



**WEST DUNBARTONSHIRE COUNCIL
SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS**

**Community Councils
Handbook**

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1. INTRODUCTION

West Dunbartonshire council is committed to supporting community councils and other community organisations towards achieving the aims outlined in the West Dunbartonshire Community Empowerment Strategy.

The aim is to increase the participation and involvement of local citizens in the design and delivery of Council services and encouraging active participation within communities. This Handbook and the Scheme for the Establishment of Community Councils (The Scheme) promote and support the role of community councils in representing and empowering local communities and their expanding role in community engagement, consultation and promoting local democracy.

This Handbook supports the information contained within The Scheme and provides some of the essential information useful to carry out the role of a Community Councillor. It was developed jointly with community councils, the West Dunbartonshire Community Council Forum (The Forum) and the Stronger Voices Group (SVG), which was set up as part as part of the review of the Scheme 2021-2. The final draft Scheme, draft Handbook, Standing orders and Constitution were approved at a Special meeting of West Dunbartonshire Council on 25 May 2022.

Community Councils aim to represent all citizens in the area without prejudice, they are non-party political and non-sectarian. As each area in West Dunbartonshire is unique, this means that there is some variation in how community councils work to represent their local communities and meet their needs. All community councils are required to operate within the guidelines set out within The Scheme, this Handbook, the Code of Conduct, Standing orders and Model Constitution.

There are other requirements which all Community Councils are bound to in their activities and this includes the general duties under the Equality Act 2010. Further details see Equality section.

Further information about community councils in Scotland can be found at <https://www.communitycouncils.scot/>

Further details of the West Dunbartonshire Community Empowerment Strategy can be found here: <https://www.west-dunbarton.gov.uk/council/strategies-plans-and-policies/cw-strategy-and-action-plan/>

2. LEGISLATION / STATUTORY PURPOSES

Community Councils were first established in Scotland following the [Local Government \(Scotland\) Act 1973](#). Following this, the [Local Government etc. \(Scotland\) Act, 1994](#), which produced the current system of local authorities, provided for the continuation of community councils. Under the legislation, every local community in Scotland is entitled to petition their local authority to establish a community council in their area.

From 1st April 1996 the role of Community Councils was enhanced by adding a statutory consultation role for Community Councils in both planning and licensing matters.

Further powers were given to Community Councils by the [Community Empowerment \(Scotland\) Act 2015](#) (The Act). The Act lists a Community Council as a Community Participation Body thereby providing a mechanism for communities to have a more proactive role in having their voices heard in how services are planned and delivered. The Act sets out the [public service authorities](#) to whom the legislation applies. The parts of the act related to [community planning](#) and [participation requests](#) are particularly relevant. This Scheme must be seen in the context of the Local Governance Review proposing more local decision making, increased emphasis on place and place-making, and the introduction of [Local Place Plans](#) in planning legislation and the Planning Act 2019. All of these initiatives seek to shift the balance of power and work collaboratively with communities to improve people's lives.

Community Councils are also expected to help deliver equality in community participation, including duties to promote equality and fairness, see Equalities section.

Planning and Licensing

Community Councils have a statutory right to be consulted on applications for planning permission and on all applications for provisional/premises licences and major variations to premises licences and other matters.

The community council has a distinct role, representing a broader, and still local, view which can be set alongside the comments of those with a more individual interest. More information on planning and licensing is provided in Planning and Licensing sections or through the [West Dunbartonshire Council website](#).

3. SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS

The Scheme lays out the basic principles of how a community councils operate, the process of election, profile of membership and eligibility and their boundaries. The Scheme is developed by the Local Authority following a lengthy consultation process, laid out in legislation, with opportunities for community councils and stakeholders to influence the content of the Scheme.

The Scheme [is based on a national model Scheme](#) and sets out the guidelines for community councils, acting as a reference point when required. Community councils should be familiar with the contents of the Scheme and documents supporting it: Model Constitution, Standing orders, Code of Conduct and the Handbook. The information can be found <https://www.west-dunbarton.gov.uk/ccrevisedscheme>

The Scheme is reviewed every 4 years and this process is outlined in legislation and guidance. The Handbook can be updated more regularly as required and is published online with a paper version available on request, in a format which can be easily updated. The Scheme and Handbook content was influenced through consultation and working closely with representatives on the group who co-produced the Scheme.

4. WHAT IS A COMMUNITY COUNCIL?

A Community Council is a voluntary organisation set up by law, supported by the Local Authority and run by local residents to act on behalf of their local area. Further information can be found here:

<https://www.communitycouncils.scot/>

As the most local level of elected representation, Community Councils play an important role in local democracy. As well as representing the community to the local authority, Community Councils allow a wide range of activities, which promote the well-being of their communities.

They bring local people together to help make things happen locally, and many Community Councils protect and promote the identity of their community. They advise, petition, influence and advocate on numerous issues, causes - of concern on behalf of local communities.

Community councils carry out a range of activities, including:

- Carry out local surveys
- Campaigning on local issues
- Printing and distributing local newsletters
- Representing the Community Council on other local partnerships, or other organisations
- Organising public meeting to gather views from local residents
- Organising local community events
- Environmental projects
- Neighbourhood plans / locality planning

Some community councils have also become involved in a wider range of activities, responding to local needs, e.g. food provision during Covid19 when many Community Councils were involved with this, including Old Kilpatrick, Clydebank East, Faifley and others.

Community Councils can be an effective voice in their local communities and can work with other community groups and statutory and voluntary organisations. They can provide an insight into the workings of local government and what is going on locally and nationally. All local authorities in Scotland encourage local people to become a member of their Community Council.

Some examples of different types of projects Community Councils have been involved in:

- Food projects – holiday hunger initiatives, food banks/ pantries and Old Kilpatrick Food parcels (which has now developed into an independent project)
- litter picks and clear ups
- environmental improvements and sustainability
- leading on developing a neighbourhood plan in Old Kilpatrick and Alexandria
- [Dr Bike projects](#) in Bonhill
- Organising community events, fayres and even a community Christmas panto
- Also applying for funding for local projects.

These are good examples of the work community councils and other community organisations can do to support their communities and meet local needs and aspirations, involving consulting local residents and leading on change. There is potential for community councils to develop their roles, increase their representation and influence and make a real difference in communities across West Dunbartonshire.

[Scottish Community Council's website](#) has a [video](#) which provides a good explanation of the role of community councils. There is more information about Community Councils on the Scottish Government [website](#).

5. CLOSE LINKS WITH THE COUNCIL AND OTHER PUBLIC SERVICES

West Dunbartonshire Council provides a supporting role to assist community councils to operate effectively and represent local citizens. The key supporting role sits with the Communities Team, however other services provide support also.

The support the Communities Team provide can include: organising training on a range of topics, such as legislation and guidance, roles and responsibilities, building capacity and organising consultations and events, using digital technologies, publicising their activities and widening membership, developing local place plans, mentoring and advising.

The Communities Team take the lead role in community empowerment as outlined in the West Dunbartonshire Community Empowerment strategy <https://www.west-dunbarton.gov.uk/council/strategies-plans-and-policies/cw-strategy-and-action-plan/>

This Strategy was developed by the Council and other community planning partners in consultation with local citizens who shaped the content of the Strategy.

For specific requests contact should be made, with the Communities Team, where there are dedicated staff working with community councils and other supports available from the Team. See Appendix 3 for contact details for the team and other services also. The Communities Team also supports the Community Council Forum, which brings together representative from each community council and meets quarterly. The Forum is developing its role in terms of training and development, support and information sharing between community councils and developing joint solutions to issues they are facing.

Community Councils can contact the local authority and other public and private agencies, about matters of local interest or concern within their local area. The Communities Team can also as a general contact for advice and support as outlined above.

In preparing community council minutes due consideration should be taken of the contents of the Scheme, Code of Conduct and GDPR – see section 20

Also section 13 details the process for approved minutes being published on the Council's website.

6. CONSTITUTION

The Constitution is an important document as it provides the framework of procedures that will govern the work of each community council, a community council is required to have one to operate.

Each community council is required to adopt a Constitution, based upon the Model Constitution in the Scheme of Establishment (see *section 1 – in Other Information*) section alongside the [Model Standing Orders](#) (see *section 1 – in Other Information*).

The Constitution aims to encourage and maintain consistency for all community councils and to allow their proceedings to be properly structured and regulated, to ensure that items of business relevant to the community are properly debated and decisions reached in a democratic manner.

The Model Constitution and Standing Orders are based on the [Community councils: model constitution](#) and [Community councils: model standing orders](#). These documents are based on the model documents which have been prepared and promoted by the Scottish Government.

For the first time a Complaints section has been included in the current Scheme to reflect the increased emphasis on community empowerment and the need for accountability. See Appendix 2.

When a new community council is first established, or following an election process, the Constitution will be signed and copies forwarded to West Dunbartonshire Council Communities Team for retention, the Chief Officer of Housing and Employability will have an oversight role also.

7. MEMBERSHIP

The numbers of members of a community council may vary. There is a minimum and maximum membership number of elected community councillors in a community council.

The Scheme outlines the different categories of membership and election processes. Further details of the minimum and maximum numbers and the formulas can be found in the Scheme section 6.

The minimum age to stand for election as a Community Councillors is 16 years. To be a member of a community council you must live within the community council area (and be included on the electoral register).

There are other types of membership such as co-option and associate membership, further details can be found in the Scheme. Co-opted members can represent another organisation or group. Associate members could be from outwith the area or not meet the criteria for membership, for example under 16. This can increase the membership and representativeness of community councils.

There are also circumstances where membership can cease, for example where the community councillor moves out of the area, or does not attend meetings for a considerable period. There can be some discretion where such changes may have an impact on the ability of the community council to function in the short term. Also there could be the option to co-opt members.

Where issues or concerns regarding behaviour or conduct of a member arise, including potential breaches of the Code of conduct, these should be considered by the Chair and other community council members, and support can be provided by council officers. The Complaints process should be utilised if required.

Consideration will be given to whether community councillors are carrying out their role in line with the Scheme, Standing orders, Model Constitution and Code of Contact. Also the impact on other members of the community council and members

of the public or officials attending the meetings. And appropriate steps will be taken where required.

The Communities Team can offer advice and support on how to publicise, raise awareness and encourage new members to join, to assist community councils to plan for the future, also developing links with other community organisations and equalities groups to ensure that they represent a wide range of views within their communities. There can be scope to split roles such as minutes and correspondence secretaries where it is proving challenging for one person to fulfil these roles. There can be leads on particular projects or topics and subgroups for example to plan for events or other activities.

8. COMMUNITY COUNCILLORS

The role of the Community Council member is one that requires them to represent the views of their community, or a section of the community, taking account of the views of all local citizens.

Whilst there may be issues which a community councillor may feel strongly about, and others may share their views, they must strive where possible to reflect the widest possible range of views within communities. This means leaving personal views or opinions to one side to represent the views of the local community and taking steps to find out what these views are on a regular basis, such as via consultations and community meetings or events. Also finding other opportunities to discuss issues and find out views on particular topics and generally to raise awareness of the community council and its role.

As a community councillor, it is important to remain open minded and impartial and take a wider view of local matters, working with local groups and residents to find out what they want to see happen in their local area and how this can be achieved. This can involve working with the local authority or other partner agencies, and in some areas taking part in a process to develop local place plans. There is also a Code of Conduct for community councillors which details expectations further. (Appendix One).

All community councillors can play a key role including those who are office bearers and those who are not in achieving effective community councils with the links and relationships to get things done

Key features for Community Councils example:

Good practice

- Finding out what matters to people locally – including those of all backgrounds, ages, abilities and experiences.
- Keeping them informed in an ongoing basis
- Engaging them in a dialogue that is as accessible as possible
- Trying to take an overall view of this while involving people in setting priorities

- To work constructively with elected members, agencies and individual services
- To produce better solutions for the community
- While working with local groups and individuals, whether or not they are members of the community council

Poor practice

- Acting only on the experience of those attending your meetings
- Assuming you know the views of local people without consultation
- Not engaging with those not usually able to be involved
- Having meetings that people can't take part in because of where and when they are
- Setting priorities without taking account of wider local views carefully and sensitively
- Not keeping people informed about what you are doing and how you are getting on
- Not working with other local organisations to get things done
- Taking an oppositional position on issues without looking for constructive solutions

As a Community Councillor there is therefore a duty to:

- Commit to the role and uphold the standards and values of the Community Council.
- Act in the interests of the local community, which they have been elected or nominated to represent.
- Reflect, through the Community Council, the views of the community as a whole, or at least the majority view on any issue, irrespective of personal opinion.
- Take account of the views of minorities, and those whose voices are seldom heard.
- Ensure that they are, within reason, accessible to their local community and local residents.
- Take decisions based solely in terms of the interest of the community that they represent.
- Contribute to discussions and decisions concerning the work of the Community Council.

More detailed guidance is provided in the Code of Conduct for Community Councillors (Appendix 1).

Community Councils have a key role to play in supporting a de-centralised pattern of local democracy and service delivery. The Scheme provides a framework within which they and the Council can co-operate and work together to make this happen.

The role and function of a Community Council in West Dunbartonshire is to proactively identify and assess issues of concern to its local community. Taking into account views expressed by the public and any other relevant evidence, then taking appropriate action and conveying findings and conclusions to the relevant authority for consideration as appropriate. Community Councils have a statutory right to be consulted on planning applications, licensing matters and any other matters may also be jointly agreed between Community Councils, the Council and other public sector and private sector agencies. Community Councils are non-party political and non-sectarian in its discussions and in its decision-making.

Local residents should be encouraged to bring issues to their Community councillor to raise at Community Council meetings with local councillors present. It is important to look into the facts and to have a balanced view as far as possible. Issues can also be raised directly with council services using the contact numbers provided at Appendix 3.

The task of any Community Council is to identify the needs and aspirations of its community. To take decisions that will lead to appropriate action in that community. At some point this might involve helping communities in setting priorities on the competing or conflicting needs of different sections of the community being careful not just to support the stronger local voices – See our sections on Community Engagement and Community Led Action Planning.

Whilst there may be competition and conflict at times within the community, community councillors must approach competition or conflict in a fair and reasonable manner taking a balanced view of their community's needs and aspirations and giving a fair hearing to representatives from different interest groups in their

community. In particular, Community Councillors should take account of equality considerations and legislation as outlined in section.

At some point it may be that a Community Councillor will find some conflict between their own personal views and interests and those of the community that they are representing. If such a situation does arise, they should try to make sure that the views of the community take priority.

Any other course of action could negatively impact on the credibility of the community council as representing the community as a whole (refer to Code of Conduct).

In some instances, it may be necessary and appropriate to declare an interest in the matter under discussion and to withdraw from that debate and decision-making. This is particularly important where financial interests are involved. Declarations of interest (financial and non-financial) should be recorded in the Minutes of the meeting.

Please refer to the Code of Conduct for further details at Appendix One. Also the complaints procedure if required if there is a conduct issue to deal with.

9. OFFICE BEARERS

Each community council must have a Chairperson, Secretary and a Treasurer. It may also have other office-bearers if they decide to. Also there can be the option of splitting roles, e.g. minute and correspondence secretary. Further details are contained within the Model Constitution and Standing Orders

Chairperson

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

In essence, the Chairperson's job is to make sure that decisions are taken on all of the items that are on the agenda and that they makes sure people are clear about what they have decided. In practice, this usually means that they will have to make judgements about how much time to allocate to each agenda item. It also means that they may occasionally have to bring speakers back to the agenda and generally encourage people to make their contributions brief and to the point.

In regular meetings the role of the Chairperson is a quite formal one, all speakers will be expected to address their comments to the Chairperson. This helps them to keep control of the discussion. In meetings, where proceedings need not be so formal, they may be content simply to steer the general direction of the discussion – this may be described as an enabling role. The extent to which a Chairperson adopts one or the other of these will be dependent upon the circumstances at a particular time or occasion.

Although it is good to try not to be too formal and bureaucratic, the Chairperson is expected to know the procedures and protocols by which the community council functions, and ensure that at all stages of its work the community council is operating in accordance with any procedures that are set down. They may be called upon to act interpret the rules in the wider interest of the Community Council when there is a disagreement about how they should be interpreted.

It is important to recognise that the Chairperson's role extends out with the meeting itself. They may be called upon to act on behalf of the Community Council between meetings, or to represent the Community Council in dealing with outside bodies. This role may also be delegated by the Community Council to other office bearers or members.

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

The responsibilities of the Chairperson includes:

- checking that the meeting has been called in accordance with the procedures and protocols
- having a thorough knowledge of the procedures and protocols
- ruling on points of order and procedure
- acting on behalf of the organisation between meetings
- pursuing decisions made in meetings

Some examples of good and bad behaviours can be found at:

<https://www.diycommitteeguide.org/resource/characteristics-of-a-good-chairperson>

<https://www.camden.gov.uk/documents/20142/2782436/TRA+info+booklet.pdf/add4720e-a395-8af2-b19b-76b3514ce84f>

<https://scvo.scot/support/running-your-organisation/governance/developing-board>

Vice Chairperson

The Vice Chairperson has no specific duties other than standing in for the Chairperson when they are unavailable. Please refer to skills for Chair above, also it is helpful if they have skills for leading sub committees.

Secretary

Community Councils benefit from a conscientious Secretary who is prepared to put in the necessary time and effort. It is incumbent on all members but, especially the

Chairperson, when necessary, to spread the Secretary's load by, delegating some of their responsibilities to others. Some examples of skills can be found at:

<https://www.diycommitteeguide.org/resource/characteristics-of-a-good-secretary>

The responsibilities of the Secretary includes:

- arranging the venue for meetings
- preparing the agenda and minutes of meetings
- receiving and answering all correspondence
- circulating information to members
- dealing with the public, press, TV and radio, social media
- co-ordinate with the Communities Team and other council services
- supporting the Chairperson and providing (or obtaining) legal and other
- specialist advice

Treasurer

The Treasurer is responsible for the finances of the Community Council. They will deal with the issuing of cheques and making of payments on behalf of the Community Council and must keep the Community Council's financial records up to date so that they disclose, with reasonable accuracy at any time, the financial position of the Community Council.

The responsibilities of the Treasurer include:

- organising financial transactions
- managing the bank account;
- accounting for all funds received;
- ensuring that money is only spent in a manner approved by the Community Council members, and as recorded in the minutes.

Any two of three authorised signatories, who would normally be office-bearers of the Community Council, may sign cheques on behalf of the Community Council.

Authorised signatories may not be co-habitees. Also approval/ counter checking is required for other methods of expenditure which may be available.

The Treasurer must keep proper accounts of all receipts and expenditure, prepare an annual statement of accounts and have it certified as correct by one independent qualified examiner or independent examiners appointed by the Community Council out with its membership.

The accounts will be submitted to an Annual General Meeting of the Community Council and will be available for inspection on application to the secretary. And regular reports will be provided to community council meetings during the year.

10.SETTING UP A COMMUNITY COUNCIL

The Communities Team can support citizens to set up a community council in areas where there is not currently one.

Petition - 20 names

West Dunbartonshire Council will require a petition of names, addresses and signatures of not less than 20 registered electors from within the Community Council area who wish a Community Council to be established. This can be supported by West Dunbartonshire Council.

Publicity

Once the petition has been checked, West Dunbartonshire Council will advertise locally, inviting nominations from all interested registered electors in the area who wish to serve as Community Councillors either in the press or other means of advertising. Potential new community councils will be encouraged to publicise via social media, local groups and organisations, and any others as appropriate. The aim will be to reach as broad an audience as possible within local communities. West Dunbartonshire Council will write to all those who signed the petition and provide support to set up as a community council.

First meeting of the community council

The Election team will liaise with community councils and the Communities team to ensure that all the necessary arrangements for an inaugural meeting to be held within 21 days where possible. The Secretary will be forwarded an agenda for this meeting including the business to be dealt with. At this meeting the election of office bearers take place, nominations will be made and community councillors will vote for these in turn. Where there is more interest than roles available consideration should be given to the most suitable person for each role. Also the Code of Conduct, Model Constitution and Standing orders should be agreed, signed and adopted and a copy returned to the Council.

11. Elections

When a new Scheme has been approved by Council, a Public Notice will be published, which will start the election process, for new and existing community councils, following the consultation process during the review of the Scheme.

Community Council elections normally take place every 4 years, following a new Scheme being implemented, then on a date set by community councils, Community Council Forum and West Dunbartonshire Council. Also in certain circumstances such as a fall in membership below the minimum numbers and interim election process can be triggered.

After a new Scheme is published, this starts the election process. The council will seek nominations from existing community councils, the council will publish the notice and send community councils nomination packs and a timetable for the process.

Once the nominations are received, the council will advise community councils of the outcome and the next steps. Depending on the number of nominations, community councils may be formed or in some cases a further voting process (an election) may be required to form the community council.

Eligibility

Candidates wishing to stand for election to a Community Council must live in the local area and be named on the Electoral Register for that area. The same criteria shall apply to voters in a Community Council election.

Sixteen and seventeen year-olds residing in the community council area and named on the Electoral Register for that area are also entitled both to stand for the community council and to vote in any election.

There will be provision for the different types of membership as outlined in the Scheme. Any Community Council member who no longer resides within that

Community Council area will be seen to give up their role within a suitable timescale taking account of the impact on the CC and its membership and functioning. Where appropriate there will be a transition period (up to 6 months).

Any individual who is elected to serve on this local authority, the Scottish Parliament or UK Parliament shall be ineligible to remain a community councillor, or to stand for election to a community council. Such persons, upon taking office, become ex-officio members of the community councils contained in whole or in part of their electoral constituency.

Nominations and Elections

West Dunbartonshire Council will administer all elections, which will be held following a new Scheme or as outlined above. Where there are other elections being held in the same year there will be an interval of at least 6 months between election processes.

Returning Officer

West Dunbartonshire Council will appoint a Returning Officer. The Independent Returning Officer must not be a current elected member of that community council nor intending to stand for election to that Community Council.

Nominations

Citizens seeking election to a Community Council require to be nominated by a proposer and seconder, both of whom must be on the Electoral Register for that Community Council area. Assistance is available from the election officer or electoral registration office. Nominations require to be submitted with the candidate's consent. Self-nomination is not permitted.

A nomination form should be completed, provided by West Dunbartonshire Council, with input from the Forum. Nomination forms require to be submitted on the date set down in the election timetable. No nomination forms submitted after that date will be accepted.

Process

Once the nominations have been lodged the same process will be followed as for establishing new community councils:-

1. Should the number of candidates validly nominated equal or exceed HALF of the places available, but be less than or equal to the total maximum permitted membership, the candidates will be declared to be elected and no ballot will be held.
2. Should the number of candidates validly nominated exceed the total maximum permitted membership as specified for the community council area, arrangements for a Poll will be implemented. At the Poll, each voter will be entitled to vote for candidates up to the number of vacancies on the Community Council.

Should the number of candidates elected, be below HALF of the total maximum permitted membership, as specified for the community council area, no community council will be established at that time. Where that one half is not a round number, it shall be rounded down.

Method of Election

Elections will be based on whole local authority areas, or within the agreed community council boundaries. The election method used to date has been postal voting, however other methods will be considered as appropriate, including online methods. In the main, Community Council elections have been uncontested but this could change and appropriate budget provisions will be made by the Council. Community councillors will be elected on a simple majority basis.

Filling of casual places/vacancies between elections

Casual vacancies on a Community Council may arise in the following circumstances:

- when a Community Council member submits their resignation
- when a Community Council member ceases to be resident or registered on the electoral register within that Community Council area
- when a Community Council member has their membership disqualified or revoked

- when a Community Council member is elected to West Dunbartonshire Council
- due to significant non-attendance by a Community Council member at any Community Council meeting, with or without submitting apologies, throughout a period of 6 months. Community Councils should refer to section 9 in the scheme.

Should a vacancy or vacancies arise on a Community Council between elections, it will be a requirement that the Community Council undertake appropriate election arrangements, in consultation with West Dunbartonshire Council.

Filling a vacancy can be undertaken either through the process of an interim election or by co-option. However, should circumstances arise that lead to the number of elected community councillors falling below HALF of the maximum permitted membership, the local authority will be informed and will undertake arrangements for an interim election to be held.

There is also provision for associate, ex-officio and co-opted membership as outlined in the Scheme, Standing Orders and Constitution.

Term of Office

The term of office will be determined by the election cycle or circumstances where an interim election is triggered, or where membership ceases etc. as outlined elsewhere in The Scheme and Handbook.

12. Meetings

The first meeting of a Community Council following a community council election, will be called by the independent Returning Officer and will take place within 21 days of the date of the election, or as soon as practicable. Please refer to the Model constitution and Standing orders.

The first meeting (Inaugural Meeting)

An agenda will be provided by West Dunbartonshire Council; including an adoption constitution and Standing Orders, appointment of office bearers and any outstanding business matters from the outgoing Community Council.

Adoption of a constitution by the Community Council and approval by West Dunbartonshire Council must follow within 4 months of the first meeting. As a condition of forming a community council.

Meeting Frequency

The frequency of meetings will be determined by each Community Council, subject to a minimum of one Annual General Meeting, if held, and 6 ordinary meetings being held each year. The Annual General Meeting shall be held in a month of each year to be determined by the Community Council. An AGM will follow the elections and annually after that.

Notice of Meetings and publicity

Notices calling meetings of the Community Council and its committees will be advertised by a variety of methods as appropriate including posters, press, e-bulletins, social media and via groups and networks. This should be done in advance of the meetings to reach as many of the local community as possible. Also Community Councils can use these methods to publicise projects, activities and events they are involved in and to reach out to new members and increase their membership and representation.

Community Council meetings should be held in an accessible central venue e.g. community centre, church hall or online via Zoom or MS Teams. Any online platform

must be accessible and easy to access. WDC Communities Team can provide guidance and support on the use of Zoom and MS Teams for those who may require it. Links to meetings and Zoom or MS Teams codes should be distributed as wide as possible and as early as possible to allow people notice. Additional support with digital methods should be available for anyone who needs it. Community Councils should aim to be relevant, interesting and informative to the community agendas open for items from local residents to be added.

Public Participation

All meetings of the Community Council and any sub-committees will be open to members of the public. Care should be taken to ensure that venues are accessible to all and risk assessments carried out as appropriate. Also provision should be made for members of the public to attend meetings and address the community council and raise concerns as appropriate, under the guidance of the Chairperson. There is also the option to hold digital meetings where suitable and convenient to do so and advice and support with this can be provided by the Communities team.

Quorum

A quorum is the minimum number of people who have to be in attendance for a meeting to go ahead. The quorum for Community Council meetings is one third of the current voting membership of a Community Council, or 3 voting members, whichever is the greater.

Content of Business

An outline for the content of business that Community Councils should adhere to when holding ordinary, special and Annual General Meetings is contained within the Standing Orders.

Standing Orders

Each Community Council is required to adopt Standing Orders based on the Model Standing Orders to encourage and maintain consistency for all Community Councils and to make sure meetings are properly structured and regulated, to ensure that items of business relevant to the community are properly debated and decisions reached in a democratic manner.

Standing Orders will not be suspended except at a meeting at which three-quarters of the total number of Community Council members are present and then only if the mover states the object of his motion and if two-thirds of the Community Council members present consent to such suspension.

Agendas

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

**Meeting of the (name of Community Council) At (enter venue)
On (enter date and time) AGENDA**

1. Apologies and Declarations of Interest
2. Minutes of Last Meeting
3. Matters Arising
4. Police Report
5. Any arranged speaker/presentation (if appropriate)
6. Urgent Items of Business
7. Planning applications
8. Reports from Sub-Committees/Working Groups
9. Updates from West Dunbartonshire Councillors
10. Any questions from Members of the public
11. Correspondence
12. Treasurer's Report
13. Time and Place of Next Meeting

It is worth noting that discussion of matters arising should be kept to a minimum for items not on the full agenda only.

An example can be found at <https://parkscommunity.org.uk/running-your-group/sample-meeting-agenda/>

Annual General Meeting

An AGM will be held once a year as outlined in the Constitution. At this meeting Chairman's, Secretary's and Treasurer's reports will be presented for discussion. The submission and approval of the independently examined annual statement of accounts will be presented. Also nominations will be sought for office bearers whether existing office bearers wish to continue or step down or where vacancies have arisen.

Special Meetings

Special meetings will be held as outlined in the Constitution where there is a request received, there is special business to discuss which cannot be accommodated within the regular cycle of meetings or as called by the local authority. The Community Council has a duty to be responsive to the community it represents. Notice will be given and these will be advertised as outlined in the Scheme.

The Community Council can also hold private meetings or sub group meetings of the Community Council where it considers it appropriate to do so. Some community councils set up sub groups to carry out consultations or plan for events or other specific purposes. A Community Council can also nominate representatives to form part of a steering group to develop a local plan.

For private meetings the process will be followed as outlined in the Constitution. The decision to meet in private will be agreed in advance and decided by a majority vote. Notice of such a meeting will be given to the public in the usual way. However, the Notice will record that the meeting, or a part thereof, will be held in private.

Minutes of Meetings

Copies of the minutes of each meeting of the Community Council and of sub-committees will be approved at the next scheduled meeting of the Community Council. The approved minute will be forwarded to the Council for publication.

Minutes will also be circulated to:-

- Community Council members
- notice boards
- libraries
- suitable locations
- community council's own web pages

Partnerships

Community Councils are encouraged to engage within positive working partnerships within the community they represent from public bodies, private sector, third sector and citizens.

National Example in practice

Some national examples can be found at: <https://www.communitycouncils.scot/the-work-of-community-councils/showcases>

West Dunbartonshire Community Council Forum (The Forum)

The Forum aims to bring together and promote the collective interest of Community Councils and improves communication for the benefit of the Community Councils in West Dunbartonshire. One of its functions is to gather, co-ordinate and express the collective views of Community Councils in West Dunbartonshire, and in dealing with public authorities, Scottish Parliament and other organisations and individuals, as appropriate.

The Forum will act in the interests of the Community Councils as a collective voice and advocate for their interests. Community Councils can nominate 2 voting representatives within the Forum. The Forum take an active role in key shared issues and in the development of training and support to Community Councils. Full training needs assessments will be carried out as required to develop and maintain an accurate picture of what the requirements are. Some training needs that have already been identified are:-

- Community Empowerment Act (2015)
- Equality Act
- Financial Compliance

The Forum is non-party political, non-sectarian and non-racial in line with Community Councils throughout West Dunbartonshire.

The Forum will have a key role to play in developing a new partnership with public and third sector bodies. This is being developed as part of a communication plan and delivery of the West Dunbartonshire Community Empowerment Strategy (2019), to improve communication and an effective voice in community planning. This partnership will represent the views of citizens and community planning structures. This section will be updated as new information emerges.

13. Minutes

It is a requirement of all constitutions that formal minutes are kept of meetings. This is the responsibility of the Secretary. However, this can be delegated to a minute secretary.

The responsibility for the minute sits with the Secretary even when a Minute Secretary is in place. There have been some challenges for some community council fulfilling this role and support for solutions are being explored.

Minutes must be taken of all ordinary, special and annual general meetings. They must record the date of meeting, time and location, those present, apologies received, all appointments to sub-committees, votes, agreed expenditure, topics discussed and agreed actions.

Minutes do not need to record every word said, rather they must summarise the views expressed and record conclusions. The minutes should follow the format of the agenda. They should be accurate and not disclose personal or confidential information, consideration should be given to responsibilities under GDPR, as outlined at section 20.

Approved minutes should be emailed to communitycouncils@west-dunbarton.gov.uk by the Secretary, with the Chair and Vice Chair copied in to the email to ratify the minutes for publication.

It is also important to record who was present, so that it will be known in the future. The apology of any Member who is unable to attend is also recorded for the minutes. Minutes should include a record of numbers of the public in attendance.

Matters arising should relate to any outstanding actions avoiding the necessity for each item to be listed on the agenda. This procedure ensures nothing is forgotten and that actions promised at the previous meeting have, in fact, been carried out. As all discussion is recorded in the current minutes, items completed drop out, items still

ongoing should come up at the next meeting. Any correspondence received relative to matters being discussed is best read out by the Secretary at the appropriate point.

The minutes of the previous meeting are considered:-

- Approval of minutes – Chair asks for agreement
- Any changes are noted for the minute.
- After this is agreed minutes can be approved

An example can be found here: <https://parkscommunity.org.uk/running-your-group/sample-meeting-agenda/>

Correspondence Received

During correspondence any letters, emails phone calls etc. received since the last meeting on new topics should be read out by the Secretary and any necessary actions requiring to be taken by the community council.

Reports

A summary of reports either written or verbal shall be recorded on the minute

Declarations of Interest

Where there is a conflict of interest this should be declared and be noted in the minutes.

The Code of Conduct (Appendix 3.) sets out that where such a conflict arises the member affected should declare the interest, and in appropriate cases, withdraw from the meeting prior to the matter coming under discussion and take no part in the decision.

Any other competent business

A summary of reports either written or verbal shall be recorded on the minute

Questions from the floor

Any questions from the floor, and responses, should be summarised and included in the minute.

Date of next meeting

Details of the next meeting should be included in the minute.

Close meeting

The time the meeting ended should be included in the minute.

14. Finance

A Community Council grant is provided by West Dunbartonshire Council for administrative and other approved purposes with the office-bearers responsible for ensuring that all expenditure is within the aims and objectives of the Community Council. Additional funding can be sourced from external funders and West Dunbartonshire Council can offer support and advice on this.

The treasurer is responsible for keeping a proper account of the finances of the Community Council including Council and external grants.

Authorised Signatories

Any two of three authorised signatories, who would normally be office-bearers of the Community Council, may sign cheques on behalf of the Community Council. Authorised signatories may not be co-habitees.

Statement of Accounts

Community Councils are expected to produce an annual record of their outgoings and incomings for the financial year from 1st April – 31st March. This does not need to be audited by an accountant however, this can be verified by an independent professional person, which can include an officer from West Dunbartonshire Council or a neighbouring local authority, or other suitable person. If community councils want to get their accounts audited professionally a suitable independent examiner can be accessed through the Association of Charity Independent Examiners (www.acie.org.uk) however other suitable independent examiners will be available elsewhere.

The Independent Examiner of the Community Council's accounts shall not be a member, a direct relative of a member, or related by birth, marriage, civil contract or co-habitation to a member, of the appointing Community Council. Direct relatives are considered to be spouse; partner; parent; sibling; child by blood, adoption, or marriage; grandparent or grandchild; 1st and 2nd generation aunts; uncles; cousins; nieces; and nephews.

The accounts are required to be passed to the Council's Finance team and they may require further evidence, such as vouchers and account books, and will work with community councils and the Community council Forum to make clear what the requirements are. When accounts are sent to West Dunbartonshire Finance department, they will aim to process the new grant within a 6 week turn around.

Financial Year

The financial year of the Community Council will be from 1 April until 31 March the succeeding year. Examined accounts as received and approved by the Community Council at the Annual General Meeting will be submitted to West Dunbartonshire Council following approval at the Community Council's Annual General Meeting.

Resources and Support

Each Community Council will have the power to secure resources for schemes, projects and all other purposes consistent with its functions.

West Dunbartonshire Council will review the level of annual Community Council grant as part of the annual budget setting exercise and other support available to Community Councils following each local government electoral cycle.

Community Council Grant

The Community Council grant covers:-

- Administration costs
- Secretarial costs
- Local community projects events
- Consultations
- Publicity and promotion
- And general interests of the community

Receipts must be kept and other relevant evidence of expenditure which must be for the purposes outlined above.

Who is eligible?

Any Community Councils which meet the requirements of and comply with the Scheme.

Bank Account and Other Required Information

To qualify for a grant the Community Council must have a bank account. To access grant funding Community Councils must on an annual basis provide West Dunbartonshire Council with:

- Annual accounts for the previous financial year
- Minutes of all meetings from the previous year
- Most recent bank statements (not more than three months old).
- If the bank statement is in the form of a passbook, a copy of the book showing the Community Council's name, account number and current balance
- If the Community Council is newly established and this information is not available, the named official of the Council should be alerted to this.
- The annual community council grant will be withheld by West Dunbartonshire Council until the documents listed above are provided for the prior financial year.

Community Council Grant Calculation

Each financial year, West Dunbartonshire Council will decide on the amount of funds to be set aside for general running costs of Community Councils, providing they comply with the Scheme.

This sum consists of:

- A fixed basic grant for all Community Councils
- A per capita allowance per head of population of the area of the Community Council
- An amount which will allow suitable insurance cover organised as a collective through the Forum.

In line with the Scheme adequate insurances must be in place. The Council can assist with the administrative arrangements to ensure that insurance is in place, however the responsibility lies with the Forum and individual Community Councils. The Finance Team must remain independent of this process due to their audit role. However payment can be organised on behalf of the Forum and the respective shares of community councils and the Forum deducted from their admin grant to ensure that adequate insurance cover is in place.

In specific cases, for those Community Councils who own and maintain a property, grant may be awarded for property costs (such as utility costs), in addition to their formula. This grant award is considered separately on actual property costs incurred and let income generated.

Surplus Funds

In deciding the amount payable to a Community Council, West Dunbartonshire Council will take into account any surplus funds held by a Community Council. This information will be taken from the Annual Financial Statements and Bank Statements which are required to be provided to the Council following each year end.

The Financial Statements require to disclose separately all income from whatever source it is obtained and will also show all expenditure even where it is not simply the expenditure of the grant provided by West Dunbartonshire Council.

Expenditure charged to other funding should be clearly identified and marked to enable easy review of the use of the administrative grant.

Any reserves built up may be taken into account in future funding depending on the level and plans for spending the sums involved. The finance team will liaise with community councils in these circumstances and a consistent approach will be taken, whilst allowing for the circumstances of individual community councils and plans for future expenditure.

What can the grant award be spent on?

The Community Council grant can be used to further the objectives of the Community Council and / or the Community in line with the aims of the Community Council and their role in terms of community empowerment.

The Community Council grant can be used for the related running, administrative and secretarial expenses necessarily incurred on behalf of the community by the Community Council. Some examples of typical costs are:

- Insurance
- Auditors' fees
- Production and circulation of minutes, agenda and annual reports
- Stationery
- Photocopying
- Postage
- Travel costs
- Communication costs (phone/ broadband etc,) (up to a maximum agreed amount)
- Accommodation lets
- Affiliation fees
- Subscriptions
- Bank charges
- Advertising
- General Publicity and promotional activities.
- Consultation with the community.
- Representation of the Community Council at Community Events.

The above list is not exhaustive but expenditure must meet the overall criteria and aims outlined above.

Ineligible expenditure

The Community Council grant awarded by West Dunbartonshire Council cannot be donated or gifted in any way. Also it cannot be used for the membership or

sponsorship of any political party or affiliation; Parliamentary Election, or any election to any Local, National or International Authority.

Fundraising

Community Councils are encouraged to seek funding from sources other than the Council. This funding may also be applied towards expenditure for other purposes than the grant awarded by the Council. Support is available to assist Community Councils to look into other funding from the Council or voluntary sector. There are examples where community councils have accessed funds from community budgeting or other sources for a range of community projects and improvements, including Clydebank East Community Council.

The accounts of the Community Council will be required to disclose all income from whatever source it is obtained. In addition accounts will be required to show all expenditure relating to and incurred by the Community Council. Expenditure charged to other sources of income should be clearly identified and marked in Financial Statements.

15. Insurance & Liability

Community Councils must consider the need for public liability insurance. They should make provision for suitable insurance, providing cover for members for their activities, to cover against accident for travel on Community Council business and any events organised by community councils. The Communities Team can provide advice and assistance on this.

Community Councils are currently constituted as unincorporated bodies, and as such do not have limited liability status. Community Councils should contact the Communities Team for any further information or advice on insurance.

The current block insurance for Community Councils does not include Indemnity Insurance i.e. providing legal exemption from penalties incurred through a Community Councillor's acts or defaults; the responsibility for a Community Councillor's actions and words lies solely with the individual. It should be made clear that Community Councillors should show due diligence with their individual and collective conduct, use of social media etc. in the same way that they would personally.

If the conduct of a Community Councillor is such that grounds are raised and substantiated by undisputable evidence for someone to consider a lawsuit, the onus is on Community Councillors to explain themselves

Further details of insurance cover are available on request.

16. Planning & Licencing

Community Councils have a statutory right to be consulted on applications for planning permission and on all applications for alcohol licences and other types of licences. The Community Council has a distinct role, representing a broader community, and local views, which can be set alongside the comments of those with a more individual interest.

Planning

Planning is often a key role for Community Councils and to the public in their areas, and they are a statutory consultee. This includes considering planning applications and how they should respond to these, being consulted on emerging Local Development Plans and other planning consultations. Community Councils may establish sub-committees or working groups to deal with planning issues given the timescales involved and the degree of scrutiny often required.

More information about Community Councils and Planning Authorities responsibilities and further information can be found on the Scottish Community Council's [website: https://www.communitycouncils.scot/](https://www.communitycouncils.scot/)

Planning consultations can occur in two ways:

- Firstly, a Council, as planning authority, can formally consult a Community Council on specific proposals for development which may be of interest within your community area.
- Secondly, a Community Council can request a consultation on the application. This request can be made after receiving and considering a weekly list of all planning applications submitted to West Dunbartonshire Council.

Named Contact

The Community Council must have a named contact for planning for planning applications and consultations. Any changes to the named contact must be sent to

the Communities team or Planning contact direct (see contacts list at Appendix 3) as soon as possible to ensure information is correct at all times.

Planning Applications

Once the Community Council receives the list of planning applications, they have 7 working days from the date of receipt of the list to request a consultation on any of the applications of interest to them. All valid planning application can be viewed on line through the West Dunbartonshire Council's online planning register - [Public Access](#)

When the Community Council receives the consultation they have a 14 day period in which to reply with any comments they may wish to make. If they cannot return their comments within the time period they should make contact and advise of the situation and when a reply could be expected. The Planning Officer assigned to the planning application case will contact them directly to discuss the matter.

They can respond to the consultation either by letter or email. Please use the email address provided on the consultation sheet when responding this way. Once received, the views of the Community Council will be taken into account during the decision making process.

Once a decision has been made on an application they will be able to view decision notice on the West Dunbartonshire Council's online planning register - [Public Access](#).

Local Development Plan

Community Council involvement is an important part of the development plan preparation process and West Dunbartonshire Council carries out extensive consultation at all of the various stages of the plan. Local engagement exercises are often arranged by Community Councils as a means of obtaining local views and responses to proposals. Similar consultation takes place on any subsequent policy documents such as planning guidance.

Local development plans set out how places should change and what they could be

like in the future. They set out preferred locations for new homes, businesses and other land uses and protect places of environmental and cultural value. Under the Planning (Scotland) Act 2019, the Local Development Plan and the National Planning Framework will be used to assess development proposals submitted to the Council.

The Council must prepare a local development plan every 10 years. In addition to this planning guidance is also prepared on specific issues such as renewable energy and the green network, as well as development briefs and masterplans. Community Council involvement is an important element of the local development plan process. Preparing the plan and planning guidance requires significant engagement between community representatives and the council.

More information about the Local Development Plan can be found on West Dunbartonshire Council's [website](#).

More information about Community Councils and Planning Authorities responsibilities and further information can be found on the Scottish Community Councils [website](https://www.communitycouncils.scot/): <https://www.communitycouncils.scot/>

Local Place Plans

Community Councils are community bodies which have recently been empowered to prepare Local Place Plans for their area. Local Place Plans are community led plans which set out proposals for the development and use of land. These are a new tool for communities to shape the places which are important to them which has been introduced through the Planning (Scotland) Act 2019. The aim is to empower communities to engage earlier in the planning process and to give them a proactive role in influencing planning decisions. Local Place Plans must be taken into account by the Council when preparing the Local Development Plan, the key policy document for planning at a local authority level.

Local Place Plans are an opportunity for communities to guide changes in a way that best suits their needs, whilst responding to key challenges such as the climate emergency and tackling inequalities.

The new legislation gives communities the power to give their plans statutory weight. Circular 1/2022: Local Place Plans¹, provides legislative guidance on the preparation, submission and registration of Local Place Plans. In addition to the legal requirements set out in the circular, regulations and legislation, the Scottish Government is preparing more general guidance on the process of preparing a Local Place Plan. The Draft 'How to Prepare a Local Place Plan' Guide² intends to help communities decide if a Local Place Plan is right for them, and how to go about preparing one.

As part of the West Dunbartonshire Community Empowerment Strategy (2019) there is some support available for any community organisations interested in getting involved.

Further details can be found here: <https://www.west-dunbarton.gov.uk/community/community-planning-west-dunbartonshire/west-dunbartonshire-plan-for-place/>
<https://www.west-dunbarton.gov.uk/council/strategies-plans-and-policies/cw-strategy-and-action-plan/>

Community Led Action Planning

Community engagement takes many forms. It sometimes involves systematic work in communities to set a local agenda, determine priorities and take action in communities to make positive change happen. This approach is known as **community led action planning** and can also involve securing partnership involvement from agencies in working with communities to get things done. The Community Empowerment (Scotland) 2015 and The Planning (Scotland) Act 2019

¹ <https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2022/01/circular-1-2022-local-place-plans/documents/circular-1-2022-local-place-plans/circular-1-2022-local-place-plans/govscot%3Adocument/circular-1-2022-local-place-plans.pdf>

² <https://www.transformingplanning.scot/media/2236/draft-how-to-guide-pdf-format.pdf>

both have local planning processes in them called Locality Planning and Local Place Plans, as outlined above.

There is a toolkit for community led action planning which was designed by Scottish Community Development Centre for Argyll and Bute Council but is being used more widely across Scotland by communities to make their own action plans.

<https://www.communitytoolkit.net/#:~:text=The%20Community%20led%20Action%20Planning,it%20will%20be%20carried%20out>

Please see some examples of community led action plans:-

- **The Langholm Alliance** were able to secure funding for a Development Manager and assistant – around £80k from SOSE (South of Scotland Enterprise) to take the plan forward. Their plan was launched in Dec 19. As a result of the plan they have been approaching agencies and the council to realise the themes and to bring the community together. To see the full plan click here: http://thirdsectordumgal.org.uk/wp-content/uploads/2019/11/Langholm-Action-Plan_Nov_2019.pdf
- **Shotts Community Action** Plan refers to a range of achievements during the term of its 2013-18 action plan, including: £500,000 of funding being secured; improved community transport; and asset transfer of Springhill Hall <https://www.coalfields-regen.org.uk/wp-content/uploads/2019/10/Shotts-Community-Action-Plan-2019.pdf>This 2019 Community
- **New Cumnock Community Action Plan (2019)** lists a range of achievements such as improvements to housing stock, investment in swimming pools and improvements to train services <https://www.east-ayrshire.gov.uk/Resources/PDF/N/New-Cumnock-Community-Action-Plan-Review.pdf>
- **Catrine** Community Action Plan in East Ayrshire has involved work around 2 community asset transfers. [https://www.east-](https://www.east-ayrshire.gov.uk/Resources/PDF/N/Catrine-Community-Action-Plan-2019.pdf)

ayrshire.gov.uk/Resources/PDF/C/Catrine-Community-Action-Plan-Annual-Review-2018.pdf

- **Crianlarich** - [Action Plan](#) led to three projects that were prioritised in the CAP:
 - immediate investment of £15k from the National Park to smarten up the public toilets (a key destination in the village!)
 - a long lease of the Council-owned old station yard in the very centre of the village, as a green space with picnic tables and visitor car parking
 - £200k lottery funding to build a path network around the village of an off-road path network for local folk and visitors

- **Lochalsh [Community action Plan](#)** published in the summer of 2022 and covers five community Councils areas and has been produced with local community development trusts and other organisations.

17. EQUALITIES

Recognition should be given to the contribution of everyone participating in the work of the Community Council. Community Councils must comply with Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skills and experience taken into account.

The [Equality Act 2010](#) provides a cross-cutting legislative framework to protect the rights of individuals and advance equality of opportunity for all. The West Dunbartonshire SFE OCC describes your responsibility in helping to bring this about. The Equality and Human Rights Commission provide [helpful information on the act](#). It updates previous legislation with the intention of levelling up protection and proactively advancing equalities, and helping build a fairer society where everyone can contribute.

Because Community Councils are listed Public Authorities in Scotland this means that they need to have due regard to the need no:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In practice this means that the Act bans Community Councils from discriminating against, harassing or victimising people. Community Councils must also make reasonable adjustments to allow people with disabilities to participate.

They are required to take reasonable action to work for equality of opportunity and outcome, across “protected characteristics” identified in the Act which are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Of course every one of us has 'protected characteristics', but it is the treatment individuals and groups receive, the level of autonomy and involvement they have, and the positive or negative outcomes for them, which affect the quality of their lives.

Community Councils should therefore make a particular effort to actively and sensitively involve these groups and encourage membership from a diverse body of members. Further details of contacts for a range of equalities groups can be provided.

Community Council, meetings should take place in venues that are accessible to all, and when meetings have a digital element, accessibility also needs to be proactively considered.

We know that this is an area where Community Councils might need to further develop their skills and expertise. The Equalities Forum in West Dunbartonshire has committed to assist Community Councils to ensure they are as accessible as possible and make use of local organizations such as the West Dunbartonshire Access Panel.

Further information can be found on the website of the Equality and Human Rights Commission Scotland <https://www.equalityhumanrights.com/>

18. Community Engagement

Community engagement is a way to build and sustain relationships between public services and community groups - helping them both to understand and take action on the needs or issues that communities experiences.

Key to the role of Community Councils is representing all aspects of the community, making efforts to overcoming obstacles they might have in taking part and “engaging” with everyone to represent their views and interests. We know that not every Community Council can achieve this level of engagement at every stage and the council are committed to helping communities develop their engagement over time with support from the Communities Team.

Community Councils should try to consult as widely as possible with the community. They should also encourage local interest and participation in community debate. Community Councils should be aware of the National Standards for Community Engagement and the relevant equality legislation when planning and undertaking consultation. Advice and support is also available from the Communities Team.

The link to the national community council website has examples of effective engagement carried out by community councils <https://www.communitycouncils.scot/ideas>. The example from Moray, Scalloway, Leith Links and Clovenford are particularly useful.

National Standards for Community Engagement

The National Standards for Community Engagement are good-practice principles designed to support and inform the process of community engagement and improve what happens as a result. They are also noted in the Guidance for the Community Empowerment Act on community planning as expected principles for public bodies in delivering their duties to involve communities. For this reason they could also be used to hold public agencies accountable for the quality of their engagement.

They can be used to plan engagement work or review processes that others have set up. Sometimes they are used by communities and agencies working together in partnership to find out people's views.

West Dunbartonshire Council and West Dunbartonshire Community Planning Partnership have endorsed the use of the National Standards for Community Engagement and these are really important to our community empowerment approach.

More details on principles, training, SCDC VOICE engagement planning tool and an accessible [video](#) about the standards can be found on the

There are 7 Standards:

- Inclusion
- Support
- Planning
- Working together
- Methods
- Communication
- Impact



They are underpinned by principles of good practice that have been endorsed by community and agency representatives across Scotland to promote equality and fairness.

19. Community Empowerment Act 2015

The key aims of the Community Empowerment Act 2015 can be summarised as follows:

- Aims to change the balance of power between communities and the public sector.
- Introduces many more rights for community bodies.
- Strengthens their voices in the decisions that matter to them.
- Encourages partnership working between service providers and communities, focusing on achieving outcomes and tackling inequalities.

Some of the key parts of the Act concern changes and new rights in the following areas:

- National outcomes
- Community Planning
- Participation requests
- Community Right to buy land
- Asset transfer

Further information and summaries of the key provisions. can be found here:

<https://www.gov.scot/policies/community-empowerment/>

<https://www.gov.scot/publications/community-empowerment-scotland-act-summary/>

<https://www.scdc.org.uk/what/community-empowerment-scotland-act-2015>

Details of some of the key provisions of the act are outlined in Appendix 2.

In response to the legislation The West Dunbartonshire Community Empowerment Strategy was developed. It outlines an approach to promoting empowerment and encouraging involvement in West Dunbartonshire led by the Council and partners organisations. Community councils have a key role to play in this. Further details of the Strategy an action plan can be found here:

<https://www.west-dunbarton.gov.uk/council/strategies-plans-and-policies/cw-strategy-and-action-plan/>

20. UK General Data Protection Regulation / Data Protection Act 2018

The UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 regulates the way personal data is collected, processed and stored.

- If obtaining, using or storing personal information you must have the consent of each individual. It should only be used for the purposes that the individual provided it for.
- If the individual asks that their personal information be deleted, this must be carried out as soon as possible after receiving the request.
- If any personal data is no longer required for the purposes it was collected, it must be deleted as soon as possible.
- No personal data held should be shared or passed to any other individual or organisation without an appropriate data sharing agreement being in place.
- Regular checks should be made to ensure that any personal data held is accurate and up to date.
- Only the required minimal personal data should be collected. Do not ask for personal information that is not required for the purposes of Community Council work.
- If you encounter a data breach, you have 72 hours in which to investigate and report it to the Information Commissioners Office (ICO).
- No personal information should be included within any official community council documents, such as minutes of meetings, and if it is included explicit consent should be provided from the data subject involved and this reflected in the content.

More information is available on the Information Commissioner's Office [website](#).

21. Information Technology

Community Councils use IT for essential business, communication, and research tool for all members who have access to IT facilities. It is therefore important that adequate steps are taken to minimise any risk.

LEGAL FRAMEWORK

Community Councils should aim to comply with all relevant legislation and guidance on the use of IT equipment but with the following in particular:

- Computer Misuse Act 1990
- Copyright, Designs and Patents Act 1988
- Data Protection Act 1998
- The Health and Safety at work Act 1974
- Regulation of Investigatory Powers Act 2000
- ICO Privacy and Electronic Communications Regulations

PRINCIPLES & PURPOSE

This IT guidance has been produced to protect the rights of members, past, present, and future, from potential threats of the Internet, the use of email, and all other IT services.

- Applies to all members of the Community Council and all IT resources.
- Aims to establish basic guidelines for appropriate use of the resources.
- Details the responsibilities and obligations users have when accessing IT facilities
- Aims to preserve confidentiality, integrity, and availability of all data.

Community Councils should ensure that all members comply. If a situation arises it will be dealt with immediately, as inaction is not an option.

SECURITY

Users must take appropriate measures to ensure the physical security of equipment to prevent theft, accidental damage or unauthorised access. These include ensuring all important data is securely backed up on a one drive / cloud or secure pen drive, users are logged off if leaving any IT device for any length of time, and all mobile IT equipment is locked away while not in use. Community Council members with access to personal data are in a particularly sensitive position and must bear in mind at all times the provisions of the GRPR 2018.

Email

The contents of e-mails should be checked carefully by users and should be treated like any other form of written communication in terms of etiquette and content, before being sent. The use of e-mail to send or forward messages which are confidential, defamatory, obscene, or otherwise inappropriate should therefore be treated as misconduct.

SOCIAL MEDIA

If using social media platforms, users should be aware of the language and content of their posts – in particular where Community Councils are mentioned or have an association with the account or person posting them.

Facebook/Twitter/Instagram

All social media accounts should be managed by a dedicated social media team or member and not controlled by a third party. Community Councils should be encouraged to 'Like' organisations and people with aims and objectives broadly similar to our own or those whose posts Community Councils feel would be beneficial to our community. 'Liking' in no way implies endorsement of any kind.

Community Councils should update and monitor accounts whenever possible. The purpose of the dialogue on your social media pages is to enable as many people as

possible to read and comment on your posts. Community Councils want to keep discussion as open as possible and will not attempt to exclude or edit critical opinions. However, to protect this service from abuse, please ensure that your ideas/comments:

- are respectful of others – comments should not be malicious or offensive in nature, and should not constitute a personal attack on a person's character
- do not incite hatred on the basis of age, disability, gender reassignment, marriage, and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation or other personal characteristics
- do not include swearing, hate-speech or obscenity
- do not reveal personal details, such as private addresses, phone numbers, email addresses or other online contact details
- do not break the law – this includes libel, condoning illegal activity, and breaking copyright
- do not advertise commercial products and services. You may mention relevant products and services as long as they support your idea/comment
- are reasonably concise, and don't constitute spamming of the site
- are in English – unfortunately, we do not currently have the resource to moderate comments in other languages
- are relevant – please don't post messages unrelated to this channel or the subject under discussion
- do not breach Facebook/Twitter/Instagram's standard terms and conditions

Please do not impersonate or falsely claim to represent a person or organisation. Community Councils should welcome feedback and ideas from all the community they represent, and endeavor to join the conversation where possible. Community Councils should not engage on issues or answer questions which do not meet the guidelines above.

Community Councils should read all direct messages and ensure that all messages are replied to when possible.

22. DISSOLUTION OF A COMMUNITY COUNCIL

Not all Community Councils are successful and there may be a need for a Community Council to be dissolved. There may be a number of reasons that a Community Council has to be dissolved but there may be support available to prevent it.

If a Community Council by a two-thirds majority of the total voting membership decides at any time that it is necessary or advisable to dissolve, it will agree a date for a public meeting to be held to discuss the proposed resolution to dissolve. It is a requirement that at least 10 days prior to the date of such meeting a public notice be given by means of notification in the local newspaper.

If the resolution is supported by a majority of those persons present and qualified to vote and is approved by West Dunbartonshire Council, the Community Council will be deemed to be dissolved and all assets remaining, subject to the approval of West Dunbartonshire Council, after the satisfaction of any proper debts or liabilities will transfer to West Dunbartonshire Council who will hold same in Trust for a future Community Council representing that area.

Should a Community Council fail to hold a meeting for a period of 3 consecutive prescribed meeting dates, or its membership falls below the prescribed minimum for a period of 3 consecutive prescribed meeting dates (during which time the Community Council and West Dunbartonshire Council have taken action to address the situation), West Dunbartonshire Council will take action to dissolve that Community Council.

Where for any reason, the number of Community Council members falls below the minimum specified in the Scheme, West Dunbartonshire Council may, by suspending the Constitution of the Community Council, cause the Community Council to be dissolved and in this event., the procedures for the establishment of a new Community Council being those identified in the immediately preceding paragraph hereof, will be initiated.

In the event that the Community Council be dissolved under the above procedure, and twenty or more electors subsequently wish the re-establishment of a Community Council for the area, these electors will submit a requisition to the local authority in accordance with Section 52(7) of the Local Government (Scotland) Act 1973, on receipt of which the Returning Officer will arrange for elections to be held in accordance with the Scheme.

For more information about dissolving a Community Council or support available to prevent the dissolution of a Community Council can be provided by the Communities Team.

Appendix One: provisions of Community Empowerment Act most relevant to community councils

1. Asset Transfer – or other means of community control of assets

There are several ways in which Community Councils, uniquely placed at the centre of their communities, can play a key role, particularly in the early stages of the asset transfer process. As well as being able to give a group advice on the wider aspects of community priorities or local plans this support can be by:

- Being proactive and/or involved in creating Community Action Plans for their communities. These not only gather the needs of the community but also look at ways of communities taking the lead addressing these needs where they can and where there is a desire to do so. This has happened all over Scotland and has led to the real empowerment of local communities.
- Exploring as a Community Council, supporting the facilitation of the establishment of an independent, community-run anchor organisation such as a Development Trust, to take ownership of the asset and run it in the future. It is worth noting that it is very important that this anchor organisation has true community support and is a legal entity in its own right.
- Working in partnership with a group which can show community support by enabling them to become a “working group” of the Community Council to explore the asset transfer option. By sitting under the Community Council’s Constitution this enables a group to explore these first stages and apply for funding for feasibility without the need to set up an interim constituted body of their own. If the ownership of an asset seems feasible then this group would establish their own legal structure to carry the project forward.

The third option is particularly helpful at a time when setting up a bank account as a basic constituted community group can take some considerable time and effort. It will be important for a Community Council to check it’s Constitution to make sure it is set up to do this, but most structures do support this role.

If you are a Community Council interested in looking at asset ownership, have a look on the Development Trust Association Scotland website:

www.dtascommunityownership.org.uk, or contact them at their office in Edinburgh on 0131 225 208

2. Participation Requests

What is participation and why is it important? The broad aim of the Community Empowerment (Scotland) Act 2015 is that communities can have more influence over the services and decisions that affect their lives. Some of the benefits of better participation include:

- The way in which public services are planned, developed and delivered is influenced by, and responds to, community need.
- People who find it difficult to get involved (for example, because of language barriers, disability, poverty or discrimination) help to influence the decisions that affect their lives.
- The various strengths and assets in communities and across public and private sector agencies are used effectively to deal with the issues communities face.
- New relationships are developed between communities and public sector bodies which build trust and make joint action possible.

Purposes and possible uses of participation requests

There are a number of possible purposes that participation requests can be used for, some of these include:

- To help people start a dialogue about something that matters to their community, through highlighting needs, issues or opportunities for improvement.
- To help people have their voice heard in policy and service development, through contributing to decision-making processes.
- To help people to participate in the design, delivery, monitoring or review of service provision, through contributing to service change or improvement.

- To help people challenge decisions and seek support for alternatives which improve outcomes.

For more information about Participation Requests please visit:

<https://www.west-dunbarton.gov.uk/community/community-planning-west-dunbartonshire/participation-requests/what-participation-request/>

APPEDIX TWO - COMPLAINTS

Community Councils are regularly consulted by the local authority and public bodies on a wide range of issues which affect their area, such as planning, environment and health. All Community Council meetings are open to the public. From time to time, complaints will be made about Community Councils and individually against Community Councillors.

Community Council members must follow the guidelines outlined in the Scheme for Establishment of Community Councils and the Handbook, Draft Constitution and Code of conduct.

Where someone is dissatisfied or have concerns about the standard of service, actions or lack of action provided by a Community Council or one or more of its members, these can be reported through the Community Council Complaints Procedure or to the communities team by contacting community.councils@west-dunbarton.gov.uk if that is preferred,

West Dunbartonshire Council has a separate Complaints Policy to record and manage complaints by members of the public and this should not be confused with the Community Council Complaints Procedure.

What is a Complaint?

A Community Council complaint is an expression of dissatisfaction or concern by members of the public or members of the Community Council. This may be about the conduct, standard of service, actions or lack of action by a Community Council or its members.

Who can complain?

Anyone who receives, request or is affected by the Community Council can make a complaint. Sometimes you may be unable or reluctant to make a complaint on your own. We will accept complaints brought by third parties as long as given personal consent has been given.

If someone is under 16 and wishes to complain, they may contact us or if they prefer; they can ask a trusted adult such as a parent, older brother or sister, or a guardian to contact us on their behalf. The same applies if someone is vulnerable.

What can someone complain about?

People can complain about things such as:

- Breach of code of Conduct for community councillors
- Inappropriate behaviour or attitude of a Community Councillor when dealing with a Community Council issue.
- Breaches to the WDC Council Scheme for the Establishment of Community Councils.
- Financial irregularities and fraud.
- Breaches of confidentiality.
- Misusing social media, email or letters for the purpose of personal and or financial gain.
- Bringing the Community Council into disrepute.
- Inappropriate behaviour at a community council meeting – breach of Scheme, Standing orders or Code of Conduct
- Breach of Equalities Act 2010

This is not an exhaustive list and may involve more than one.

What can't someone complain about?

There are some things Community Councils can't deal with. These include:

- Any decisions West Dunbartonshire Council has made
- A request for compensation on a decision the Community Council has made.

This is not an exhaustive list.

How does someone complain?

People can complain by email, in writing or in person to any of the members in your [Community Council](#).

It is easier for complaints to be resolved if someone makes them quickly and directly to the Community Council concerned. Please speak to a member of the Community Council so they can try to resolve any problems on the spot.

Any complaints concerning conduct of a community councillor should be submitted to the Chair in the first instance for further consideration and investigation.

If a complaint is about more than one issue or someone feels that it is not appropriate for the Community Council to deal with the complaint, someone can contact the Communities team, who will forward the complaint to the relevant Community Council on your behalf.

When complaining it would be helpful to have the following information:

- Full name and address, including an e-mail address if possible.
- As much detail as possible about the complaint.
- What has gone wrong
- How the complaint could be resolved.

How long does someone have to make a complaint?

A complaint should normally be made:

- Within six months of the event they want to complain about.

It is expected most complaints will be submitted immediately or within two to three months from the date of the incident.

In exceptional circumstances, a Community Council may be able to accept a complaint after the time limit. If someone feels that the six-month time limit should not apply to your complaint, please write to say why.

What happens when I have complained?

The complaint procedure provides two opportunities to resolve complaints:

- Stage one – Frontline Resolution
- Stage two – Investigation

Stage one – Frontline Resolution

Community councils should aim to resolve complaints quickly. This could mean an apology and explanation if something has clearly gone wrong. In such circumstances, steps will be taken to prevent such a problem re-occurring.

The Community Council will provide details of their decision at stage one within seven working days or less, unless there are exceptional circumstances. If they can't resolve your complaint at this stage, they will automatically move it to the second stage which is an investigation; if they do this, we will write to you within seven working days acknowledging your complaint.

Stage two – Investigation

Stage two deals with two types of complaint:

- those that have not been resolved at frontline resolution
- those that are complex and require detailed investigation from the outset

Stage two investigations may go to a Panel of Community Councillors, who have basic mediation and conflict resolution training.

The Community Council or Community Councillor may be suspended at this point until a full investigation has taken place. It should be noted that a suspension is not an accusation of guilt; it is to enable all parties to gather materials regarding the alleged breach in an impartial and fair manner.

When using stage two:

- The receipt of your request for complaint investigation will be acknowledged within 7 working days.
- If someone has had a response at frontline resolution and remains unhappy, a Community Councillor will discuss the complaint and what outcome someone is looking for.
- A full response to the complaint should be provided as soon as possible and within 30 working days.

What happens if someone is still unhappy?

If, after receiving the response at the Investigation Stage, you are still unhappy with the decision or the way the complaint has been handled; you can ask the Communities team for advice (see contact details at section 3).

The Community Council Forum may also have a role to play in resolving or discussing complaints which have arisen, particularly where more than one community council is affected.

Community councils may also seek independent legal advice if required.

APPEDIX THREE – CONTACTS

Service	Email & Telephone	Staff Contact
Communities Team, Housing & Employability	communitycouncils@west-dunbarton.gov.uk 07795 540177 07795 540160	Suzanne Mason & Colin Smith
General	yourcommunity@west-dunbarton.gov.uk	Megyn Tyrell, Agnes Pollock, Chris Young & Geraldine MacDonald
Empowerment	empowerment@west-dunbarton.gov.uk 07990 825754	Alan Karas & Stephen Burns
Housing Allocations	allocations@west-dunbarton.gov.uk	
Housing Estate management	estate.management@west-dunbarton.gov.uk 01389 738530	
Housing - Repairs	housing.repairs@west-dunbarton.gov.uk 0800 073 8708 / emergency (out of hours) 0800 197 1004 ASB helpline 01389 772048	
Greenspace	wdc.greenspace@west-dunbarton.gov.uk	
Waste Management & Fly Tipping	wasteaware@west-dunbarton.gov.uk	
Libraries	library.headquarters@west-dunbarton.gov.uk 01389 608039	

Education	<u>education.centralregistry@west-dunbarton.gov.uk</u>	
Police	<u>ArgyllDunbartonshireCommunityEngagementTeam@scotland.police.uk</u>	

