

# Community Council Training

## Governance

February 2024

# Aims of the Session

- To provide a basic understanding of the key governance issues for community councils
- To highlight areas of good practice
- To highlight resources and guidance

# Introduction

- Community Councils were introduced through the Local Government (Scotland) Act 1973
- The Act defined the purpose of a Community Council 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, in relation to matters for which those authorities are responsible”
- Fife has provision for 105 Community Councils. Currently 81 established and 24 dissolved

# Topics

- Getting Started
- Inaugural Meeting
- Roles and Responsibilities
- Running Effective Meetings
- Complaints
- Insurance
- Licensing
- Financial Guidelines
- Data Protection
- Freedom of Information
- Resources and Sources of Support

# Getting started

- Sign Declaration of Acceptance of Office within two months of appointment or the position becomes vacant (and cannot act in the office of community councillor until have signed the Declaration)
- Abide by the Code of Conduct
- Familiarise yourself with the dedicated community council website which provides a range of resources including the role of a community council and a community councillor
- Attend inaugural meeting and appoint office bearers
- Set up generic email address for community council
- Open bank account in the name of the community council (if a newly reformed community council) or receive bank account information from previous office bearers of the community council if reformed following the election
- If a new bank account, appoint 3 signatories to the account or amend the signatories names if using an active bank account – must be 3.

# Role of the Community Councillor

- Be prepared to take an active part in the work of the community council
- Share responsibility for the success of the community council
- Uphold the values and standards of the community council
- Support your fellow community councillors
- Prepare for and attend meetings, forwarding apologies if you are unable to attend. Listen to the speakers and ask questions. Consider all the options and share your views. **Abide by decisions taken, whether you agree with them or not – remember all votes are equal.**

# Role of Office Bearers

- Each Community Council must have a Chairperson, Treasurer and Secretary – the office bearers. These roles carry the most responsibility.
- All members of the Community Council are equally responsible for the Community Council's decisions and actions and may take on additional activities in support of the Community Council
- Changes in membership – Important that you alert Fife Council at [community.councils@fife.gov.uk](mailto:community.councils@fife.gov.uk) to any changes in membership.

# Chairperson/Vice Chairperson

- Chairs meetings
- Responsible for ensuring that discussions are productive whilst adhering to the agenda, that meeting runs to time and that clear action points are set
- Lead and assist the other office bearers and Community Councillors
- Close liaison with other office-bearers
- May often be the designated spokesperson/media contact; Has the casting vote in event of an equality of votes being cast;
- May be an authorised signatory
- Can authorise the holding of a special meeting
- Chair's role extends out with the meeting

**Vice Chairperson** - stand in for the Chair when unable to attend a meeting and often the Vice Chair is the next "Chair in waiting"



# Treasurer

- Deals with all the finances of the community council in line with the financial guidelines
- Is an authorised signatory on the community council bank account(s) (one of three signatories)
- Has secure procedures in place for the administration of all monies and keeps accurate financial records as set out in the financial guidelines;
- Submits regular financial reports to the community council
- **Applies for the Annual Grant available from the Local Authority**
- Prepares annual accounts for audit in line with the financial guidelines; and
- Leads/involved in funding applications.

# Secretary

- Manages correspondence on behalf of the community council
- In consultation with the Chairperson, will ensure meeting venues are organised, invite items for the agenda, set the agenda and issue, publicise the meeting; minute the meeting ensuring that a record of attendees (community councillors and Fife Councillors) is documented as well as all decisions; circulate/publicise minutes, ensuring any follow up actions are progressed
- Maintain records of office bearers and membership and ensure that the Local Authority are advised of any change in membership timeously
- May be an authorised signatory.

# Running Effective Meetings

Meetings are required for facilitating:

- Decision Making;
- Reporting; and
- Discussion

It is important to ensure meetings are run successfully, by this they should be:

- Well planned – set meetings in advance and stick to the dates;
- Clear in purpose – set a focused agenda and circulate reports in advance identifying where items are for decision or discussion; and
- Effectively chaired – direct discussion and ensure compliance with Standing Orders, consider setting time limits for individual agenda items, be inclusive and invite questions from members and the public, summarise discussion/decision, seek volunteers to progress actions or delegate and keep control.
- For suggested agenda/minute templates refer to [Resources, guidance and training | Fife Council - Community Council Forms and Templates](#)

# Complaints

- Complaints must be dealt with openly and consistently and should be resolved quickly at the time they are made
- Community councils will consider complaints at Stage 1 (frontline resolution) and, as appropriate, at Stage 2 (investigation)
- **There is no right of appeal against a community council's decision at either Stage 1 or Stage 2**
- There are a range of possible outcomes of a complaint at either Stage of the Procedure – in the majority of cases, complaints are an opportunity for lessons to be learned and practices to be improved
- **Complaints relating to allegations of criminal activity will be passed to Police Scotland**
  - The Complaints Procedure can be found via this link: [Scheme Schedule 4 - Complaints Procedure \(fife.gov.uk\)](#)
  - The Code of Conduct for Community Councillors can be found via this link: [Scheme Schedule 3 - Code of Conduct \(fife.gov.uk\)](#)

# Consulting with your local area

There are two parts to this duty:

1. to seek the community's views
  2. Keep community informed of the Community Council's work as their elected representatives
- Invite contact and encourage feedback.
  - Whenever possible, restate the ways constituents can contact you. Make this as easy as possible for them by offering multiple contact routes e.g. email, telephone, social media or a suggestion box in a key community location

# Consulting with your local area..

- Create a website or use social media. List contact details and show the date, time and venue of meetings, and the agenda. Include the minutes of all previous meetings
- Display Community Council contact details in all public buildings.
- Create and issue surveys at least once per year
- Hold public meetings (in the true sense – all meetings of Community Councils are by law open to the public) whenever there is an issue of sufficient local importance/suggestion boxes in public places

# Consulting with your local area..

Always make it easy for the public to contact you

- Seek comments and opinions from the community
- Evaluate your effectiveness regularly
- Never let the personal opinions of individual community councillors replace the views of your community

Always adhere to the principles of the Community Councillors Code of Conduct

# What you can expect from your elected member -

- Fife Council elected members will be ex-officio members of the community council and may attend meetings if they have capacity to do so. They are not entitled to vote on any business considered by the community council.
- Elected members can seek information on your behalf, advise Council officers of your views and help you make your views known to the relevant Council officers.
- Can provide advice on the correct procedure to follow and who to contact
- Raise concerns you have about a Council Service/decision
- An Elected Member cannot overturn a Council decision (e.g. on the allocation of Council housing)
- Cannot advocate for/against a cause if they want to take part in the decision-making process (if it is a regulatory or quasi-judicial matter i.e. licensing or planning)
- Cannot seek legal advice from the Council on your behalf or pass on legal advice provided to the Council



# Insurance

- New insurance arrangements from 1 April 2024
- Scheme of Establishment – Cover
  - public liability
  - employers' liability
  - loss and theft of money
  - personal accident
  - libel and slander
  - limited all risks cover for equipment
- Preparing guidance to support Community Councils

# Licensing

- Alcohol licensing – statutory consultee
- Process for consultation
- Conflict of interest
- If you are running an event also think – do we need a licence? Most likely public entertainment or market operator

# Financial Guidelines

**Donna Grieve, Fife Council Accountant**

# Grant Claim

- Community Councils are entitled to claim an annual grant from Fife Council
- The annual grant is a base rate of £400 plus 12p per head of population within the community council boundary area
- Community Councils are entitled to claim reimbursement of the data protection fee paid to the Information Commissioners Office
- Annual Grants are available to claim from April and claim forms must be returned with supporting evidence by 31 December each year
- The grant is provided to fund administration and running costs
- When there are surplus funds available, Community Councils may also consider awarding grants to Local Community Groups where their purpose reflects those of the Community Council

# Bank Accounts

- Each Community Council must have their own bank account, in the name of the Community Council
- Community Councils must identify 3 individuals to be authorised signatories. One of which should be the Treasurer
- Good practice point - signatories should not be relatives or co-habitees
- Fife Council must be notified of the signatories
- Two signatories will be required to sign each cheque
- Signatories must not sign blank cheques
- Evidence should be prepared and retained for what the payment is for

# Bookkeeping

- Good practice for bookkeeping is to record all transactions as quickly as possible
- Adequate records should also be maintained
- All Income and Expenditure transactions should be recorded
- All receipts of income and payments must be supported by a source document
- The source document should be numbered and filed in order
- The document number should be recorded on the Cash Book for reference
- An example of this is included the Guidance for Community Councils in Fife

# Cash Book Example

Anywhere Community Council							
Cash Book							
Year Ended 31st March XXXX							
Income (Receipts)				Expenditure (Payments)			
Date	Doc Ref	Narrative	£	Date	Doc Ref	Narrative	£
01/04/XXXX		Opening Balance	150	XX/XX/XXXX	1	Floral Decoration	30
XX/XX/XXXX	1	Community Council Grant	250	XX/XX/XXXX	2	Rainbow Club Grant	100
XX/XX/XXXX	2	Grant	100	XX/XX/XXXX	3	Newsletter	15
XX/XX/XXXX	3	Newsletter	35	XX/XX/XXXX	4	Travel	10
XX/XX/XXXX	4	Bus Hire	30	XX/XX/XXXX	5	Hall Hire	10
XX/XX/XXXX	5	Newsletter	10	XX/XX/XXXX	6	Newsletter	20
XX/XX/XXXX	6	Bank Interest	10	XX/XX/XXXX	7	Guides Grant	125
XX/XX/XXXX	7	Miscellaneous Income	60	XX/XX/XXXX	8	Floral Decoration	30
XX/XX/XXXX	8	Grant	50	XX/XX/XXXX	9	Xmas Parcel Donation	75
XX/XX/XXXX	9	Calendar	50	XX/XX/XXXX	10	Hospitality	15
XX/XX/XXXX	10	Donations	90	XX/XX/XXXX	11	Newsletter	20
				XX/XX/XXXX	12	Charity Appeals	25
				XX/XX/XXXX	13	Miscellaneous Expenses	50
				XX/XX/XXXX	14	Administration	30
				XX/XX/XXXX	15	Data Protection Fee	35
				31/03/XXXX		Balance Carried Forward	245
		<b>Total</b>	<b>835</b>			<b>Total</b>	<b>835</b>
Start of Next Year							
Date	Doc Ref	Narrative	Amount £	Date	Doc Ref	Narrative	Amount £
01/04/XXXX		Balance Brought Forward	245				

# Annual Accounts

- Annual Accounts must be prepared for the financial year running from 1 April to 31 March
- The accounts contain an Income & Expenditure account and a Statement of Funds
- It is useful to the reader of the Annual Accounts if items of large expenditure are provided as a note
- Annual Accounts must be signed off at an AGM



# Income and Expenditure Account

- The Income and Expenditure account should summarise the income and expenditure for the year on the left-hand side and for comparison the previous year should be shown on the right-hand side
- The Income and Expenditure account should be prepared using the values from the cash book
- An example of this is included the Guidance for Community Councils in Fife

# Statement of Funds

- The Statement of Funds is used to detail:
  - Funds held at 1 April (start of year)
  - Surplus/deficit for the year
  - Funds held at 31 March (end of year)
- Previous year should also be shown for comparison
- The figure for funds held at 31 March should agree with and be supported by the Bank Statements
- A full copy of the Bank Statement must be submitted, including the account number and name of the account

# Independent Examiner

- Accounts must be examined by an Independent Examiner in order to claim annual grant by Fife Council
- The independent examiner must not be on the Community Council. They must also have the ability and experience to examine the accounts.
- Who can act as an Independent Examiner?
  - Accountant (including retired Accountant)
  - People with Accountancy/Financial Experience
  - Experienced Treasurers (with other organisations)
  - Examiner must be a person and not a firm or organisation
- Duties of the Independent Examiner include confirming bank and cash balances agree with bank statements
- The Independent Examiner must also examine all documents they deem necessary to check and verify the annual accounts
- Good practice point - Independent Examiners should not be relatives or co-habitees

# Independent Examiner Statement

- Must be signed and dated with the following statement:

“I certify that I have examined the accounts of \_\_\_\_\_. To the best of my knowledge and belief, and in accordance with the information and explanations given to me, the Accounts have been properly prepared from the records of the Community Council and are in agreement with these records”

- The name, address and contact details of the Independent Examiner should also be detailed on the Annual Accounts

# Income and Expenditure Account/Statement of Funds Example



Anywhere Community Council					
Income and Expenditure Account					
Year Ended 31st March XXXX					
		31/03/XXXX		31/03/XXXX	
Income	Notes	£	£	£	£
Community Council Grant		250		250	
Other Grants		150		130	
Newsletter		45		40	
Bus Hire		30		25	
Bank Interest		10		10	
Calendar		50		50	
Donations		90		100	
Miscellaneous		60		50	
			685		655
<b>Expenditure</b>					
Grants and Donations	1	325		300	
Floral Decoration		60		60	
Newsletter		55		50	
Travel		10		10	
Hall Hire		10		10	
Hospitality		15		20	
Administration		30		35	
Miscellaneous		50		55	
Data Protection Fee		35		35	
			590		575
<b>Income Over Expenditure</b>			95		80
<b>Statement of Funds</b>		<b>31/03/XXXX</b>		<b>31/03/XXXX</b>	
		<b>£</b>		<b>£</b>	
Accumulated Fund		150		70	
Income Over Expenditure		95		80	
<b>Fund as at 31/03/XXXX</b>		<b>245</b>		<b>150</b>	
<b>Represented By</b>					
"Bank Name" Current Account		245		150	
<b>Notes</b>					
1. Grants and Donations		<b>£</b>			
Rainbow Club Grant		100			
Guides Grant		125			
Xmas Parcel Donation		75			
Charity Appeals		25			
		325			
Signature .....	(Treasurer)				
Date .....					
I certify that I have examined the accounts of "Anywhere Community Council". To the best of my knowledge and belief, and in accordance with the information and explanations given to me, the Accounts have been properly prepared from the records of the Community Council and are in agreement with these records					
Signature .....	(Independent Examiner)			IE Name	
Date .....				IE Address	
				IE Contact Number	

# Other Points to Consider

- Some Community Councils may have additional funds for specific events. Any Income and Expenditure statements in relation to these events should be submitted along with the examined Annual Accounts
- It is good practice to prepare monthly reports for consideration at the meetings of the Community Council. These would be in a similar format to the annual accounts and would show a summary of transactions for the month

# Freedom of Information

- Any person has the right to request recorded information held by a public authority:
  - Freedom of Information (Scotland) Act 2002
  - Environmental Information (Scotland) Regulations 2004
- There is a presumption of transparency and all information requested that is held will be provided unless an exemption applies.

# Common exemptions

- Information otherwise accessible or intended for future publication
- Prejudice to effective conduct of public affairs
- Commercial interests and the economy
- Personal information
- Health, safety and the environment



# FOI & Community Councils

- Community Councils are not subject to FOI
  - May wish to consider to what extent the Community Council can meet the presumption of transparency given its role.
  - Community Councils may wish to make FOI requests to access information from a public authority

# FOI – Making a Request

- There are various types of requests for information that can be made to the Council. Details of these can be found on [fife.gov.uk](http://fife.gov.uk) at the following [link](#)
- FOI requests should be made in a permanent format
- Request must identify the name of the person making the request
- Request should be clear about what information is being requested
- Be aware of cost limitations

# FOI – Response

- Public Authority may request clarification if the request is unclear
- A request must be responded to within 20 working days
- Release under FOI is essentially a release into the public domain
- If you are dissatisfied with the information provided or exemptions applied, you can request a review of the initial response to be carried out. Details of how to do this and timescales will be included in the initial response.
- If you remain dissatisfied on receipt of the review response, you will have the right to raise an appeal to the Scottish Information Commissioner

# Records Management

- Good records management is essential for any organisation to function effectively.
- Records management is:  
  
“the systematic control of an organisation’s records, throughout their life cycle, in order to meet operational business needs, statutory and fiscal requirements, and community expectations.”

# Benefits of Records Management

Systematic management of records allows organisations to:

- know what records they have, and locate them easily
- increase efficiency and effectiveness
- make savings in administration costs, both in time and storage
- support decision making
- be accountable
- achieve objectives and targets
- provide continuity in the event of a disaster
- meet legislative and regulatory requirements, particularly as laid down by the UK General Data Protection Regulation and the Data Protection Act

# Principles of good Records Management

The guiding principle of records management is to ensure that information is available when and where it is needed, in an organised and efficient manner, and in a well-maintained environment.

Organisations must ensure that their records are:

- **Authentic**
- **Accurate**
- **Accessible**
- **Complete**
- **Comprehensive**
- **Compliant**
- **Effective**
- **Secure**

# Data Protection

- Data protection legislation relates to personal data only
- Personal data is information which:
  - Relates to a living individual (the 'data subject'); **AND**
  - Allows the data subject to be identified:
    - From the personal data alone; **OR**
    - In conjunction with other data / information available to you
- When personal data is processed by a Community Council for any purpose, the obligations detailed in data protection legislation must be met.

# Data Protection Legislation

- UK General Data Protection Regulation ('UK GDPR')
- Data Protection Act 2018



# Community Councils Registration

- Any organisation that processing personal data must be registered with the Information Commissioner Office (ICO)
- Registration ensures that an organisation is included in the ICO's Register of Fee Payers
- Registration requires to be renewed annually
- An annual registration fee is payable – for organisations the size of Community Councils this is currently set at £40 (£35 direct debit).

# What personal data will a Community Council process?

- Information about Community Council Members
- Information about Community Contacts and other guests / partners
- Information about members of the Community

# Data Protection Principles

- All processing must meet the six data protection principles:
  - Processing must be lawful, fair and transparent;
  - Processing must be limited to the purpose the personal data was collected for, or other compatible purposes;
  - The data being processed must be adequate, relevant and limited to what is necessary to fulfil the stated purpose;
  - The data being processed must be accurate and, where necessary, kept up to date;
  - The data being processed must be kept for no longer than is necessary for the purpose it was collected for;
  - Processing must be done in a manner which ensures appropriate security to prevent unauthorised or unlawful processing, or accidental loss, destruction or damage to the data.

# Lawfulness

- Processing of personal data is lawful where one, or more, lawful condition of processing is met:
  - Data subject has consented to the processing;
  - Processing is necessary for the performance of a contract between the Community Council and the data subject;
  - Processing is necessary to comply with a legal obligation to which the Community Council is subject;
  - Processing is necessary to protect the vital interests of the data subject or any other person;
  - Processing is necessary for the performance of a public task;
  - Processing is necessary for the purposes of the legitimate interests of the Community Council, but only where these interests are not overridden by the interests and rights of the data subjects

# Data Subject Rights

- Data subjects have the following rights:
  - Right of access;
  - Right to request rectification;
  - Right to request erasure;
  - Right to request restriction of processing;
  - Right to data portability;
  - Right to object to processing;
  - Right to not be subject solely to automated decision making

# Getting it right

- Privacy Notice(s)
- Clear procedures for each purpose / task
- Processes to make sure data is updated
- Record Retention periods and regular housekeeping of records beyond the applicable retention period
- Technical and organisational controls to safeguard data

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Valles  
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• Lady  
Low Valleyfi  
Monimail • Moon  
• Palsie • Palsco  
• Star • Steelend • Strathkin  
• Upper Steelend • Wellwood • V  
• Auchtertool • Baintown • Balcur  
• Barhills • Bonnybark • Boreland • Bow of  
• Carnock • Cellardyle • Ceres • Chance  
Caltoun of Wemyss • Colinsburgh • Collassie • Com  
• Crossgates • Crosshill • Culross • Cults • Cupar • Cupar Muir • Da  
• Dunblane • Dunblane • Dura Den • Dysart • Earlsferry • East Wemyss • Edentor  
• Gathie • Gathie • Gathie • Giffordtown • Glancraig • Glenrothes • Gowdhall • Grant  
• Hillhead • Innesmuir • Innesmuir • Kellie • Kellie • Kellie

**Remember – Data Protection is  
not something to fear – above all,  
don't panic!**



# Resources and Guidance

- Key Governance documents can be found on the Community Council webpage here: [Community Councils | Fife Council](#).
- Improvement Service Website – ‘Community Councils’ – site was created to support and promote Scottish Community Councils through advice and resources [www.communitycouncils.scot](http://www.communitycouncils.scot)
- Information Commissioner’s Office – for advice, guidance and resources in relation to Data Protection and GDPR issues [www.ico.org.uk](http://www.ico.org.uk) Helpline – 0303-123-1113
- Fife Council Community Council Contact - Email: [community.councils@fife.gov.uk](mailto:community.councils@fife.gov.uk) Fife Council Annual Grant Contact – Email: [ccannualgrants@fife.gov.uk](mailto:ccannualgrants@fife.gov.uk)

- Fife Council Risk Management Team – for advice on Insurance issues Email: [risk.management@fife.gov.uk](mailto:risk.management@fife.gov.uk)
- Other grants - [community-group-support-and-funding/fife-grants](#)
- For advice on financial record keeping or compiling accounts, contact: Donna Grieve, Accountant, [donna.grieve@fife.gov.uk](mailto:donna.grieve@fife.gov.uk)
- [Common Good Contact: https://www.fife.gov.uk/kb/docs/articles/council-and-democracy/land-and-property/common-good](https://www.fife.gov.uk/kb/docs/articles/council-and-democracy/land-and-property/common-good)
- FOI requests can be sent to anyone at the organisation – good practice is to send to the Information Request Team by emailing [information.requests@fife.gov.uk](mailto:information.requests@fife.gov.uk) or completing the online form at the following link [fife.gov.uk](https://www.fife.gov.uk)
- [Licensing - Licences and permits | Fife Council](#) - [liquor.admin@fife.gov.uk](mailto:liquor.admin@fife.gov.uk)  
[misc.licensing@fife.gov.uk](mailto:misc.licensing@fife.gov.uk)