannot attend then notify the Clerk as soon as possible so that your apology and reason can be recorded in the minutes. If you fail to attend meetings for six months, without formal council approval, you are disqualified and cease to be a councillor.

4.5 After the Meeting – Council Minutes

It is the responsibility of the Clerk to write the minutes as the legal record of the Council's decisions which are confirmed by Council resolution and signed by the Chairman at the next ordinary meeting. No discussion can take place on the minutes, only their accuracy.

Minutes should contain a heading and a decision at the very least. They are not meant to be a verbatim record of discussions, but the clerk is likely to minute any advice given. Councillors can request that their comments be recorded in the minutes and may also call for a recorded vote to be taken (see Standing Orders, SO3r).

4.6 Important Documents

The following are important documents that councillors should be able to reference in the decision-making process:

- **Standing Orders** (appendix C)
- **Financial Regulations** (appendix D)
- **Budget** for the current year and any projected financial planning (provided monthly with agenda)
- Parish Map (provided by e-mail, for internal use only)
- **Parish Plan** / Neighbourhood Plan (appendix E)
- Local District Plan (on *TwoTier* DC website)
- Minutes of previous meetings (on parish council website)
- **Asset Register** (appendix D3).

Also available for Councillors to view upon application to the Clerk:

- Insurance policy
- Any lease agreements
- Schedule of any council fees and charges

The Parish Council strives to work openly and transparently. To this end we have a **Publication Scheme** that sets out what information is available to the public and how to get it, see paragraph 7 below and appendix F.

We are also subject to the **Transparency Code for Smaller Authorities**, issued by the Department for Communities and Local Government 2014. This sets out the minimum information that the parish council must publish online.

4.7 Council Policies and Protocols

The Council has also adopted policies/protocols which can be viewed online via the parish council's website; they are also available from the Clerk as paper copies or via e-mail

- Balances and Reserves
- Community Engagement
- Complaints procedure
- Councillor Training
- Data Protection
- Donations
- Freedom of Information
- Grievance and Disciplinary
- Health and Safety
- Internet and e-mail acceptable use
- Investment
- Press and Media
- Risk Assessment

5.0 Planning Matters

Being involved in planning is an important activity for local councils. The Planning Authority, [*TwoTier*] District Council, will ask for the parish council's views as part of their procedure before deciding to grant or refuse planning permission. The Town and Country Planning Act 1990 provides the main legal basis of the English Planning system as amended by the Planning and Compulsory Purchase Act 2004. Further changes have been introduced by the Localism Act 2011.

The National Planning Policy Framework (NPPF) sets out the Government's economic, environmental and social planning policies for England and contains the framework within which Local Plans are developed. The purpose of the NPPF is to help achieve 'sustainable development' that meets the needs of the present without compromising the ability of future generations to meet their own needs. The Planning and Compulsory Purchase Act 2004 placed an obligation on local planning authorities to produce a Local Plan (or Core Strategy) shaping how land use and places will change and develop over the next 15 to 20 years.

The Local Plan also sets out a spatial planning strategy – what the general location of development will be. Planning decisions need to be made in line with the development plan unless there are good reasons for not doing so.

The Localism Act 2011 gives local communities more say in planning by encouraging local councils to prepare Neighbourhood Plans, to establish general planning policies for the development and use of land in their neighbourhood. [*TwoTier*] District Council will provide assistance to those parish councils wishing to produce a Neighbourhood Plan and once in place these will form material considerations when considering planning applications.

In responding to planning matters, either in council meetings or planning committees, members should be familiar with the **Material and non-Material Planning Considerations**, see appendix E2.

6.0 Dealing with Public Money

The Local Audit and Accountability Act 2014 provides clarification on how councils will be scrutinised when accounting for public money. The Clerk (or Responsible Financial Officer where role is separate) administers the finances of the Council and collectively Councillors are responsible for ensuring the proper management of the Council's finances to avoid risk of fraud, loss or bad debts. The Council must operate a sound system of internal control in accordance with the Local Audit (Smaller Authorities) Regulations 2015.

Detailed information is set out in the **Practitioners' Guide** produced by the Joint Panel on Accountability and Governance (JPAG) produced and updated each year by representatives of National Association of Local Councils (NALC), Society of Local Council Clerks (SLCC), Ministry of Housing, Communities and Local Government (MHCLG) and other key stakeholders. It can be downloaded for free from the [NALC](#) website.

The accountability and audit framework places a duty on local councils to complete the Annual Return (its statement of accounts and governance arrangements) and publish it online. Larger councils ie those with an annual income or expenditure threshold of more than £6.5million, are required to submit to a more rigorous testing than smaller councils.

The Act states how accounts should be kept, the form of accounts, and how and when they must be approved and published; where and for how long taxpayers can view the accounts and details behind them and how taxpayers can exercise their rights in relation to the accounts.

The **Annual Return** is produced in three parts:

1. Part 1 is for parish councils that have had no financial transactions during the year
2. Part 2 is for parish councils where neither receipts nor payments have exceeded £25,000 in the year. These councils are known as 'Category 2 Authorities with Exempt Status' and may claim exemption from external audit, subject to certain conditions.
3. Part 3 is for all other parish and town councils. In addition, those councils with receipts or payments of more than £200,000 are subject to the external auditor's 'intermediate audit'.

Parts 2 and 3 have three numbered sections:

1. The annual governance statement
2. The statement of accounts
3. The external auditor's certificate and opinion

The report from the independent internal auditor should also be included.

The council's finances are controlled by checking spending against budget plans regularly at council meetings. The council's own **Financial Regulations** (appendix D1) set out how the council will manage its finances and its overall system of internal control. As part of this, the Council appoints an independent and competent auditor to conduct an internal audit which is in turn reported with the accounts to the council for approval and to the external auditor.

Following the abolition of the Audit Commission, responsibility for appointing the external auditor was taken over by SAAA (Smaller Authorities' Audit Appointments). For local councils with an annual turnover of less than £25,000 (the 'exempt' councils) the **Transparency Code** sets out the procedure for public scrutiny of financial management.

As a member of the Council you are responsible for ensuring that the Annual Return accurately presents the Council's position regarding financial management. The council's financial position is presented regularly at council meetings when members can check spending against budget plans.

6.1 Budget and Precept

The Council is empowered to incur expenditure in the execution of its statutory powers. The majority of its funds are obtained in the form of a 'precept'; an amount set by the Parish Council and collected by the billing authority ([*TwoTier*] District Council) from the parish council taxpayers as part of the annual council tax bill.

The precept is the amount required by the parish council, after accounting for any other income, to cover the costs it expects to incur in the financial year ahead and so it is important that an accurate budget is set for the proper carrying out of the Council's functions. The process for setting the **budget** (appendix D2) normally starts in October each year and the formal request for the precept is sent by the Clerk to the District Council in January, following whole council agreement on the amount required.

7.0 Handling Information

7.1 Freedom of Information

The Freedom of Information Act 2000 allows the public access to certain types of information held by the Council. It does this in two ways:

- public authorities are obliged to publish certain information about their activities; and
- members of the public are entitled to request information from public authorities.

Requests must be in writing and contain the requester's name and address; email is acceptable and the Council must respond promptly and normally within 20 working days.

The Council is entitled to make a charge, the details of which must be set out in its **Publication Scheme** which also sets out the type of information published and the manner in which it is published.

The Council does not have to respond to repeated or 'vexatious' requests if it has already responded to an identical or substantially similar request from the same person. There are some other exemptions which fall into the category of 'absolute exemptions' such as court proceedings or personal information that would breach the Data Protection Act. The Council then has a duty to consider whether disclosure is required in the public interest. Guidance is available from the [Information Commissioner's Office](#).

The Parish Council's policy on dealing with Freedom of Information requests is available on the parish council's website and from the Clerk. If you receive such a request, please pass on to the Clerk who has the delegated authority to deal with such requests.

7.2 Data Protection

All Councils hold a wide range of information and are required to notify the Information Commissioner of personal data it holds subject to certain exemptions. Personal data may be as simple as holding someone's name and address but in addition includes amongst other things details of complaints, lists of contacts, employee/personnel records and information provided for the purpose of placing a contract to which the data subject is a party. Images taken by CCTV systems can now also fall within the data protection regime. Since 25th May 2018 the council has been required to follow the General Data Protection Regulation, which provides greater security for individuals and requires town and parish councils to follow seven key principles:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability

These principles should lie at the heart of your approach to processing personal data. For advice and guidance see www.ico.org.uk

The council's Data Protection policy is available from the council's website and the Clerk.

7.3 'Need to know'

Councillors do not have an automatic 'need to know' for all council business and cannot claim an automatic right to see all council documentation and information. However, the council adheres to the requirement to be open and transparent thus if any information is withheld there will be a specific reason for doing so, see 7.4 below.

This is the NALC guidance for establishing whether a councillor has a 'need to know':

- If you are a member of a committee, you have the right to inspect documents or to obtain information relating to the business of that committee;
- If not a committee member you need to demonstrate why sight of the information in question is necessary to enable you to perform your duties as a councillor;
- The document/information will be withheld if a councillor's motives are indirect, improper, or ulterior;
- Councillors may not go on a fishing expedition in respect of council documents but should specify precisely what they require.

7.4 Confidential Information

Councils are expected to be open about all their decisions and actions; you have been entrusted with public funds and the council should be transparent in how those funds are spent. However, there will be occasions when disclosure of certain information would be contrary to the public good. It is lawful for the council to discuss certain matters such as those relating to members of staff and to legal disputes in confidential session, ie following a resolution to exclude members of the public from the meeting. Discussions relating to the placing of contracts are no longer required to be held in confidence unless there is risk of disclosing sensitive contractual information, eg hourly pay rate of contractors' staff.

The Council's Standing Orders and the Code of Conduct require Members and officers to maintain confidentiality. When a councillor is acting, or gives the impression as acting, as a representative of the council, a councillor is obliged to not disclose information which is confidential or where disclosure is prohibited by law. There are some exceptions, for instance if you are required to do so by law, where you have a person's consent or disclosure is in the public interest (justified in only very limited circumstances).

Improper disclosure of confidential information constitutes a breach of the Code of Conduct.

7.5 Defamation and Privilege

When making statements in council and committee meetings Councillors should be aware that they are subject to the general principles of law relating to defamation. As a general defence a councillor should show that any such alleged statement was made on a 'qualified' privileged occasion, when the councillor who makes the statement must show that the statement was made without malice and in pursuit of a public duty. If, upon investigation, the statement is found to be true then it is not defamatory at all, but if it is found to be untrue then privilege can be claimed if the Councillor acted without malice.

7.6 Press and Media

Dealing with the Press

- Check the Council's policy on the issue of press statements.
- Seek help from the Clerk on how to handle individual press members
- Get to know the reporters who cover your area and those who are regularly present at Council meetings. Learn how to explain your views on issues and do not talk 'off the record' – some things are best kept unsaid!
- When approached either in person or on the telephone think carefully before you speak and ask for time to consider your reply if necessary.

Dealing with the Media – radio, tv

- Check your council's Media Policy.
- Seek help from your Clerk
- Think carefully about anything you say. Remember that it may well be reported and it may be your voice that says it! If necessary therefore ask for time to consider your reply and take appropriate advice.
- Be aware that the reporter has deadlines; for radio these are tighter than for newspapers – local radio has bulletins every hour.
- Remember that a recorded interview may be cut and edited in just the same way as a press report.
- Beware of radio reporters who ring you and say that they want to do a recorded interview immediately over the phone. Unless you are very confident ask them what they want to talk about and ring them back in ten minutes. Use this time to compose yourself, to decide what you are going to say and if necessary to take advice.
- When taking part in live broadcasts (including phone-ins) always agree beforehand what areas you will and will not discuss.
- Do your homework and learn all the facts before you go to the studio.
- Be honest in your answers. Even the slightest hesitation on air can sound like evasion, dishonesty or incompetence.
- Even if you do not know the answer to a particular question, it is better to admit that rather than make up something which may later seem improper.
- Broadcast appearances are best left to those who feel at home on radio or TV. Most of us need extra coaching, so if you are likely to be Spokesperson try to get broadcasting skills training.

Dealing with Social Media – Facebook, Instagram, Twitter etc

- Check your council's Social Media Policy.
- Unless authorized by the council, do not aver to be the council's spokesman.
- Keep your personal social media postings separate from council business.
- Consider how your words may be interpreted by others who may seek to harm you and/or the council.

The Local Council Newsletter

Beware of providing items for your local newsletter particularly if it has not been agreed by the Council that you have this authorisation. It is normally the Clerk who provides this information. If you do provide articles for inclusion remember that any views expressed should be clarified as being your own and anything you write must not bring your Council into disrepute. It is worth repeating here that the decisions made by your Council are made by the Council as a whole, even if you voted against a decision.

8.0 Members' Services

Larger Councils may provide a support service for Members who require this such as access to photocopiers, printer, vending machines and meeting rooms. This will depend upon what has been agreed by the Council and services of this nature should not be taken for granted.

8.1 Members' Allowances

A local council may pay a basic allowance to its elected Members having taken into consideration any recommendations from the principal council's Parish/District Remuneration Panel and must publish at the end of the financial year any amounts paid. The Chairman may receive an additional Chairman's Allowance. Allowances may be taxable under the PAYE system and so records should be kept; however, with regard to the Chairman's allowance, many councils will apply for a dispensation from HMRC.

The Council is also required to consider the recommendations of the Remuneration Panel regarding the payment of travel expenses for approved duties and [in the case of this parish council this is limited to approved attendance outside of the parish area.]

Councillors have the option of whether or not they wish to take such allowances. [At Your Town or Parish Parish Council members have opted to note the Panel's recommendations but to pay the 'historic' Chairman's Allowance if required and currently pay travel expenses at £0.45 per mile.]

8.2 Training and Development

Councillors will be informed of any available training or briefings they are expected or invited to attend. Induction Training for councillors is available via [Worcestershire County Association for Local Councils](#) and other training providers as advised by the Clerk.

Councillors are encouraged to attend training and development when offered to develop their knowledge and skills in carrying out their role. Some training may incur a small cost whilst other events/briefings may be free. [The council's Training policy is available on the website and from the Clerk.]

Skills needed: Councillors require many skills to carry out the various aspects of their role effectively. Councillors are required to listen, question, consult, negotiate, deal with conflict and make objective assessments. Contact the clerk if there are personal skills you wish to develop, for instance public speaking, use of IT etc.

9.0 Managing Risk

The Health & Safety at Work Act 1974 places a duty on Councils as employers to protect the health and safety of its employees and the visiting public. This includes maintaining the safety of any places of work, the working environment (including equipment), without risks to health for which the Clerk will undertake appropriate risk assessments. The Equality Act 2010 imposes obligations on Councils as employers along with wider obligations to the public to ensure access to services, including permanent physical adjustments to premises and meeting rooms.

9.1 Insurance

The Council undertakes a review of its risks annually. Using the Asset Register as a guide, the Council will identify the level and severity of any likely risk and take appropriate steps to manage the consequences which include reviewing its insurances prior to renewal date.

Policies normally cover core risks, such as property and public liability in addition to mandatory cover for Employers' Liability, Fidelity Guarantee (employee dishonesty), and Hirer's Indemnity. Other optional cover taken out by [Your Town or Parish] Parish Council includes cover for money, personal accident (assault), officials' indemnity, libel and slander, legal expenses. The schedule of insurance is available from the Clerk.

10.0 Local Council Award Scheme

NALC's [Local Council Award Scheme](#) was created in 2014 and is managed on behalf of local councils by the Improvement and Development Board (IDB). It exists to encourage local councils to do their best and it provides a framework for supporting all local councils to meet their full potential.

The scheme consists of three levels:

- [The Foundation Award](#) demonstrates that a council meets the minimum requirements for operating lawfully and according to standard practice. This level should be achievable by all town and parish councils.
- [The Quality Award](#) demonstrates that a council achieves good practice in governance, community engagement and council improvement. This level and Quality Gold requires the same two criteria that are needed for the adoption of General Power of Competence to be met before they can be achieved:
 - a) Two-thirds of members must have stood for election (not co-opted members)
 - b) The Clerk must have achieved CiLCA or equivalent qualification
- [The Quality Gold Award](#) demonstrates a council is at the forefront of best practice and achieves excellence in governance, community leadership and council development.

11.0 Useful Contacts and Sources of Advice

- Your Clerk – it is the Clerk's job to receive information and to keep the Council informed. Your Clerk can also seek help through membership of the Society of Local Council Clerks (SLCC.co.uk)
- Worcestershire County Association of Local Councils: <https://www.worcscal.org.uk>
- The National Association of Local Councils: <https://www.nalc.gov.uk>
- Your county's organisation for volunteers: <https://www.comfirst.org.uk>
- Your County Council: <https://www.worcestershire.gov.uk>
- [*TwoTier* District Council - (*TwoTier.gov.uk*)]

12.0 Useful Publications

- [Worcestershire CALC](#) Councillor's Companion (will need log-in)
- NALC's 'The Good Councillor's Guide'
- 'Being a Good Employer – A Guide for Parish and Town Councils' NALC, SLCC
- Governance and Accountability for Local Councils: [A Practitioners' Guide](#)

13.0 List of Appendices

A	Contact Information (clerk, members, ward representatives)
Plastic wallet	Local Council Award Scheme* and Parish Welcome Guide
B1	Declaration of Acceptance of Office*
B2	Code of Conduct*
B3	Register of Interest form*
B4	Information on Interests*
B5	Dispensation Request form*
C1	Standing Orders*
C2	Scheme of Delegation
C3	Transparency Code for Smaller Authorities 2014*
C4	Meetings – different types*
D1	Financial Regulations*
D2	Budget for financial year
D3	Asset Register
E1	Parish ward maps / Parish / Neighbourhood Plan
E2	Material & Non-Material Considerations (Planning)*
F	Parish Council's Publication Scheme*

*indicates documents that are available via WorcsCALC and / or NALC websites.