

Agenda Item No.

TO: STANDARDS COMMITTEE
DATE: 4th August 2009
SUBJECT: PARISH COUNCIL GOVERNANCE TOOLKIT
BY: CORPORATE SERVICES DIRECTOR AND MONITORING OFFICER

Classification: Unrestricted

Summary: The report advises members of the recent publication of the revised governance toolkit for Parish and Town councils. It is designed as an aide memoire to help good governance. It greatly assists the Monitoring Officer in the role of promoting high quality of standards of conduct within parish and town councils.

It provides a rich source of information on all aspects of governance but is primarily designed as a reference/'signposting' guide for:

- Parish/town clerks and councillors
- Those interested in becoming a parish councillor
- Principal councils wanting to establish parish councils in their area
- Monitoring Officers

Implications: Human Resources Implications: within existing resources

Finance Implications: not applicable

Legal Implications: good governance minimises the potential for legal challenge and referrals under the Code of Conduct

Crime & Disorder Implications (Section 17): not applicable

Equalities & Diversity Implications: the toolkit is partly intended for those wishing to become a parish councillor and this should assist in giving maximum opportunity to potential candidates.

Sustainability Implications: Not applicable

Risk and Health and Safety Implications: Not applicable

Corporate Plan Implications: ***High performing organisation – corporate governance.***

Decision Required: **Members are asked to note the following:**

- The publication of the Parish Council Governance Toolkit

And to agree

- to adopt and promote this guidance as a framework document when considering governance matters relating to parish and town councils
 - That the document be sent to all Parish and Town Councils to assist them when considering governance issues
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Introduction/Background

1. The attached Governance Toolkit was recently published to assist parish and town councils. It is a reference and 'signposting' document intended to "contain the things the parish clerk *really* needs to know and do".
2. It is in eight parts:
 1. The Parish Council
 2. The Parish Clerk and Other Employees
 3. Ensuring Effective Governance
 4. Public Engagement and Managing Information
 5. A guide on the role and responsibilities of Parish Councillors
 6. Elections
 7. Formation of New Parish and Town Councillors
 8. Useful Source Material
3. Rather than go through each Part in detail I have chosen to highlight those areas where the guidance is most useful in assisting the Standards Committee in undertaking and promoting its work.

Part Three – ensuring effective governance

4. This is a key area. Members who have been involved in the recent referrals and appeals case will appreciate the importance of parish councils understanding their duties, powers and legal obligations.
5. In particular there is a need for their business to be conducted in an open and transparent way. This requires proper publicity of meetings, meetings being open to the public, fit for purpose standing orders and voting procedures.
6. Underlying this is the need for good communication. The protocol, supporting documents and guidance set out on Pages 25-73 cover in detail key governance matters:
 - Agenda management and recording of decisions
 - Other communications methods
 - Core governance documents – standing orders (financial and non financial), terms of reference, inspection arrangements, code of conduct, access to information and handling of complaints)

7. I would commend this part of the guidance to all parish and town clerks.

Part Four – public engagement and managing information

8. Parish and Town Councils are subject to the requirements of the Freedom of Information Act. This is another area where, with their limited resources, they can struggle on occasions. The guidance provides an excellent summary of the Act, its application and its relationship with other legislation and should assist in focusing any support from the Kent Association of Local Councils.

Part Five – a guide to the role and responsibilities of parish councillors

9. This Part is central to the work of the Standards Committee as it focuses on the Code of Conduct and sets out key areas where the work of a parish councillor can bring in potential conflicts of interest. The summary guidance on probity and planning, bias and dual hatted members is important, as it is often this area of work which gives rise to concerns under the Code.

Recommendation

10. Members are asked to note the following:

- The publication of the Parish Council Governance Toolkit
- And to agree**
- To adopt and promote this guidance as a framework document when considering governance matters relating to parish and town councils
 - That the document be sent to all Parish and Town Councils to assist them when considering governance issues

Reasons for the Recommendation

11. To promote the work of the Standards Committee and to engage with the town and parish councils.

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2009

Date: Friday 3rd July

List of background documents – Governance Toolkit