

South Ayrshire Council

**Report by Director of Communities and Transformation
to Cabinet
of 26 August 2025**

**Subject: Community Councils – Scheme For Establishment
of Community Councils Consultation Update**

1. Purpose

- 1.1 The purpose of this report is to provide Members with an update on the consultation and seek approval for Officers to consult on the draft Scheme for Establishment of Community Councils following phase one of the consultation.

2. Recommendation

2.1 It is recommended that the Cabinet:

- 2.1.1 requests that officers consult on the draft Scheme for Establishment of Community Councils set out in Appendix 1;**
- 2.1.2 approves the recommended approaches and consultation plan set out in the report including the consultation mandate in Appendix 2; and**
- 2.1.3 requests officers submit a further report to Council with recommendations in December 2025.**

3. Background

- 3.1 The Scheme for Establishment of Community Councils (hereafter the ‘Scheme’) was approved for implementation by South Ayrshire Council’s Leadership Panel on Tuesday 15 September 2020, to correct administrative errors and reflect various administrative changes in the Council including the titles of Council Panels, departments and roles.
- 3.2 The Scheme describes how Community Councils in South Ayrshire are formed; the conditions under which they operate, and the minimum standards to be met for recognition as a Community Council.
- 3.3 On 23 June 2023 Cabinet approved changes to the Scheme and guidance for Community Councils to reflect administrative and Cabinet decisions.
- 3.4 On 28 November 2023 Cabinet approved boundary changes between Crosshill, Straiton and Kirkmichael and Maybole Community Council ward following the consultation (June 2023 – September 2023).

- 3.5 On 29 October 2024 Cabinet approved for Officers to update the Scheme to reflect required updates and to clarification on points within the Scheme.
- 3.6 Following a call-in the report and recommendations from Cabinet on 29 October 2024 were reviewed and presented to Audit and Governance Panel on 6 November 2024. Subsequently the recommendations were approved at Cabinet on 26 November 2024.
- 3.7 Since the introduction of the current Scheme for Establishment of Community Councils and Guidance for Community Councils came in to use, there have been concerns raised by both SAC Officers and Community Councils regarding the size of the documents and the working practicalities on certain aspects of the scheme.
- 3.8 On 7 November 2024 SAC Officers met with the Chairs and Secretaries of Community Councils and agreed Officers would seek approval to carry out a consultation on the Scheme.
- 3.9 On 18 March 2025 Cabinet approved for officers to consult on the current scheme and approved for officers to bring a further report back to Cabinet with proposals setting out a further consultation on the new draft scheme proposals.
- 3.10 The first stage of consultation took place between 11th March to 6th May 2025 and involved both online and paper surveys.
- 3.11 The consultation was open to, local residents across South Ayrshire, Community Councils, Community groups and organisations or any individual or group directly or indirectly impacted by the scheme.
- 3.12 A total of 7 responses were received across both survey formats. A summary of responses is detailed in Appendix 3.
- 3.13 Following the survey, a focus group was formed to consider the results in more depth. This group included representatives from the following Community Councils:
- Forehill, Seafield and Wallacetown;
 - Girvan and District;
 - Symington;
 - Belmont and Kincaidston;
 - Dundonald;
 - Monkton;
 - Crosshill, Straiton and Kirkmichael; and
 - Maybole.
- 3.14 The group met regularly to discuss the findings, share their own views and review proposals from SAC Officers regarding potential updates to the scheme.
- 3.15 The revised draft Scheme set out in Appendix 1, incorporates a number of changes based on feedback from the consultation and steering group. Key changes include:

- Co-optee Process:- Simplified to allow new members to be co-opted without the need for a by-election. After 12 months, co-opted members may become full members via a further vote.
- Meeting Quorum:- Reduced from 50% to one-third of elected members to enable meetings to proceed more easily.
- Meeting Format:- Community Councils will now decide for themselves whether to hold meetings virtually, in-person, or in a hybrid format.
- Code of Conduct:- Expanded to include clearer guidance on expected behaviour, specifically in relation to bullying and harassment.
- Supported Status:- Clarified the process for Community Councils that fall below the minimum number of members or fail to adhere to the scheme. Updated criteria regarding dissolution are also included.
- Administrative Grants:- Clarified that admin grants must be used for legitimate Community Council expenses only and cannot be donated back to the Community Council.
- General Improvements:- The revised scheme aligns more closely with the national model, uses clearer language, and removes unnecessary sections

4. Proposals

4.1 Members are asked to:

- 4.1.1 request that officers proceed to Stage 2 of the consultation that will take place during August, September and October 2025;
- 4.1.2 approves the approach set out in Appendix 2; and
- 4.1.3 requests that officers submit a further report to Council in December with findings from the consultation and present the new draft Scheme for approval.

5. Legal and Procurement Implications

5.1 There are no legal implications arising from this report.

5.2 There are no procurement implications arising from this report.

6. Financial Implications

6.1 Not applicable.

7. Human Resources Implications

7.1 Not applicable.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

8.1.1 There are no risks associated with adopting the recommendations.

8.2 **Risk Implications of Rejecting the Recommendations**

8.2.1 There are no risks associated with rejecting the recommendations.

9. **Integrated Impact Assessment (incorporating Equalities)**

9.1 Officers will carry out a full integrated impact assessment as part of the consultation and this will be included in the final report in December 2025.

10. **Sustainable Development Implications**

10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. **Options Appraisal**

11.1 An options appraisal has not been included in this report as this report is seeking approval to consult on the Scheme.

12. **Link to Council Plan**

12.1 The above recommendations relate Priority 3 Civic and Community Pride.

13. **Link to Shaping Our Future Council** Yes No

13.1 Not applicable.

14. **Results of Consultation**

14.1 The report is seeking approval to consult therefore no consultation has been carried out at this stage.

14.2 Consultation has taken place with Councillor Brian Connolly, Portfolio Holder for Corporate and Strategic, and the contents of this report reflect any feedback provided.

15. **Next Steps for Decision Tracking Purposes**

15.1 If the recommendations above are approved by Members, the Director of Communities and Transformation will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

Implementation	Due date	Managed by
Report recommendations to Council	December 2025	Service Lead – Thriving Communities

Background Papers **Report to Leadership Panel of 15 September 2020 - [Completion of the Review and Amendment of the Scheme for Establishment of Community Councils](#)**

Report to Cabinet of 20 June 2023 – [Community Councils – Amendments to Scheme for Establishment](#)

Report to Cabinet of 28 November 2023 – [Community Councils – Amendments to Scheme for Establishment](#)

Report to Cabinet of 29 October 2024 - [Community Councils - Amendment to the Scheme of Establishment of Community Councils](#)

Report to Cabinet of 18 March 2025 – [Community Councils – Review of the Scheme for Establishment of Community Councils](#)

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Date: 18 August 2025



**SOUTH AYRSHIRE COUNCIL
SCHEME FOR ESTABLISHMENT OF COMMUNITY
COUNCILS
2026**

**Incorporating Constitution, Standing Orders, Community
Council Members Code of Conduct**

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INTRODUCTION

Community Councils were first established in Scotland following the Local Government (Scotland) Act 1973. Thereafter, the Local Government etc. (Scotland) Act, 1994, produced the current system of unitary local authorities and made provision for the continuation of Community Councils. Under the legislation, every local community within an identified Community Council boundary area in Scotland is entitled to Petition their local authority to establish a Community Council.

Community Councils are voluntary bodies which exist within a statutory framework, and which have been granted statutory rights of consultation. They can complement the role of the local authority but do not form any part of local government.

Community Councils may also undertake other functions within the terms of their Constitution. It is the responsibility of a Community Council to satisfy South Ayrshire Council that it has taken positive steps to ascertain the views of the wider community within their area, before making representations on any matter, on behalf of the community, which for the most part is comprised of residents.

It should be remembered that a Community Council can only act collectively. The law does not permit individual Community Councillors any special place to act independently.

STATUTORY PURPOSES

The general purpose of Community Councils established under the Scheme is set out in Section 51 (2) of the Local Government (Scotland) Act 1973, as follows: -

“In addition to any other purpose which a Community Council may pursue, the general purpose of a Community Council shall be to ascertain, co-ordinate and express to the local authorities for its area, and to public authorities, the views of the community which it represents, in relation to matters for which those authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable”

ROLE & RESPONSIBILITIES OF COMMUNITY COUNCIL

The general purpose of community councils is to act as a voice for their local area.

This will involve them articulating the views and concerns of local people in their area on a wide range of issues of public concern and make representations to their council, other public sector bodies and private agencies on matters within their sphere of interest.

It is essential that these views be demonstrated to be accurately representative of the community. Accordingly, the community councils will have in place, recognised consultative mechanisms to validate their views and devise strategies to secure greater involvement by all sectors of the community. The National Standards for Community Engagement are a helpful resource and are available at <https://www.scdc.org.uk/what/national-standards/>

Role

- a. 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, South Ayrshire Council and other public sector and private agencies.
- b. Community Councils are a community participation body under the Community Empowerment Act 2015 and may make requests in relation to the following provisions:
 - Part 3 Participation Requests
 - Part 4 Community Right to Buy
 - Part 8 Common Good
 - Part 9 Allotments.
- c. Community councils may carry out other activities that are in the general interests of the communities they represent, provided these activities fall within the objects of their Constitution and the terms of Perth & Kinross Council's Scheme of Establishment of Community Councils.
- d. There should be mutual engagement in the establishment of working relationships with South Ayrshire Council and other agencies.
- e. In carrying out their activity's community councils must at all times adhere to the law and the terms of South Ayrshire Council's Scheme for Establishment of Community Councils.
- f. Community Councillors have a responsibility to make sure that they are familiar with, and that their actions comply with, the principles set out in the '*Community Councils Code of Conduct*' and this governance document.
- g. Each new community council is required to adopt a Constitution. A standard template is provided in Appendix 2, together with a standard template Standing Orders provided in Appendix 4, to encourage and facilitate their proceedings being properly structured and regulated, to ensure that items of business relevant to the community are properly debated and decisions reached in a democratic manner. Community Councils have the power to

change the Constitution and Standing Orders subject to approval by South Ayrshire Council.

Responsibilities

Community councils have a duty under statute to represent the views of their local community. It is vital therefore, that they reflect the broad spectrum of opinion and interests of all sections of the community.

It is essential that these views are shown to be accurately representative of the community i.e. evidenced consultation; agendas and minutes from special meetings; questionnaire responses.

To fulfil their responsibilities as effective and representative community shall:

- a. Be non- political. Community Councils are non-political organisations and shall not demonstrate any political allegiance in their duties for Communities.
- b. Inform the community of their work through newsletter and online social media platforms, display agendas and minutes of meetings in public places (such as libraries and notice boards);
- c. Provide publicly available contact information such as names, email addresses add website links to enable members of the public to contact them.
- d. Have in place consultative mechanisms to ascertain, co-ordinate and reflect the views of all sectors of the community which it represents. Community councils should liaise with other community groups within the area and seek to fairly express and consider the diversity of opinions and outlooks of the people within the course of the community council business.
- e. Agendas of meetings and draft minutes shall be made available for members, South Ayrshire Council and public access within the Community Council area at least 7 working days prior to the meeting date (except in cases deemed to be an emergency meeting being called under the Special Meetings see 7.14).
- f. Approved minutes of every meeting shall be distributed by the Community Council within 14 days to members, South Ayrshire Council and other interested parties within the area and including any social media platforms and website.
- g. Seek to broaden both representation and expertise by promoting the associate membership of the community council of persons (not eligible for election to the community council) for specific projects/issues.

- h. Make efforts to encourage young people and other underrepresented groups to attend/participate in community council meetings and to ensure equality of opportunity in the way the community council carries out its functions.
- i. Maintain proper financial records and present regular financial reports at community council meetings.
- j. Inform South Ayrshire Council of any change in membership (resignations, co-option, and associate membership) as soon as practicable and record any such changes in membership at the next ordinary meeting.
- k. Community Councillors have a responsibility to make sure that they are familiar with, and that their actions comply with, the principles set out in the '*Community Councils Code of Conduct*' and this governance document.

ROLES AND RESPONSIBILITIES OF SOUTH AYRSHIRE COUNCIL

Role

Create a Scheme for the Establishment of Community Councils in South Ayrshire with the provision of boundary maps.

Responsibilities

- a. Arrange for establishment of community councils upon receiving 20 signatures of electors in that area in terms of section 52(7) of the Local Government (Scotland) Act 1973.
- b. Review the Scheme, both periodically and in response to representations made, and where amendments are required to propose, consult and vote on those amendments in terms of section 53 of the Local Government (Scotland) Act 1973.
- c. To support Community Councils to conform to the requirements of this Scheme, and provide structured support to Community Councils and their members.
- d. To arrange elections for Community Councils.
- e. To provide an administrative grant to cover administrative costs as per Scheme 8.7.
- f. To consult with and/or notify Community Councils-on planning applications & licensing applications.

Within the resources available, South Ayrshire Council shall endeavour to:

- g. Determine a consistent level of support to community councils across the local authority area within available resources.

- h. Offer advice and assistance to community councils for development and training on such things as the duties and responsibilities of office bearers, the role of community councils, the functions of South Ayrshire Council and other relevant topics.

1. COMMUNITY COUNCIL AREAS WITHIN SOUTH AYRSHIRE

South Ayrshire Council has produced a list of named community council areas and a map that defines their boundaries. The list of community areas is specified in Appendix 1 of the Scheme. These can be modified with the prior approval of South Ayrshire Council.

Any request to create a new or amend existing community council boundaries by (1) the merging of 2 community council areas or (2) changing the boundaries of existing community councils must be made in writing to South Ayrshire Council. Such request should demonstrate local support for the proposal, including the agreement of existing community council(s).

2. MEMBERSHIP OF COMMUNITY COUNCILS

- 2.1 Minimum core membership is 9 and maximum is 18.
- 2.2 The minimum age to stand for election as a Community Councillor is 16 years of age.
- 2.3 Qualification for membership is by residency within the specific Community Council area.
- 2.4 Community Council candidates for membership must be named on the current electoral register for the Community Council area in which they reside as a local government elector.
- 2.5 For the duration of your term as a Community Councillor, you must continue to meet the criteria.
- 2.6 Any previously eligible elected Community Councillors who move to reside out with the Community Council boundary area shall become ineligible to remain as a member of the Community Council. Under these circumstances the Community Council shall actively seek to fill the vacancy.
- 2.7 The absolute minimum number of members for a Community Council to remain established is one half of its stated constituted membership. However, South Ayrshire Council should be advised immediately if the Community Council membership falls to half or less of its voting membership.
- 2.8 There shall be provision made for non-voting Associate Membership for purposes, as defined by each Community Council.

- 2.9 No elected member of South Ayrshire Council shall be eligible to be a member of a Community Council. If a member of a Community Council is so elected, they will be deemed to have resigned from the Community Council the day after the result of the Local Government election is declared.
- 2.10 Elected members of the Scottish and United Kingdom Parliaments are entitled to become ex-officio members of Community Councils, with no voting rights.

Disqualification of Membership

- 2.11 Members who cease to reside in the community council area will be deemed to have resigned.
- 2.12 If any member of a community council fails to attend a community council meeting in a 6-month period, with or without submitting apologies, the community council shall advise South Ayrshire Council and terminate their membership. However, at the discretion of individual community councils, a period of leave of absence for community

Additional Membership

Associate Member

- 2.13 Associate members may be appointed by a community council where there may be a need for individuals with particular skills or knowledge. These individuals do not have voting rights.
- 2.14 Associate members may serve for a fixed period as determined by the community council or for the term of office of the community council that has appointed them.
- 2.15 Associate members may include representation from other constituted local voluntary organisations, young people, etc.
- 2.16 An associate member does not require to reside within the community council area.
- 2.17 A Community Council can appoint any number of Associate members, and they do not count towards the total number of Community Councillors.
- 2.18 The attendance of any Associate member at a meeting of the community council will not count towards the quorum for that meeting.

Ex-Officio Members

- 2.19 Local Authority Councillors, MPs and MSPs whose wards or constituencies fall wholly or partly within the geographical area of the community council area shall be deemed ex-officio members of the community council.
- 2.20 Ex-officio members shall have no voting rights and will not be entitled to be elected or nominated representatives of a community council.

- 2.21 The attendance of any Ex-officio member at a meeting of the community council will not count towards the quorum for that meeting.

Declaration of Members' Interests

- 2.22 All elected Community Councillors, Co-opted members and Ex-Officio members shall declare all interests and/or make it known if their interests have been made available elsewhere and whether these are accessible to the Community Council.
- 2.23 All members shall declare in advance any financial or any other interest however minor that they may have in relevant matters coming before the Community Council. The member shall withdraw from the meeting during consideration of this item of business and shall take no part in the discussions or decision thereon. **All declarations are to be formally minuted.**

3. ELECTIONS

New Community Councils - Where No Community Council Exists

- 3.1 The forming of a new Community Council shall be initiated in an approved area on receipt of a Petition bearing the names of not less than 20 residents whose names appear on the Electoral Register, are aged 16 or over and live within the boundaries of the Community Council area. This is in accordance with section 52(7) of the Local Government (Scotland) Act 1973.
- 3.2 South Ayrshire Council shall, within not more than six weeks from the date of receipt of confirmation of a valid petition, organise wider consultation and engagement procedures to initiate the election process.
- 3.3 In the first instance, a steering committee and/or appropriate structure may be formed from amongst the 20 residents and be supported by a relevant officer to familiarise themselves with the Governance for Community Councils.
- 3.4 Each Community Council is required to adopt the Constitution which has been approved by South Ayrshire Council. Following adoption of the Constitution, on behalf of the proposed Community Council, South Ayrshire Council can proceed with the establishment process.

Where a Community Council already exists

- 3.5 Where a Petition is received to start a new Community Council in an area where an existing Community Council operates, the proposal will be referred initially to the existing Community Council for comment before South Ayrshire Council determines whether action should be taken in terms of Section 53 of the Local Government (Scotland) Act 1973.

Election Process

- 3.6 Full Community Council membership elections shall be held every four years with the election process taking place during January to March. South Ayrshire Council shall conduct and administer Community Council elections including By-Elections where necessary.

Should Community Councils' election cycle fall in the year of Scottish Local Government or Parliamentary Elections, the electoral proceeding will be held the following year.

- 3.7 Where the number of valid candidates received and verified is less than or equal to the number of advertised vacancies for the Community Council, then no contested election shall be held.
- 3.8 Where the number of valid candidates nominated to be Community Councillors is greater than the number of advertised vacancies, a contested election shall be prepared and held by South Ayrshire Council.
- 3.9 Should the number of candidates validly nominated, be below the MINIMUM required membership no community council will be established at that time. However, that does not preclude South Ayrshire Council from issuing a second call for nominations for a community council area failing to meet the minimum membership requirement within 6 months of the closing date for the registration of the first call for nominations.
- 3.10 The Service Lead, Thriving Communities of South Ayrshire Council shall act as Returning Officer for elections administered by South Ayrshire Council and shall be responsible for regulating the conduct of these elections. The decision of the Returning Officer on all matters of election and nomination procedures shall be final.

Contested Election Process

- 3.11 All persons who are resident in the Community Council boundary area; are 16 years of age or over, and whose names appear on South Ayrshire Council's Electoral Register for the same Community Council boundary area shall be entitled to vote for candidates in Community Council elections (alternative measures for identification and residency status of candidates may be undertaken upon request/approval of the individual in certain circumstances).
- 3.12 Elections shall be conducted by secret ballot of local electors, organised by South Ayrshire Council, as determined appropriate by South Ayrshire Council's Service Lead, Thriving Communities. Community Councils shall be elected on a simple majority basis.

4. CO-OPTION - FILLING OF VACANCIES BETWEEN ELECTIONS

- 4.1 Vacancies on a community council may arise in the following circumstances:

- a. when an elected Community Council member submits his/her resignation,
 - b. when an elected Community Council member ceases to be registered on the electoral register within the Community Council area,
 - c. when a Community Councillor is elected as a Local Councillor, MSP, or MP,
 - d. due to unreasonable non-attendance by a Community Councillor at scheduled Community Council meetings for a period of six months (Scheme 2.12)
- 4.2 Should a vacancy or vacancies arise on a community council between elections, it shall be a requirement that the community council undertake appropriate election arrangements, in consultation with the local authority. Filling a vacancy can be undertaken through the co-option process. However, should circumstances arise that lead to the number of elected community councillors falling below **HALF** of the maximum permitted membership, the local authority shall be informed and shall undertake arrangements for an interim election to be held, as described within the Guidance Notes.

Co-option to Community Councils

- 4.3 A person may be Co-opted onto a Community Council to fill vacancies that arise between Elections.
- 4.4 Awaiting wording for a Community Council notice that can be displayed all the time.
- 4.5 Co-opted members must be eligible for membership of the Community Council as detailed in Section 2 of the Scheme.
- 4.6 Interested individuals should complete the nomination form.
- 4.7 If a member of the public completes the nomination form, it should be passed to South Ayrshire Council for the appropriate checks to be carried out.
- 4.8 Thereafter the Community Council will consider the application at the next Community Council meeting. If the Community Council agrees by a two-thirds majority of those members present and voting, to invite the person to fill the vacancy the nomination of the person must be proposed, seconded and minuted.
- 4.9 A Community Councillor being co-opted in this manner:
- a. counts towards the quorum.
 - b. has voting rights, with the exception of voting on co-option of new members
 - c. may hold office, except for Chairperson or Treasurer.
- 4.10 The number of co-opted members should not exceed a third of the current elected Community Council Membership. Should the ratio become greater due to any circumstances, South Ayrshire Council shall be informed and may determine arrangements thereafter for a by-election, where appropriate.

- 4.11 After 12 months from the date of their co-option to the community council, there should be a further vote taken by full voting members to agreed that the co-opted member will become a full member with the same rights and this full member will no longer be counted within the ratio of co-opted. If not agreed, then valid reasons for the decision would need to be disclosed and the co-opted member would no longer be a member of the Community Council.
- 4.12 Where a community council has sub-areas and there is a vacancy in a sub-area, a co-opted member to fill that vacancy must come from the sub-area.
- 4.13 In the event of there being more nominations than the number of vacancies, a draw by lot must take place. The appointed officer, or in his/her absence someone other than a full member of the Community Council, should place all the individual names in an open container and draw out names until the number of vacancies existing have all been filled.
- 4.14 Co-optees who fill vacancies should have their names (only) advertised within the community for a period of at least 21 days.

5. RESIGNATIONS

- 5.1 Resignations of members must be submitted in writing by hard copy or by email to the Chairperson, stating the effective date of resignation. This is not permitted to be retrospective.
- 5.2 If the Chairperson resigns then they should notify the Vice-Chair and Secretary in the same manner.
- 5.3 Any notification of resignation received should be acknowledged by the recipient within 7 days or at the next scheduled community council meeting whichever is soonest.
- 5.4 If a resignation is made during the course of a community council meeting and no written resignation is then submitted, if the resignation has been witnessed by the remainder of the members present at the meeting, then once formally minuted the resignation will stand.
- 5.5 A copy of the resignation should be forwarded to South Ayrshire Communities Officer to all records to be updated.

6. TERMS OF OFFICE OF COMMUNITY COUNCILLORS

- 6.1 Each Community Council shall hold '*Full*' elections whereby all Community Councillors demit office and stand for re-election across their boundary area every 4 years in January-March.
- 6.2 Community Councillors elected during '*Full*' elections are eligible to hold their position for the 4-year period until the next '*Full*' election; as long as they continue to conform to the requirements of this Scheme.

- 6.3 Community Councillors appointed as office bearers shall hold office for a period of 1 year, and at the next AGM they shall be eligible for re-election to hold office.
- 6.4 An individual can act in only one capacity, on a Community Council, as a Community Councillor; a Co-opted member; an Ex-Officio member or an Associated Member. Members resign one membership upon taking up another.
- 6.5 For the duration of your term as a Community Councillor, you must continue to meet the criteria.

7. MEETINGS

- 7.1 All meetings of the Community Council are open to members of the public. However, the Community Council shall retain the right to discuss items of business in private where it considers it appropriate to do.
- 7.2 All meeting notices will indicate the date, time and venue of Community Council meetings and will be published at least seven days prior to the meeting taking place. (except in cases deemed to be an emergency meeting being called under the Special Meetings).
- 7.3 The first meeting of each Community Council following the four yearly Full Election shall be convened by a representative of South Ayrshire Council (usually the Link Officer) or an Elected Member within 30 days from 1st April. The business of that meeting will include adoption of a Constitution and Standing Orders, appointment of office bearers and any outstanding business matters from the outgoing community council.
- 7.4 In addition to ordinary meetings of the Community Council; an Annual General Meeting (AGM) shall be held in April/May of each year.
- 7.5 Agendas of meetings and draft minutes shall be made available for members and public access within the Community Council area at least 7 working days prior to the meeting date (except in cases deemed to be an emergency meeting being called under the Special Meetings)
- 7.6 Minutes of the meeting and details of any decisions taken must be recorded, in writing, in the usual way and made publicly available. Full and approved copies of minutes and associated papers should be forwarded electronically to South Ayrshire Council within 14 days from the date of the meeting which approved them as a true record. Video or audio recording of meetings can only take place with the clear consent.
- 7.7 In instances of private discussions being held in whole or in part within a Community Council meeting, Community Councils must take recognition of the limitations within the GDPR regulations and acknowledge that an approved redacted minute may be made accessible to the public if available; South

Ayrshire Council reserves the right of access to a full and redacted copy of all minutes; of all present, such consent to be recorded in the written minutes.

Virtual Meetings

- 7.8 Community Councils may decide to take an in-person, online or hybrid approach to their meetings, and the platform to be used for any meeting is for the Community Council to decide.
- 7.9 Virtual meetings may include members of the public where this can be accommodated, but this is not mandatory and for each Community Council to determine.
- 7.10 Whether or not they are able to attend, proper provision must be made to afford members of the public the opportunity to address the Community Council as set out in the following paragraph.
- 7.11 An Agenda for the meeting shall be published in the usual way and all Members of the Community Council and members of the public invited, in advance, to submit comments on any Agenda item to the Community Council's generic email address or by other appropriate means; such views to be considered by the Members dealing with the items of business. Comments may also be submitted during the meeting itself, but the ability to receive comments in advance will assist the Community Council in managing a remote meeting.
- 7.12 Minutes of the meeting and details of any decisions taken must be recorded, in writing, in the usual way and made publicly available. Video or audio recording of meetings can only take place with the clear consent of all present, such consent to be recorded in the written minutes.

Quorum at Meetings

- 7.13 The quorum for community council meetings shall be one third of the current voting membership of a community council (rounded up to next whole number), or 3 voting members, whichever is the greater.

Special Meetings

- 7.14 A Special Meeting, no more than 4 per annum, may be called by a simple majority of the total voting membership present and eligible to vote.

Sub-Committees

- 7.15 The Community Council may from time to time form sub-committees of at least two Community Councillors to consider specific matters.
- 7.16 The details of the remit and delegated powers of any committee should be agreed by a simple majority of Community Councillors and recorded in the Community Council minutes as soon as is practicable.

8. FINANCES

- 8.1 The financial year of each community council shall be provided for in the constitution of each community council and shall be from 1st April to 31st March in each succeeding year to allow for the proper submission of an independently examined statement of accounts to the community council's annual general meeting on a specified date in April or May,
- 8.2 The administrative grant annual accounts of each community council shall be independently examined by at least one examiner appointed by the community council, who is not a member of the community council.
- 8.3 The Independent Examiner of the Community Council's accounts shall not be a relative of a member either by birth or marriage, nor in a relationship with or live in the same address.
- 8.4 Community Councillors who are bank account signatories may not be directly related by birth, marriage, civil contract, or co-habitation etc.

Annual Account of Administration Allowance

- 8.5 South Ayrshire Council will make an initial allowance for administration, to each Community Council within its area, based on the electorate of each Community Council on the following basis. The initial allowance will be awarded at Inauguration, and each CC will receive a top up allowance thereafter – which will be based on **approved** expenditure for the previous year.

Electorate	Initial Allowance
up to 2,000	£600
between 2,001 and 3,500	£650
greater than 3,501	£800

- 8.6 Administration Allowances shall be for Community Council administration only and/or promotion purposes only and shall not be expended on any other purpose. All decisions in relation to the expenditure of the Administration Allowance should be minuted.
- 8.7 The administration allowance is available to cover the cost in administering Community Council business which includes:
- Advertising/general publicity and promotional activities
 - Accommodation/lots
 - Auditors fees
 - Consultation with the community
 - Data protection registration (ICO)
 - IT software/hardware/website construction and maintenance

- Photocopying/printing
- Stationery
- Postage
- Production and circulation of minutes, agenda and annual reports
- Subscriptions
- Telephone costs/ISP costs/ Internet Service Provider- (Possible in villages)
- Travel costs
- Expenses for attending ceremonies
- Subsistence
- Honorarium

- 8.8 Payment of the allowance will be made in accordance with a procedure determined by South Ayrshire Council. The following needs be submitted:
- a. grant Application Form,
 - b. up to date Bank Statement,
 - c. must have carried out a minimum of 6 Quorate meetings and have supplied to South Ayrshire Council minutes for all meetings held,
 - d. a copy of the Community Councils Independently audited accounts,
 - e. completed and returned the self-evaluation (RAG Analysis).
- 8.9 Each Community Council shall appoint a competent Independent Examiner annually (at the AGM) to examine the Community Council's accounts who may charge a reasonable fee for their services.
- 8.10 The Independent Examiner of the Community Council's accounts shall not be a relative of a member either by birth or marriage, nor in a relationship with or live in the same address-
- 8.11 The accounts are required to be forwarded immediately, following their approval at the Community Council's Annual General Meeting in April/May of each year.
- 8.12 South Ayrshire Council may, at its discretion and in consultation with the South Ayrshire Council's Chief Internal Auditor, in circumstances of unclear and/or substantial financial transactions, require the Community Council to produce records such as vouchers; receipts; account books for example to undertake a full audit of the accounts.
- 8.13 Community Councillors should be eligible to receive from their Community Council travel and reasonable out of pocket expenses which have previously been agreed by the collective membership.

Other Grants and Assets

8.14 Community Councils who identify projects or other purposes consistent with its functions are free to apply for grants from external funding bodies, and other South Ayrshire Council Departments (when funds are available). Any payments from South Ayrshire Council Departments will be made in accordance with the procedure determined by the Council.

8.15 An inventory should be kept of all assets owned by the Community Council.

9. OTHER SUPPORT FOR COMMUNITY COUNCILS

9.1 South Ayrshire Council will provide each Community Council with a maximum of 13 “lets of premises” per year for the purpose of conducting their meetings. These “lets” will be provided in South Ayrshire Council properties wherever practicable, within the boundary of the Community Council area. Where South Ayrshire Council does not own suitable properties in a Community Council area, reasonable expenses for the hiring of a hall or other meeting place will be re-imbursed to Community Councils by South Ayrshire Council.

Training

9.2 South Ayrshire Council will endeavour to provide further assistance through, online training, Link Officer support, conferences, and online information to enhance personal development.

Insurance

9.3 Insurance is required for a Community Council to be operational. All Community Councils should arrange their own insurance. Community Council must renew their policy and send proof of payment to South Ayrshire Council for reimbursement of the base expense. It is the responsibility of each Community Council to ensure that their contact details are up to date with the Insurance provider.

9.4 It is also the Community Councils responsibility to inform the Insurance provider of any activity that may be out with the regular scope of the policy. Costs above this which relate to additional activities should be met by the individual Community Council.

9.5 Where Community Councils own property or equipment it is advisable that Community Councils have their own appropriate insurance cover.

Community Councils Registration with Information Commissioners Office (ICO)

9.6 Under the Data Protection (Charges and Information) Regulations 2018, individuals and organisation that process personal data need to pay a fee to the ICO. Every year each of our Community Councils must register and pay a fee to the ICO which can be claimed back through the Administration Allowance.

10. COMPLIANCE

Supported Status

- 10.1 Where the number of Community Council members falls below the minimum number of members for a Community Council to remain established the Communities Officer will initiate the process for the Community Council to go into Supported Status provided that they consult with the Community. The Service Lead, Thriving Communities will determine whether Supported Status will be implemented.
- 10.2 In any other circumstances, the Communities Officer, after reasonable consideration, and after consultation with the Team Leader may determine that the Community Council is not complying with the requirements of the Scheme and will initiate the process for the Community Council to go into Supported Status. The Service Lead will determine whether Supported Status will be implemented.
- 10.3 In order for a Community Council to be in supported status, the Service Lead will give written notification of supported status to the Community Council stating the reasons and that the Community Council would be in supported status from the date of the written notification for a period of up to six months.
- 10.4 When in supported status, the Community Council will become a steering group whose main task will be to consider matters and act as is necessary to ensure that the Community Council will, in the future, be able to comply with the requirements of the Scheme and continue ongoing projects with support from the Communities Officer.
- 10.5 Upon the steering group satisfying the Service Lead that the Community Council would be able to comply with the requirements of the Scheme, then the reinstatement to full Community Council status will be granted in writing from the Service Lead.
- 10.6 If the steering group is demonstrating insufficient progress towards satisfying the Service Lead that the Community Council will be able to comply with the requirements of the Scheme, then the period of supported status can be extended by an additional three months to enable further progress to satisfy the Service Lead that reinstatement to full Community Council status could be achieved.
- 10.7 If the steering group are unable to satisfy the Service Lead that the Community Council will be able to comply with the requirements of the Scheme within the nine-month period, the Service Lead may determine dissolution of the Community Council.

See Appendix 5 for full guidance on Supported Status

11. DISSOLUTION OF A COMMUNITY COUNCIL

- 11.1 Representations and/or decisions in reference to dissolution of a Community Council should be considered as a last resort and ideally to be avoided. All efforts should be taken in accordance with the Scheme to ensure that all Community

Council members are included in exploring options which may avoid a Community Council being dissolved.

- 11.2 Dissolution of a Community Council (except for voluntary dissolution as detailed below) can take place following supported status made in terms of Scheme Clause 10.7 above. Where after a reasonable time a Community Council remains unable to conform with the Scheme a recommendation may be made to the Full Council of South Ayrshire Council to dissolve the Community Council.
- 11.3 Prior to such a recommendation being made to the Full Council of South Ayrshire Council the Community Council will be advised in writing and given 14 days from the date of the notification to make written representation to the Chief Executive of South Ayrshire Council, as to why such a recommendation should not be made.
- 11.4 Where no such representation is received within 14 days, or where having considered such representation, the Chief Executive or Head of Legal confirms said recommendation, a report recommending dissolution of the Community Council shall be submitted to the Full Council of South Ayrshire.
- 11.5 The Full Council of South Ayrshire Council shall consider the above report and may decide to dissolve the Community Council. In the event of such a decision the Community Council will be deemed to have been dissolved with immediate effect.
- 11.6 The dissolution will be intimated by South Ayrshire Council, by giving appropriate public notice including on the South Ayrshire Council Community Council web page.
- 11.7 Where South Ayrshire Council has reasonable grounds to believe that a Community Council has been 'abandoned', and is no longer functioning, then the Service Lead will notify the Director of Communities and Transformation who in turn may (depending on the individual circumstances) report this to the Full Council of South Ayrshire Council and intimate this by appropriate notice.
- 11.8 Where for any reason, the number of Community Council members falls below the minimum number of members for a Community Council to remain established, South Ayrshire Council Service Lead can suspend the Constitution of the Community Council and may recommend to the Chief Governance Officer the subsequent dissolution of the Community Council.
- 11.9 In the event of the dissolution of a Community Council, all its assets shall transfer to South Ayrshire Council, which shall hold these for a period of one year to ascertain whether a future Community Council becomes established in that area. Following this period all assets will be subsumed into South Ayrshire Council.

Voluntary Dissolution by Resolution of the Community Council

- 11.10 If the Community Council by a two-thirds majority of the present and voting membership and present at the meeting, decides that it necessary or advisable to

dissolve the Community Council, it shall agree a date for a Special Meeting to discuss the proposal to dissolve.

- 11.11 It is a requirement that at least seven days' notice is given prior to the date of such a Special Meeting. With public notices located in appropriate local venues and/or websites, or other social media.
- 11.12 If the proposal is supported by a two thirds majority of those voting members present at the Special Meeting, the Community Council shall be deemed to be dissolved with immediate effect, and the decision is subsequently notified to South Ayrshire Council within 7 days.
- 11.13 In the event of the dissolution or voluntary dissolution of a Community Council, all of its assets shall transfer to South Ayrshire Council, which shall hold these for a period of one year to ascertain whether a future Community Council becomes established in that area. Following this period all assets will be subsumed into South Ayrshire Council.
- 11.14 In the event of the dissolution of a Community Council, within 10 working days (or such time agreed by the Communities Officer), the former office bearers of the Community Council must:
- Deliver all papers, minute books, digital information to the Community Council Liaison Officer,
 - Transfer all funds to the Council either by cheque (where no online banking is used) or electronically (Council bank details will be provided),
 - Close the bank account(s); and
 - Close any Community Council social media accounts.
- 11.15 After dissolution of the Community Council the former members must not engage in or use any media or social media purporting to be representative of the Community Council.
- 11.16 In the event of a Community Council being dissolved, a new Community Council can be established after 6 months and in line with the process.

12. INTERNAL COMMUNITY COUNCIL COMPLAINTS

- 12.1 Clause 12 of the Scheme is for addressing matters of concern and/or complaints **which may arise internally** from within individual Community Councils.
- 12.2 All Community Councils should keep a clear audit trail of any complaints from within its members to ensure transparency of process whilst retaining the appropriate level of confidentiality. A complaint against another member may be shared with that member only in the first instance, to provide them with time to reflect on the content of the complaint and to prepare an appropriate response, before the complaint is shared with the collective membership for discussion.

12.3 The Community Council can invoke Scheme Clause 6.1 and Constitution Clause 13k which enables a Community Council to hold a meeting, or parts of a meeting, in private where it considers it appropriate to do so.

12.4 Stage 1

a. The complaint should be made in writing and submitted to the Community Council Chairperson. In the event of the complaint being made about the Chair the letter should be sent to the Secretary who will pass it on to the Vice Chair or another appointed person, making clear:

- the nature of the complaint
- the grounds which support it; and
- including evidence which substantiates the grounds

b. The Chairperson or another appointed person of the Community Council should:

- Acknowledge receipt of the complaint by letter or e-mail as soon as possible,
- Provide South Ayrshire Communities Officer with a copy of the complaint for monitoring purposes,
- Make the subject only of the complaint aware of the complaint by letter or e-mail and provide them with a copy of the complaint,
- Contact the complainant and the person being complained about to discuss the nature of the complaint to see if it is possible to resolve the complaint without progressing further,
- Resolution should be taken to the satisfaction of the complainant which may result in withdrawal of the complaint or an agreed action put in place. Any such agreement should be recorded in writing and retained for 12 months, then destroyed securely,

Advise the South Ayrshire Communities Officer of the outcome and the action taken.

Chairperson or appointed persons Permitted Actions	
No Breach	No Sanction
Breach	<ul style="list-style-type: none"> • Ask the member to apologise • Advise that Training would be beneficial to prevent similar incidents in the future • Advise that for a period of 3 months, contact should be restricted between the parties • Advise behaviour would be monitored for a period of 3 months
Serious Breach	Refer to Stage 2

12.5 Not resolved at Stage 1

a. Complaints not resolved at stage 1 can now be shared with the other members of the Community Council for consideration.

b. Where the complaint has not been resolved at stage 1, the Chair or appointed person who dealt with the complaint shall within seven days of identifying that the complaint cannot be resolved:

- Advise both parties that the matter will have to be heard by the other Community Council members.
- Advise both parties that they have up to seven days to provide, a written statement to support their position and that the written statements would form part of the information provided to the other members.
- Notify the South Ayrshire Councils Communities Officer and provide them with a copy of the written statements on receipt.

12.6 Complaints Process for Community Council Member

a. The members must appoint a chairperson and a note taker.

b. The members need to consider whether the complaint has merit and whether they are required to make any further decision. If the members determine that there is no merit, then the process ceases, and the parties must be informed.

c. If the complaint does have merit, then the members must determine if they are able to decide based on the information before them. If there is enough information, then the panel will make its decision and notify both parties.

d. If the members are unable to decide and require additional information then they must:

- Seek supporting information from both parties and any witnesses,
- Consider the complaint and any supporting information provided,
- If necessary, undertake interviews to aid the investigation of the complaint,
- Determine whether a breach has occurred, and if so, what course of action is required and inform all parties of their decision in writing by letter or e-mail within 28 days from the date of receipt of the complaint,
- A majority vote of no less than two thirds of the present and voting constituted members must be reached before any initial suspension or sanction can be proposed and carried by the Community Council. Voting can be conducted by secret ballot if preferred,
- Provide a written note of the complaint, the members process and the outcome to the Communities Officer for monitoring purposes and for them to support any training that may be required,
- The Secretary or appointed person of the Community Council shall put in writing to the individual, the outcome from the meeting; to be received by the individual no later than 7 days from the date of the meeting which made the proposal.

e. The members can determine the following sanctions:

Internal complaint against a Community Councillor		
Degree Of Breach	Possible Sanctions	Requirement

No Breach	No sanction	None
Breach	<ul style="list-style-type: none"> • Apology • Training (exact nature to be identified) • Mentoring • Restriction of communication between parties (to be clearly specified) • Written undertaking to behave within the Code of Conduct 	Must be by at least a two thirds majority of the members
Serious Breach	<ul style="list-style-type: none"> • Suspension for a set period up to six months • Instruction to stand down from an Office Bearer position. • Expulsion. This must be unanimous decision of the Panel. 	Must be by at least a two thirds majority of the members

- f. If the member is dissatisfied with the outcome at stage 1 then they can appeal in writing within 14 days of receipt of the decision letter. to a specially appointed trained Panel of 3 Office Bearers from other Community Councils.

12.7 Stage 2

- a. Stage 2 deals with complaints that have not been resolved at stage 1.
- b. Stage 2 complaints will be referred to a Panel of three Community Councillors from within the pool of members. Members will be drawn from other Community Councils.

12.8 Not resolved at Stage 1

- a. Where the complaint has not been resolved at stage 1, the Chair or appointed person shall within seven days of identifying that the complaint cannot be resolved:
- Advise both parties that the matter will have to be heard by the Complaints Panel,
 - Advise both parties that they have up to seven days to provide, a written statement to support their position and that the written statements would form part of the information provided to the Complaints Panel, including the grounds for appeal and evidence which substantiates the grounds,
 - Notify the Communities Officer so that a Panel can be convened.
 - On receipt of written statements submit these to the Communities Officer, to ensure receipt within the 14-day timeline.

12.9 Responsibility for inviting, appointing, and training the Panel will rest with South Ayrshire Councils Council.

12.10 Complaints Panel Process

- a. The Panel must appoint a chairperson and a note taker.
- b. The Panel needs to consider whether the complaint has merit and whether the Panel is required to make any further decision.
- c. If the Panel determines that there is no merit, then the process ceases, and the parties must be informed. The panel should provide a written note of the complaint, the panel process and the outcome to the Communities Officer for monitoring purposes. Both parties to be notified.
- d. If the complaint does have merit, then the Panel must determine if they are able to decide based on the information before them. If there is enough information, then the panel will make its decision and notify both parties.
- e. If the Panel are unable to decide and require additional information, then they must:
 - Seek supporting information from both parties and any witnesses,
 - Consider the complaint and any supporting information provided,
 - If necessary, undertake interviews to aid the investigation of the complaint,
 - Determine whether a breach has occurred, and if so, what course of action is required. A full response to the complaint within 30 working days or sooner, from the date of the Panel meeting which arrives at a conclusion, unless there are circumstances which may not make this possible. If the latter arises then the Community Council should notify the complainant that their complaint remains subject to ongoing consideration,
 - Provide a written note of the complaint, the panel process, and the outcome to the Communities Officer for monitoring purposes and for them to support any training that may be required,
 - Report will be sent to both parties within 7 days of receipt by the Communities Officer.
- f. The Panel can determine the following sanctions:

Internal complaint against a Community Councillor		
Degree Of Breach	Possible Sanctions	Requirement
No Breach	No sanction	None
Breach	<ul style="list-style-type: none"> • Apology • Training (exact nature to be identified) • Mentoring • Restriction of communication between parties (to be clearly specified) • Written undertaking to behave within the Code of Conduct 	Must be by at least a two thirds majority of the Panel
Serious Breach	<ul style="list-style-type: none"> • Suspension for a set period up to six months 	Must be by at

	<ul style="list-style-type: none"> • Instruction to stand down from an Office Bearer position. • Expulsion. This must be unanimous decision of the Panel. 	<p>least a two thirds majority of the Panel</p>
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12.11 The final decision to uphold the complaint or overturn it rests solely with the specially appointed trained Panel of 3 Office Bearers. If further clarification is required, the Chair of the Panel can be contacted via the Communities Officer.

12.12 Any period of censure taken against a Community Councillor will last for a maximum of 6 months from the date on the written notice. This period can be shortened at the discretion of the Community Council which raised the original proposal.

12.13 After a suspension or vote of no confidence, the individual does not automatically return to the Community Council. If a vacancy exists, they may re-apply through the standard election or co-option process.

Leave of Absence

12.14 A leave of absence may be granted/requested by individual members should personal matters and/or certain circumstances arise. This can be requested in person if the member is at the next meeting or in writing if unable to attend.

12.15 If the Community Council agrees by a two-thirds majority of those members present and voting, to grant a leave of absence then this decision should be minuted, stating how long the leave of absence is granted for.

12.16 If the member is not in attendance at the meeting the Secretary or relevant person should write to the member with the decision.

Other reasons to demit office

12.17 Membership is invalidated should a Community Councillor's name be removed from the electoral register.

12.18 If any member of a Community Council fails to attend any Community Council meeting, with or without submitting apologies, throughout a period of six months, the Community Council may terminate their membership, provided that the termination of the membership is an agenda item at a quorate meeting and that a two thirds majority of those attending and voting agree to the termination.

12.19 At the discretion of individual Community Councils, a period of leave of absence for Community Council members may be granted ensuring that the active membership remains above the minimum number required.

13. PLANNING AND LICENSING

- 13.1 Alongside the above South Ayrshire Council have a statutory duty to consult on Licencing and Planning and any others introduced through legislation from time to time.
- 13.2 South Ayrshire Council will notify Community Councils of all new premises licence applications and applications for variations (all relating to alcohol) made within its area. Applications for occasional licences will only be advertised on the Council's website at www.south-ayrshire.gov.uk/licensing. Some licensing applications are publicised by notice at the site. It is the responsibility of individual members of the public to observe these notices and raise an objection.
- 13.3 South Ayrshire Council has a statutory obligation to consult with Community Councils regarding planning applications, and to make representations about planning. To facilitate this, a weekly list of planning applications is circulated to Community Councils which is also published on the Council's website: <http://www.southayrshire.gov.uk/planning/register.aspx>
- 13.4 The list contains basic information regarding the applicant, agent, site address, and a brief description of the proposed development

14. EQUAL OPPORTUNITIES

- 14.1 Recognition should be given to the contribution of everyone participating in the work of the Community Council.
- 14.2 South Ayrshire Council further acknowledges that Community Councillors are volunteers who give up their own time to undertake the work of Community Councils.
- 14.3 Community Councils must comply with the Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill and experience taken into account.

15. DATA PROTECTION – GDPR

- 15.1 South Ayrshire Council handle your information following the GDPR guidelines. A copy of the South Ayrshire Council privacy notice for Community Councils, and an example privacy notice for Community Councils to adopt can be provided.
- 15.2 Community Councils should familiarise themselves with GDPR regulations to ensure that they comply with regulations when handling information regarding members etc.

Information Commissioner Office (ICO)

- 15.3 Under the Date Protection (Charges and Information) Regulations 2018, individuals and organisation that process personal data need to pay a fee to the ICO. Every year each of our Community Councils must register and pay a fee to the ICO which can be claimed back thought the Administration Allowance.

16. ALTERATIONS TO THE CONSTITUTION

- 16.1 Any proposal by the Community Council to amend its Constitution must be first considered and minuted at a meeting of the Community Council, before representation is made to South Ayrshire Council.
- 16.2 Any proposal to alter its Constitution must be delivered in writing to the Secretary of the Community Council not less than twenty-eight days prior to the date of the meeting at which it is first to be considered. The terms of the proposed resolution to alter the Constitution shall be highlighted and stated on the notice calling the meeting.
- 16.3 If the resolution is supported by two-thirds of the elected membership of the Community Council and is approved (ratified), in writing, by South Ayrshire Council or its appointed officer, the alteration shall be deemed to have been duly authorised.
- 16.4 All proposed or actual alterations will require to conform to the Scheme.
- 16.5 The authorised amendment to the Constitution shall be stated on the 7-day notice calling the next meeting.

17. GUIDANCE

- 17.1 This Scheme can be read in conjunction with the Guidance for Community Councils which provides additional information to assist Community Councils with interpretation of the Scheme. The Guidance document is subject to ongoing internal review by the Council.

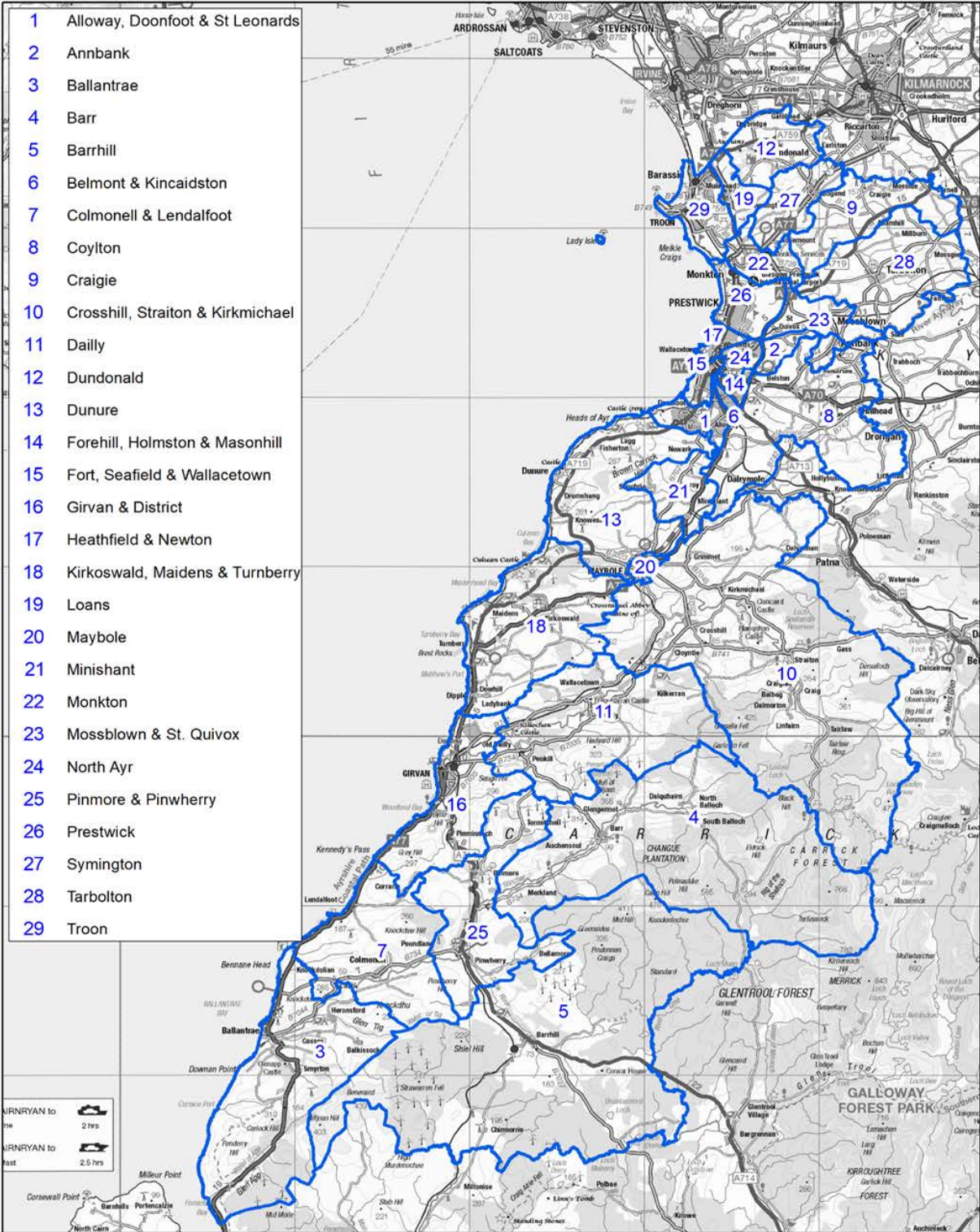
18. HUSTING EVENTS

- 18.1 If Community Councils decide to organise and host Hustings events; they should abide by their non-party political status and shall ensure that they are seen by the entire community which they represent, as being non-party political during any such event.
- 18.2 Meetings of Community Councils are open to the public and therefore any prospective political candidates would be able to attend in their capacity as a member of the public. However, they should not be invited to address the meeting unless it would be as part of an appropriately organised Hustings event, with all candidates having been invited and given equal opportunity to address the meeting.
- 18.3 To be clear in relation to hosting a Hustings, Community Councils should ensure that they invite all prospective political candidates standing in the area or alternatively do not extend an invitation to any of them i.e. all or none.
- 18.4 Additional advice (of particular significance during a local authority election period) is that in order for Community Councils to be seen to maintain their political neutrality, that if they include any electronic links to political parties by email and/or social media, this should be in the same vein as extending invitations to prospective candidates to attend a Hustings event i.e. include electronic links to all political parties or none of them.

19. GENERAL PUBLIC COMPLAINTS

- 19.1 Community Councils should adhere to the Governance, including the Code of Conduct, for Community Councils. However, from time to time, complaints from the public may be made about Community Councils and individually against Community Councillors.
- 19.2 If you are dissatisfied or have concerns about the standard of service, actions or lack of action provided by your Community Council or one or more of its members, these can be reported through the Complaints Procedure for Community Councils, **see Appendix 6.**

DRAFT



Community Councils

Scale 1:285700



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SOUTH AYRSHIRE COUNCIL NAME, DESCRIPTION AND MEMBERSHIP OF COMMUNITY COUNCIL

Name of Community Council	No of Members	South Ayrshire Council Electoral Ward(s)	Number of Electors
Alloway, Doonfoot and St Leonards	16	5	7901
Annbank	9	6	776
Ballantrae	10	8	514
Barr	10	8	245
Barrhill	10	8	254
Belmont and Kincaidston	13	4	4074
Colmonell and Lendalfoot	10	8	300
Coylton	10	7	2929
Craigie	10	6	284
Crosshill, Straiton and Kirkmichael	10	7	1410
Dailly	10	8	897
Dundonald	11	6	2229
Dunure	10	7	714
Forehill, Holmston and Masonhill	14	4	5966
Castlehill/Masonhill/New Holmston	7		
Holmston and Forehill	7		
Fort, Seafield and Wallacetown	15	5	6154
Fort	5		
Seafield	7		
Wallacetown	3		
Girvan and District	14	8	5308
Kirkoswald, Maidens and Turnberry	10	8	963
Loans	9	6	666
Maybole	12	7	3479
Minishant	10	7	439
Monkton	10	6	967
Mossblown & St Quivox	11	6	2060
Newton and Heathfield	14	3	5973
Newton	3		
Heathfield	11		
North Ayr	15	3	6894
Whitletts and Lochside	6		
Dalmilling	5		
Craigie	4		
Pinwherry and Pinmore	10	8	212
Prestwick	18	2	12289
Symington	10	6	1336
Tarbolton	10	6	1755
Troon	18	1	12449

APPENDIX 2



South Ayrshire Council

Constitution for Community Councils

[Name of individual Community Council]

This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire

1. Name

The name of the Community Council shall be [insert name] Community Council, which will subsequently be referred to as “the Community Council” in this Constitution.

2. Area of the Community Council

The area of the COMMUNITY COUNCIL shall be as shown on the map attached to the local authority’s Scheme for the Establishment of Community Councils.

3. Objectives

The objectives of the Community Council shall be to:

- (a) to ascertain, co-ordinate and reflect the views of the community which it represents, to liaise with other community groups within the area, and to fairly express the diversity of opinions and outlooks of the people;
- (b) to express the views of the community to the local authority for the area to public authorities and other organisations;
- (c) to take such action in the interests of the community as appears to it to be desirable and practicable;
- (d) to promote the well-being of the community and to foster community spirit;
- (e) to be a means whereby the people of the area shall be able to voice their opinions on any matter affecting their lives, their welfare, their environment, its development and amenity.

4. Role and Responsibilities

In the discharge of their functions and the conduct of their business, the Community Council and its membership shall have regard to their role and responsibilities as set out in the Scheme for the Establishment of Community Councils, approved by the local authority and the Community Councillors’ Code of Conduct.

5. Membership

The COMMUNITY COUNCIL’S membership is as governed by Clause 2 of the Scheme for the Establishment of Community Councils and as determined from time to time by the local authority.

6. Equality and Diversity

It shall be the duty of every Community Council to ensure that its general responsibilities and activities are carried out fully in accordance with current Equalities legislation.

7. GDPR 2018

It is the duty of every Community Council to comply with the General Data Protection Act (GDPR) 2018.

8. Method of Election

Election procedures are governed by Clause 3 of the Scheme for the Establishment of Community Councils.

9. Vacancies on the Community Council

9.1

(a) Where a vacancy arises the Community Councillors can agree to fill the vacancy in accordance with Scheme Clause 4 relating to Co-option. South Ayrshire Council requires to be notified if the membership falls below half.

(b) The ratification of appointments of Co-optee members to fill the vacancy/vacancies rests wholly with the existing constituted membership; although the validation of nomination forms rests with South Ayrshire Council.

9.2 Associate Members

An associate member does not require to reside within the community council area and may serve for a fixed period as determined by the community council or for the term of office of the community council that has appointed them.

10. Voting Rights of Members of the Community Council

- (a) The right to vote at any meeting of the Community Council or any committee thereof shall be held by all Community Councillors whether elected or co-opted, but not by Ex-Officio members or Specialist Co-optees.
- (b) Although all Community Councillors hold the right to vote; a recommended approach to decision-making is working together to support Community Council's to make decisions based upon reaching a consensus.
- (c) Notwithstanding, and with the exception of instances relating to clauses of this Constitution, all decisions of the Community Council, which may require a vote, will be decided by a simple majority of those present and eligible to vote. **There is no provision for proxy votes.**
- (d) In the event of a vote of the Community Councillors that results in a majority not being achieved, the chairperson shall have a casting vote.

11. Election of Office-Bearers

- (a) In April/May of each year, as part of the Annual General Meeting, the Community Council shall elect a Chairperson, Secretary and Treasurer; and other such office-bearers as it may decide necessary e.g. Vice-chair, Minute Secretary as well as a Planning and Licencing contact
- (b) All office-bearers shall be elected for one year, but shall be eligible for re-election, without limitation of time.

- (c) Every effort should be made to appoint one person to each position; however, it is permissible for one person to hold more than one office if necessary (e.g. Secretary/Treasurer).

12. Sub-Groups of the Community Council

The Community Council may appoint Community Councillors to sub-groups of the Community Council and shall determine their composition, terms of reference, duration, duties and powers.

13. Meetings of the Community Council

- (a) The Community Council shall abide by the Scheme, Code of Conduct and Standing Orders to ensure the proper conduct of its meetings.
- (b) The quorum for Community Council meetings shall be at least one third of the current eligible voting membership, or 3 eligible voting members, whichever is the greater.
- (c) In April/May of each year the Community Council shall convene an Annual General Meeting (AGM) for the purpose of receiving and considering the Chairperson's annual report on the Community Council, the submission and approval of the independently examined annual statement of accounts and the appointment of office bearers.
- (d) Including the Annual General Meeting (AGM), the Community Council shall meet no less than 7 times throughout the year.
- (e) Dates, times, and venues of regular meetings of the Community Council should be identified at the first meeting of the Community Council following the Annual General Meeting (AGM) and/or elections. Meeting arrangements can be subject to review by the Community Council periodically thereafter but no later than at the following year's AGM.
- (f) South Ayrshire Council has the discretion to call a meeting of the Community Council at any time.
- (g) Copies of all minutes of meetings of the Community Council and of sub-groups thereof shall be approved at the next meeting of the Community Council.
- (h) A draft minute shall be circulated at least 7 days prior to its next meeting, to Community Council members, other appropriate parties and South Ayrshire Council Communities Officer for Community Councils.
- (i) An approved minute will be forwarded to South Ayrshire Council within 14 days of the date of the meeting.
- (i) The COMMUNITY COUNCIL has a duty to be responsive to the community it represents. Should the Community Council receive a written request (petition), signed by at least 20 persons resident within the Community Council area to convene a special meeting for a particular matter or matters to be debated, it shall call such a meeting within 14 days of receipt of such a request and advertise it in the manner prescribed locally for special meetings called by the Community Council.
- (j) Special Meetings shall require at least 7 days public notice, and the wording of the motion calling the meeting should be set out on the agenda.

- (k) All meetings of the Community Council are open to members of the public. However, the Community Council shall retain the right to discuss items of business in private where it considers it appropriate to do so e.g. internal Governance matters, complaints, etc.

14. Public participation in the work of the Community Council

- (a) All meetings of the Community Council and its committees shall be open to members of the public. Proper provision is to be made for the accommodation of members of the public and the opportunity should be afforded at each meeting to permit members of the public to address the Community Council under the guidance of the Chairperson.
- (b) Notices calling meetings of the Community Council and its committees shall be posted prominently within the Community Council area for a minimum period of 7 days before the date of any such meeting, and, where possible, be advertised by other suitable means including Community Council or local authority websites and social media channels where available.

15. Information to South Ayrshire Council

- (a) South Ayrshire Council shall be sent, minutes of all meetings; the annual chairperson's report; the Independently Examined Statement of Accounts and any other information, as may reasonably be required by South Ayrshire Council.
- (b) When Special Meetings of the Community Council are to be held, South Ayrshire Council should be advised of the date, time, venue and subject(s) of debate at such meetings 7 days in advance of the meeting date.
- (c) In relation to the Special Meeting at 15 (b) above: South Ayrshire Council may appoint an officer to act as the principal point of contact for matters relating to the Community Council if required.

16. Control of Finance

- (a) The Treasurer shall keep proper accounts of the finances of the Community Council.
- (b) All monies raised by or on behalf of the COMMUNITY COUNCIL or provided by the local authority and other sources shall be applied to further the objectives of the COMMUNITY COUNCIL and for no other purpose. The monies provided by the local authority in the annual Administrative Grant for administrative and other approved purposes shall be used only as prescribed. Monies raised from other sources may be used in accordance with the terms of this provision (so long as they are consistent with the objectives of the community council), or in the absence of such terms, for the furtherance of the objectives of the COMMUNITY COUNCIL.
- (c) Any two of the three authorised signatories, who need not be office-bearers of the Community Council, may sign cheques on behalf of the Community Council; the Treasurer should assume one of the three authorised signatory roles. Authorised signatories may not be related by birth, marriage, civil contract or co-habitation.

- (d) A statement of accounts for the last financial year, examined by a competent independent examiner appointed by the Community Council, who are not members of the Community Council, shall be submitted to the April/May Annual General Meeting of the Community Council and shall be available for inspection.
- (e) The financial year of the Community Council shall be from 1 April in any year until 31 March in the succeeding year. An independently examined statement of accounts as received and approved by the Community Council should be submitted to South Ayrshire Council following the Community Council's Annual General Meeting.

17. Assets

Property and other assets belonging to the Community Council shall be vested in the Chair, Secretary and Treasurer of the Community Council and their successors in these respective offices.

18. Alterations to the Constitution

- (a) Any proposal by the Community Council to alter this Constitution must be first considered by a meeting of the Community Council and the terms of the proposal to alter the Constitution shall be stated on the notice calling the meeting, which shall be issued not less than seven days prior to the meeting. Any proposed alterations may not prejudice the terms and objectives contained within the Scheme for the Establishment of Community Councils.
- (b) If the proposal is supported by two-thirds of the total voting membership of the Community Council and is approved in writing by the local authority, the alteration shall be deemed to have been duly authorised and can then come into effect.

19. Supported Status and Dissolution

- (a) Where for any reason it is deemed by South Ayrshire Council that a Community Council is not conforming to the Scheme, South Ayrshire Council, can put the Community Council into supported status in terms of Clause 10.
- (b) If the 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 shall agree a date for a public meeting to be held to discuss the proposed resolution to dissolve. It is a requirement that not less than ten days prior to the date of such meeting a public notice be given by means of notification in the local newspaper as well as through Community Council and local authority websites and social media channels, where available. If the resolution is supported by a majority of those persons present and qualified to vote and is approved by the local authority, the Community Council shall be deemed to be dissolved and all assets remaining, subject to the approval of the local authority, after the satisfaction of any proper debts or liabilities shall transfer to the local authority who shall hold same in Trust for a future Community Council representing that area. (do we want to say for 12 months)
- (c) In the event that the COMMUNITY COUNCIL is dissolved under the above procedure, and twenty or more electors subsequently wish the re- establishment of a Council for the area, these electors shall 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 shall arrange for elections to be held in accordance with the Scheme for the Establishment of Community Councils.

South Ayrshire Council

Code of Conduct for Community Councillors

This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire

CODE OF CONDUCT FOR COMMUNITY COUNCILLORS

The Code of Conduct for Community Councillors is largely based on the Code of Conduct for South Ayrshire Council councillors and relevant public bodies as provided for in:

- ***The Ethical Standards in Public Life etc. (Scotland) Act 2000***

Community councillors, as elected representatives of their communities, have a responsibility to make sure that they are familiar with, and that their actions comply with, the principles set out in this Code of Conduct.

The Code of Conduct and its principles shall apply to all Community Councillors and those agreed and minuted as representing the Community Council. These principles are as follows:

- 1. *Service to the Community (Public Service)***
- 2. *Selflessness***
- 3. *Integrity***
- 4. *Objectivity***
- 5. *Accountability and Stewardship***
- 6. *Openness***
- 7. *Honesty***
- 8. *Leadership***
- 9. *Respect***

1. Service to the Community

As a Community Councillor you have a duty to act in the interests of the local community, which you have been elected or nominated to represent.

You also have a duty to act in accordance with the remit of South Ayrshire Council's Scheme for Establishment of Community Councils (2020) (the 'Scheme'), as set out by South Ayrshire Council under the terms of the Local Government (Scotland) Act 1973.

You have a duty to establish and reflect, through the Community Council, the views of the community as a whole, on any issue, irrespective of personal opinion.

You should ensure that you are, within reason, accessible to your local community and local residents.

Various mechanisms to enable the general community to express their views, i.e. suggestion boxes, community surveys, opinion polls should be made available where appropriate.

2. Selflessness

You have a duty to take decisions solely in terms of the interests of the community that you represent.

You must not use your position as a Community Councillor to gain financial, material, political or other personal benefit for yourself, family or friends.

3. Integrity

You must not place yourself under any financial or other obligation to any individual or organisation that might reasonably be thought to influence you in your representation of your community.

If you have any such private and/or personal interest in a matter to be considered by the Community Council, you have a responsibility to declare this and if deemed necessary by other members, withdraw from discussions and the decision-making process with regard to that matter.

You should not accept gifts or hospitality that may be seen to influence or be intended to influence your opinion or judgement. The offer and/or receipt of any gifts, regardless of form, should always be reported to and noted by the Secretary and Treasurer of the Community Council.

4. Objectivity

In all your decisions and opinions as a Community Councillor, you must endeavour to represent the overall views of your community, by taking account of information which is provided to you or is publicly available; assessing its merit and gathering information as appropriate; whilst laying aside personal opinions or preferences.

You may be appointed or nominated by your Community Council to serve as a member of another representative body. You should ensure that this Code of Conduct is observed when carrying out the duties of the other body.

You are free to have political and/or religious affiliations; however, you must ensure that you represent the interests of your community and Community Council and not the interests of a particular political party or other group.

5. Accountability and Stewardship

You are accountable for the decisions and actions that you take on behalf of your community through the Community Council. You must ensure that the Community Council uses its resources prudently and in accordance with the law.

Community Councillors will individually and collectively ensure that the business of the Community Council is conducted according to South Ayrshire Council's Scheme for Establishment of Community Councils and this Code of Conduct.

Community Councillors will individually and collectively ensure that annual accounts are produced showing the financial undertakings of the Community Council as set out in South Ayrshire Council's Scheme.

Community Councillors must also ensure that all resources are used efficiently, effectively, and fairly and are used strictly for the purposes of Community Council business and for no other purpose.

Draft minutes of meetings recording all actions and decisions made should be produced and circulated to all members of the Community Council as soon as possible after each meeting and no later than seven days prior to the next meeting.

Any breach of the Council's Scheme for the Establishment of Community Councils as set out by your local authority under the terms of the Local Government (Scotland) Act 1973 may be reported to your local authority to determine what action, if necessary, should be taken.

6. Openness

You have a duty to be open about your decisions, actions and representations, giving reasons for these where appropriate. You should be able to justify your decisions and be confident that you have not been unduly influenced by the views and/or opinions of others.

If you have dealings with the media, members of the public, or others not directly involved in your Community Council, you should ensure that an explicit distinction is made between the expression of your personal views and opinions from any views or statement made about or on behalf of the Community Council.

7. Honesty

You have a duty to act honestly. You also have an obligation to always work within the law. You must declare any private interest relating to your Community Council duties and take steps to resolve any conflicts arising in a way that protects the interest of the community and the Community Council.

Community Councillors must not bring themselves or their Community Council into disrepute through their actions, public discussions, or communications, including anonymous online activity or commentary that would otherwise breach this Code.

8. Leadership

You have a duty to promote and support the principles of this Code of Conduct by leadership and example, to maintain and strengthen the community's trust and confidence in the integrity of the Community Council and its members in representing the views and needs of the local area. You must also promote social inclusion and challenge discrimination in any form.

You should act to assist the Community Council, as far as possible, in the interest of the whole community that it serves. Where groups' concerns conflict with those of other groups or other areas you should help to ensure that the Community Council is aware of them.

9. Respect

You must respect fellow members of your Community Council and those that you represent, treating them with courtesy, respect and in a non-discriminatory manner at all times. This should extend to any person, regardless of their position, you have dealings within your capacity as a Community Councillor.

Recognition should be given to the contribution of everyone participating in the work of the Community Council. You must comply with Equal Opportunities legislation including the Equality Act 2010 and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill, and experience considered.

You should ensure that confidential material, including details about individuals, is treated as such and that it is handled with dignity and discretion and is not used for personal, malicious, or corrupt purposes.

You must behave openly and honestly, treating fellow Community Councillors, ex-officio members, council officers, and community members in a positive, respectful, and non-discriminatory manner always, including at meetings and in online spaces.

Community Councillors must support and respect the roles of office bearers and refrain from undermining their confidence or authority. Personal attacks, ridicule, or conduct intended to humiliate others whether in person, during meetings, in correspondence, or on social media will be considered a serious breach of this Code.

Bullying or harassment is completely unacceptable and will be a breach of the Code.

Harassment is any unwelcome behaviour or conduct which has no legitimate purpose and which makes someone feel offended, humiliated, intimidated, frightened and/or uncomfortable. Harassment can be experienced directly or indirectly and can occur as an isolated incident or as a course of persistent behaviour.

Harassment can take the form of unwelcome physical contact; inappropriate remarks or questioning; intrusive questioning; and the sending of unwelcome emails, messages, or notes. This is by no means an exhaustive list.

Bullying is inappropriate and unwelcome behaviour which is offensive and intimidating, and which makes an individual or group feel undermined, humiliated, or insulted. It is the impact of the behaviour rather than the intent which is the key. Bullying can arise because of an individual misusing their power and can occur through all means of communication. Bullying can be a pattern of behaviour or a one-off serious incident that becomes objectionable or intimidating. This can include the unwelcome physical, verbal, or non-verbal conduct; intimidatory behaviour; disparaging, ridiculing or mocking comments and remarks; physical violence; deliberately excluding an individual from conversations or activities in which they have a right or legitimate expectation to participate. This list is not exhaustive.

APPENDIX 4



South Ayrshire Council

Standing Orders

for Community Councils

This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire Council

1. Meetings

- (a) All meetings of Community Councils are open to members of the public subject to Clause 7.1 of the Scheme.
- (b) The frequency of meetings will be determined by each Community Council, subject to Clause 7.4.
- (c) Ordinary meetings of the Community Council should ideally be held on the same day in each of the months where a meeting is scheduled.

- (d) The notice of ordinary and Annual General Meetings of the Community Council, featuring the date, time, and venue, shall be provided to each Community Council member and South Ayrshire Council by the Secretary of the Community Council, at least 7 days before the date of the meeting.
- (e) Special Meetings may be called at any time under Clause 7.14 of the Scheme for Establishment of Community Councils.

2. Minutes

Minutes of the proceedings of a meeting of the Community Council shall be drawn up timeously and be distributed in accordance with the Community Councils Responsibility's Part e of the Scheme for Establishment of Community Councils and be submitted for approval to the next meeting of the Community Council.

3. Quorum

A quorum shall be one-third of the current voting membership of the Community Council, or 3 voting members, whichever is the greater.

4. Order of Business

(i) Ordinary Meeting

Order of business at Ordinary meetings of the Community Council should include: -

- i. Recording of membership present and apologies received.
- ii. The minutes of the last meeting are submitted for approval.
- iii. Any matters arising are addressed.
- iv. Correspondence.
- v. Monthly Reports
- vi. Consideration of other agreed items of business as directed by the Chairperson.
- vii. Any other competent business.
- viii. Questions from the floor.
- ix. Chairperson to declare date of next meeting and close meeting.

(ii) Annual General Meeting

It will not be uncommon that the Community Council has arranged for an Ordinary meeting of the Community Council to begin at the close of the Annual General Meeting (AGM), to enable any outstanding reporting on business matters to be heard; and for Community Council members and members of the public to have an opportunity to bring matters to the attention of the Community Council, possibly for inclusion on a future agenda.

The AGM minutes should be presented to the next ordinary meeting of the Community Council following the AGM for the purposes of establishing accuracy and noting their availability to the public. Although they remain in draft form until approved at the following year's AGM.

The order of business at Annual General Meetings (AGM) of the Community Council shall be as follows:

- i. Record membership attendance and apologies received,
- ii. Approve the presented minutes of the last Annual General Meeting (AGM),
- iii. Chairperson's annual report (and questions from the floor),
- iii. Secretary's annual report (and questions from the floor),
- iv. Treasurer's submission of balance sheet and Annual Accounts duly independently examined and certified correct (and questions from the floor),
- v. Current office bearers step down,
- vi. Election of office bearers,
- vii. Confirm that the Constitution is signed and dated by the Chairperson and 2 other members of the Community Council (if there is a change to the Chairperson a new constitution needs to be signed and submitted to South Ayrshire Council),
- viii. Note the appointment of Associate Members,
- ix. Review the Inventory and Additional Resources (See Constitution Clause 17),
- x. Chairperson to declare that a date in April/May of following year will host the next AGM and close meeting.

(iii) Special Meeting

The order of business at Special Meetings of the Community Council shall be as follows: -

- i. Recording of membership present and apologies received.
- ii. Business for debate, as described in the calling notice for the special meeting
- iii. Chairperson to close meeting.

4. Order of Debate

- (a) The Chairperson shall decide the order of all questions, relevancy and competency arising at the meetings of the Community Council and their ruling shall be final and shall not be open to discussion.
- (b) The Chairperson shall also determine the order, relevancy, and competency of all questions from the public in attendance at meetings of the Community Council.
- (c) The Chairperson in determining the order, relevance and competency of business and questions shall have regard to the importance of the issue to the community and ensure that the discussion and proceedings are conducted in such a manner that decisions are reached in a democratic manner.
- (d) The Chairperson shall have the power, in the event of disorder arising at any meeting, to adjourn the Community Council meeting to the next scheduled meeting or another fixed time and/or date.
- (e) In instances of the Chairperson's absence, the meeting should proceed through the Vice-Chairperson or other interim Chairperson as agreed by the members present.
- (f) Every motion or amendment shall be proposed and seconded.
- (g) After a proposer of a motion has been called on by the Chairperson to reply, no other members shall speak to the motion or amendment.
- (h) A motion or amendment once made and seconded shall not be withdrawn without the consent of the proposer and seconder thereof.
- (i) A motion or amendment which is contrary to a previous decision of the Community Council shall not be competent within 6 months of that decision; unless an error or new information becomes available which requires further consideration

5. Voting

- (a) Voting shall be taken by a show of hands of those present and eligible to vote, with the exception that, at an annual general meeting, the election of office bearers may be held by secret ballot.
- (b) The Chairperson of a meeting of the Community Council shall have a casting vote as well as a deliberative vote.
- (c) In instances of the Chairperson's absence their casting vote is transferred to the Vice-Chairperson or other interim Chairperson, as previously agreed by the members present.

6. Alteration to Standing Orders

- (a) A proposal to alter or add to these Standing Orders may be proposed to South Ayrshire Council at any time by the Community Council, if notice of a motion to that effect is given at the meeting of the Community Council previous to that at which the motion is discussed.
- (b) South Ayrshire Council shall have final discretion on any proposed change to these Standing Orders.

7. Sub-Groups

The Community Council may appoint sub-groups as it may from time to time decide and shall determine their composition, terms of reference, duration, duties, and powers.

8. Suspension of Standing Orders

These Standing Orders shall not be suspended except at a meeting at which two-thirds of the stated constituted membership number of Community Council members are present and then only if the proposer states the object of their motion and if two-thirds of the Community Council members present consent to such suspension.

South Ayrshire Council

Supported Status

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This Appendix forms part of the core Governance arrangements for Community Councils in South Ayrshire

Introduction

When a Community Council moves into supported status it will be provided with:

- Reasons for its move to supported status.
- Confirmation of the period of supported status.
- Information about what they need to achieve by the Steering Group to reinstate Community Council status.

What is a Steering Group?

- It is the remaining members of the Community Council (as long as it remains above the quorum of one third of the remaining membership of the Community Council or four members, whichever is the greater).
- If a steering group drops below the quorum for the Community Council, it will immediately be moved to dissolution and appropriate action will be taken by Service Lead, South Ayrshire Council

What must the Steering Group do?

- Meet as a Group to rectify the issues that resulted in them being in supported status.
- Appoint the Communities Officer or another council officer as the Chair of the Steering Group.

What can the Steering Group do?

- Continue with any live projects that were already in progress when the Community Council went into supported status with the support of the Communities Officer (it should be noted that the insurance cover in place for Community Councils will remain operational whilst the Community Council is in supported status).
- Complete financial transactions agreed by the Community Council when it was operational.
- Take decisions on expenditure for the live projects ONLY.

What must the Steering Group not do?

- Undertake any work relating to the statutory functions of a Community Council – planning, licensing and other consultations
- Agree any expenditure outwith the live projects
- Spend any funds unless they had approval prior to supported status
- Send any correspondence in the name of the Community Council
- Undertake any social media activity or update the website other than to inform the community of the status of the Steering Group, publish SG minutes or to promote the need for additional members.
- Apply for any funding for the Community Council

Holding of Meetings

- Meetings should be held at least every six weeks
- Meetings are for members of the Steering Group only and any supporting officers, but they would not be involved in any decisions
- Notes of actions and decisions will be taken and circulated to members and made available for the community to see
- Agendas will be prepared and circulated by the Communities Officer
- Meetings will be held in Council premises or online wherever possible to remove the need for expenses to be incurred.

Next Stage

- If within the six-month period the Steering Group satisfies the Service Lead that the Community Council will in the future be able to comply with the requirement of the Scheme and have met the expectations set out when they went into supported status, then reinstatement of Community Council status will be granted by written notice from the Service lead.
- If the Steering Group has not managed to achieve the required outcomes within the six-month period, the Service Lead will review the progress made by the Steering Group.
- If the Service Lead considers that significant progress has been made, they may consider an extension of 3 months to the supported status period to allow the Steering Group to complete its work.
- If the Service Lead considers that little or no progress has been made, they may consider that it is appropriate to move to dissolution of the Community Council.

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APPENDIX 5



South Ayrshire Council

General Public Complaints Procedure for Community Councils

This Appendix is for Information purposes only and does not form part of the core Governance Arrangements for South Ayrshire Community Councils – **re=word this???**

GENERAL PUBLIC COMPLAINTS PROCEDURE FOR COMMUNITY COUNCILS

NOTE: The importance of transparency of process whilst retaining the appropriate level of confidentiality must be noted and practiced by all Community Council members upon receipt of any complaint. A complaint against the collective membership of a Community Council may be considered appropriate to share with all members simultaneously, whereas a complaint against an individual member may be shared with that member only in the first instance, to provide them with time to reflect on the content of the complaint and to prepare an appropriate response, before the complaint is shared with the collective membership for discussion.

In any event, Community Councils may consider whether it would be appropriate to invoke Constitution Clause 13k when in receipt of a complaint and undertaking an appropriate procedure.

Complaints Procedure

This Procedure is for making complaints against Community Councils or its members and can be used by members of the public or elected members.

1. What is a Community Council Complaint?

A complaint against a Community Council is an expression of dissatisfaction or concern relating to the actions of a Community Council or its members. This may be about the conduct; standard of service; actions or lack of action by a Community Council and/or its members.

2. Who can complain?

2.1 Anyone who is affected by a Community Council or its decisions can make a complaint.

2.2 Anonymous complaints will not be accepted, although legal guidance may be sought depending on the nature of allegations made.

3. What can I complain about?

3.1 You can complain about things such as:

- Neglect by or contrary attitude of a Community Councillor when dealing with a Community Council issue which affects the local community,
- Breaches to the Scheme for Establishment of Community Councils by Community Councils and/or their members,
- Financial irregularities and fraud of public funds held by the Community Council,
- Breaches of confidentiality, including data breaches,
- Misusing social media, email or letters for the purpose of personal, political and/or financial gain,
- Bringing the Community Council into disrepute e.g. misrepresenting the views and interests of the local community.

3.2 This list is not exhaustive, and complaints may involve more than one thing.

4 What can't I complain about?

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

- Decisions of South Ayrshire Council
- Complaints regarding South Ayrshire Council services or officers
- A request for compensation on a decision the Community Council has made.

5 How do I complain?

5.1 All complaints relating to Community Councils and/or individual Community Councillors should be directed for the attention of the appropriate office bearer/s or member/s of the relevant Community Council in the first instance.

5.2 All complaints should be made formally in writing, making clear:

- (a) the nature of the complaint,
- (b) the grounds which support it; and,
- (c) including evidence which substantiates the grounds.

6. How long do I have to make a complaint?

6.1 You should make your complaint within 3 months of the incident you want to complain about making clear:

Complaint received regarding an individual Community Councillor

When there is a complaint made that a member of a Community Council is in breach of the Community Councillors' Code of Conduct or has otherwise brought the Community Council into disrepute then the following procedure must be followed.

Stage 1

The complaint should be made in writing and submitted to the Community Council Chairperson or another appointed person.

The Chairperson or another Office Bearer of the Community Council should:-

- (a) Acknowledge receipt of the complaint by letter or e-mail as soon as possible.
- (b) Make the subject of the complaint aware of the complaint by letter or e-mail and provide them with a copy of the complaint.
- (c) Contact the complainant and the person being complained about to discuss the nature of the complaint to see if it is possible to resolve the complaint without progressing further.
- (d) Resolution should be taken to the satisfaction of the complainant which may result in withdrawal of the complaint or an agreed action put in place. Any such agreement should be recorded in writing and retained for 12 months then destroyed securely.
- (e) Advise the South Ayrshire Council Communities Officer for monitoring purposes of the complaint and the action taken.

Chairperson or Office Bearer Permitted Actions	
Breach	<ul style="list-style-type: none"> • Ask the member to apologise • Advise that Training would be beneficial to prevent similar incidents in the future • Advise that for a period of 3 months, contact should be restricted between the parties • Advise behaviour would be monitored for a period of 3 months
Serious Breach	Refer to Stage 2

Complaint against the whole Community Council

When a complaint relates to the whole Community Council, these should be submitted in writing to the Communities Officer at communitycouncils@south-ayrshire.gov.uk. If a Community Council receives the complaint they should forward it to the Communities Officer as a matter of urgency.

Stage 2

Stage 2 deals with two types of complaints:

- those that have not been resolved at stage 1; and
- complaints relating to the whole Community Council.

Stage 2 complaints will be referred to a Panel of three Community Councillors from within the pool of members. Members will be drawn from other Community Councils.

Not resolved at Stage 1

Where the complaint has not been resolved at stage 1, the person who dealt with the complaint shall within seven days of identifying that the complaint cannot be resolved:

- (a) Advise both parties that the matter will have to be heard by the Complaints Panel.
- (b) Advise both parties that they have up to seven days to provide, a written statement to support their position and that the written statements would form part of the information provided to the Complaints Panel.
- (c) Notify the Communities Officer so that a Panel can be convened.
- (d) On receipt of written statements submit these to the Communities Officer

Community Council as a whole

Where the complaint relates to the whole Community Council, the Communities Officer shall within seven days of receipt of the complaint:-

- (a) Acknowledge the complaint
- (b) Inform the Community Council of the complaint
- (c) Convene the Complaints Panel.

Complaints Panel Process

The Panel must appoint a chairperson and a note taker.

The Panel needs to consider whether the complaint has merit and whether the Panel is required to make any further decision.

If the Panel determines that there is no merit, then the process ceases, and the parties must be informed. The panel should provide a written note of the complaint, the panel process and the outcome to the Communities Officer for monitoring purposes.

If the complaint does have merit, then the Panel must determine if they are able to decide based on the information before them. If there is enough information, then the panel will make its decision and notify both parties.

If the Panel are unable to decide and require additional information, then they must:

- (a) Seek supporting information from both parties and any witnesses
- (b) Consider the complaint and any supporting information provided
- (c) If necessary, undertake interviews to aid the investigation of the complaint
- (d) Determine whether a breach has occurred, and if so, what course of action is required. A full response to the complaint within 30 working days or sooner, from the date of the Panel meeting which arrives at a conclusion, unless there are circumstances which may not make this possible. If the latter arises then the Community Council should notify the complainant that their complaint remains subject to ongoing consideration
- (e) Provide a written note of the complaint, the panel process, and the outcome to the Communities Officer for monitoring purposes and to undertake any training that may be required.

The Panel can determine the following sanctions:

Complaints against an Individual Community Councillor		
Degree Of Breach	Possible Sanctions	Requirement
No Breach	No sanction	None
Breach	<ul style="list-style-type: none"> • Apology • Training (exact nature to be identified) • Mentoring • Restriction of communication between parties (to be clearly specified) • Written undertaking to behave within the Code of Conduct 	Must be by at least a two thirds majority of the Panel
Serious Breach	<ul style="list-style-type: none"> • Suspension for a set period up to six months • Instruction to stand down from an Office Bearer position. • Expulsion. This must be unanimous decision of the Panel. 	Must be a unanimous decision by the Panel

Complaints against the whole Community Council		
Degree of Breach	Possible Sanctions	Requirement
No Breach	No Sanction	None
Breach	<ul style="list-style-type: none"> • Apology • Training (exact nature to be identified) • Mentoring • Written undertaking to behave within the Code of Conduct 	Must be by at least a two thirds majority of the Panel
Serious Breach	<ul style="list-style-type: none"> • Recommend that the Community Council goes into Supported Status 	Must be a unanimous decision by the Panel

The decision by the panel will be the final decision in respect of the complaint. If further clarification is required, the Chair of the Panel can be contacted via the Communities Officer.

APPENDIX 7



South Ayrshire Council

Annual Self-Assessment (RAG Analysis) for Community Councils

CONSIDERED GOVERNANCE STATUS

- **RED** – 1 or more CORE ADMINISTRATION items remain outstanding.
- **AMBER** – All (6) CORE ADMINISTRATION items met; and Any 1 GOOD PRACTICE item being met.
- **GREEN** – All (6) CORE ADMINISTRATION items met; and evidence of 6 GOOD PRACTICE items being met; which must include the Annual Self-Assessment (RAG Analysis).

- RAG Analysis should be completed each year. AMBER status is satisfactory; GREEN status Community Councils will be held up as MODELS of GOOD PRACTICE.

Name of Community Council

SAC can complete

Year of Self Assessment

SAC can complete

Date of meeting which discussed self assessment

CC to complete

Considered RAG Status

Green

Amber

Red

Completed by

(name - block Capital)

CC to complete

(signature)

(position)

(date self assessment completed)

CORE ADMINISTRATION	MONITORING QUESTION	YES	NO	COMMENTS / EVIDENCE / CONCERNS
1. Constitution	Is there a signed Constitution held on file and by South Ayrshire Council?			SAC can complete
2. Minutes	Are all Community Council minutes from the last 2 years held on file by South Ayrshire Council?			SAC can complete
3. Annual General Meeting	Has an AGM been held in April/May of the most recent year?			SAC can complete

4. Finances	Have the most recently approved accounts been submitted to South Ayrshire Council?			SAC can complete
5. Treasurer Reports	Are regular financial reports presented at scheduled meetings?			SAC can complete
6. Chairperson's Report	Is a Chairperson's Report available from the most recent AGM?			SAC can complete

GOOD PRACTICE	MONITORING QUESTION	YES	NO	COMMENTS / EVIDENCE / CONCERNS
7. Locality Planning Group Reports (LPG)	Do LPG's representative's reports appear as regular/rolling agenda items?			CC to answer
8. Elected Members' Reports	Do Elected Members' reports appear as regular/rolling agenda items?			CC to answer
9. Police Reports	Are Police reports available for regular/rolling agenda items?			SAC to answer (as per minutes)
10. Planning	Is Planning included or acknowledged as a regular/rolling agenda item?			SAC to answer (as per minutes)
11. Licensing	Is Licensing included or acknowledged as a regular/rolling agenda item?			SAC will populate for those that have one.
12. Email	Does the community council have a generic email?			SAC will populate for those that have one.
13. Website	Does the community council have a website?			SAC will populate for those that have one
14. Facebook	Does the community council have any social media pages			CC to answer
15. Information Sessions	Is there uptake of any information sessions offered?			CC to answer
16. Wider Participation	Does the community council liaise with other community groups?			CC to answer
17. Consultations	Have any consultations been conducted within the previous 12 months?			CC to answer
18. Local Vision	does the community council have a Local Vision or Mission Statement?			

				SAC will populate once we have the details from each CC
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FOR OFFICIAL USE: Thriving Communities confirmation of RAG status:

Green **Amber** **Red**

Relevant Officer: -----

Date:

DRAFT



Consultation Mandate

The Consultation Mandate provides clarity for those involved in the consultation process. The following template should be used by those responsible for the development and delivery of the process. A well-constructed mandate ensures that everyone is clear about the purpose of the consultation.

Contact Name: Jamie Tait
 Contact Service: Thriving Communities
 Contact Email: communitycouncils@south-ayrshire.gov.uk

Stage 2 Consultation: 28th August 2025 – 31st October 2025.

Consultation Mandate	Proposed Boundary Change Community Councils
We...	<p>South Ayrshire Council is undertaking the consultation regarding proposed updates and changes to current Scheme for Establishment of Community Councils and Guidance for Community Councils.</p> <p>This mandate sets out the proposals for phase 2 of the consultation.</p>
need to hear the views of...	<p>South Ayrshire Council are keen to hear the views of:</p> <ul style="list-style-type: none"> • Local residents from across South Ayrshire • Community Councils • Community Groups and Organisations • Any person who may be directly or indirectly impacted by the proposed changes.
about...	<p>Since the introduction of the current Scheme for Establishment of Community Councils and Guidance for Community Councils came into use in April 2022, there have been concerns raised by both SAC Officers and Community Councils regarding the size of the documents and the working practicalities on certain aspects of the scheme.</p> <p>On 7th November 2024 SAC Officers met with the Chairs and Secretaries from Community Councils and agreed that Officers would seek approval to carryout a consultation on the scheme.</p> <p>On 18th March 2025 Cabinet approved for officers to consult on the current scheme and approved for officers to bring a further report back to Cabinet in August.</p>

Appendix 2

	<p>Phase one of the consultation included a survey that was open between 11th March - 6th May 2025. The survey included both online and paper surveys.</p> <p>The consultation was open to:-</p> <ul style="list-style-type: none"> • Local residents across South Ayrshire • Community Councils • Community groups and organisations • Any individual or group directly or indirectly impacted by the scheme <p>Following the survey, a focus group was formed to consider the results. The focus group included representatives from the following Community Councils:</p> <ul style="list-style-type: none"> • Forehill, Seafield and Wallacetown • Girvan & District • Symington • Belmont & Kincaidston • Dundonald • Monkton • Crosshill, Straiton & Kirkmichael • Maybole <p>The group met regularly to discuss the findings, share their own views and review proposals from SAC Officers regarding potential updates to the scheme.</p>
so that...	Following the consultation including feedback from the focus group, officers have developed a draft scheme and are now seeking approval to consult on the new draft proposals.
Can...	Approval will allow officers to consult on the Scheme and present findings and a final recommended draft scheme to full Council in December 2025.
On / by...	<ul style="list-style-type: none"> • Stage 2 Consultation 28th August 2025 – 31st October 2025. • Present recommendations to SAC Full Council 11th December 2025
so as to accomplish...	Allow officers to present recommendations on any suggested changes or updates to the Scheme following stage 2 consultation.
Communications Team Support requested i.e. Social Media and Webmaster	<ul style="list-style-type: none"> • Stage 2 – Promote Stage 2 Consultation

Appendix 2

	Information will be shared by South Ayrshire Council Communications Team, Local Press and on Thriving Communities Web Page.
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Scheme of Establishment – Stage 1 – Online Consultation Feedback

Rights and Responsibilities

I think the current rights and responsibilities give community councils a solid foundation but they can sometimes feel a bit weighed down by paperwork and formality. What if, instead of the community thinking of CCs as bodies that only consult and report, each council had to commit to two real, tangible community outcomes a year (like a community partnership or a community event) and had a responsibility to keep their community updated not through minutes and meetings but through short form social media content? What we have found, and have tried to move away from, is that people are more interested in joining 'community groups' rather than CCs because they feel less formal and that they are in a place where they can make a real difference instead of sitting once a month looking at planning applications.

The model Scheme developed by the Improvement Service gives a better remit, suggesting that a Community Council's core purpose is to express community views. Notably, it includes a clearly stated statutory purpose alongside the "Role and Responsibilities of Community Councils" section, offering a more accessible and coherent introduction.

Ccs should have notice of SLTS and right to object

Emphasis should be put on statutory right to consultations for all planning applications

This is true, one of the main things that the new updated model scheme emphasises is the statutory right for CC's to be consulted on planning applications but I think that CC's forget that this applies only to their boundary area if I am not mistaken.

Boundary Areas

AD&SL covers most of Seafield golf course. It should cover the whole of the course (or none). It isn't clever that the boundary is the burn that runs through and splits the golf course.

Fine for Tarbolton, can't speak for other CCs but ours are certainly very natural in nature but likely due to the rural nature of our constituency.

My area seems to have natural boundaries but some more rural areas seem to have boundaries which are so far away from their centre and affect other CC's more, i.e. the boundary of Coylton on the other side of the A77 from Belmont and Kincaidston CC. However, it can't really be helped and BKCC can still make comments on anything that happens on the other side of the A77 I think, re the Local Development Plan..

Fine

Fine as is and has worked well for many years

For the area that I live in.

Elections and Terms of Office

Very silly. Keep as is. Scot Govt Model even says: "elections will be held on a four-yearly-cycle".

When talking about moving to a three-year election cycle with no by-elections I cannot support this purely for the reason that relates back to my previous responses of how are CCs supposed to recruit members into a friendly environment in order to stop them from collapsing if we are making it so bureaucratic. I am sure that other CCs can relate that, especially in the past few years, our CC would have folded if we were unable to co-opt people on and elect them at the following AGM, about 2 years ago if that were the case half our committee would have been co-optees and not full members. If you want make organisations that are future proof, will last, and can make a real difference you need to relax the membership process.

Looking at terms of office, the first thing that needs to be addressed is Clause 2.3 where it states 'Members of the ... Scottish Youth Parliament, for the area (or part of the area) covered by a Community Council shall have ex officio membership'. I can understand the place of this clause for MPs, MSPs, and Cllrs as it is to try and avoid political impartiality in CCs which we should protect at all costs but the Scottish Youth Parliament (SYP) is a politically impartial organisation and MSYPs have to undergo extensive training when elected on how to remove political biases from conversations so in this case they are probably more informed on how to be politically impartial than most Community Cllrs.

I am inclined to stick with the 4 yearly cycle as is written in the Model Scheme. Is it really necessary to co-opt members at all? Why can't a member wait until the next by-election to become a full voting member? Normally members take some time to sit and just listen in any case so this gives them plenty time....it is very annoying when we go through the whole by-election and then people come along just after it but there is nothing stopping them continuing to come along until the yearly by-election. I would do away with co-option of ordinary members completely. Of course we should always be able to co-opt a specialist co-optee at any time, they are not counted in the membership and do not have a vote but they can offer specialist help.

A four year cycle would be more appropriate as that is the standard practice for most community councils in Scotland. Vacancies via co-option is sensible as the main problem is recruitment and retention rather than reassortment.

System works well as is

Should remain at 4 years but remove bi-elections and co-opt from a vote of the current community cllr but new co-opt should have to attend 3 meetings before being able to be co-opted

if we remove the bi-elections then that means that someone can be "elected" onto the community council between the 4 years while never actually being democratically elected by the whole area, only elected by a few community councillors in effect. Is that really democratic, would you want system for South Ayrshire Councillors because believe it or not, community councillors are just as much democratically elected as members of South Ayrshire Council. Sorry to be pedantic but I think it is important to be seen to be democratic, currently the problem is solved by yearly by-elections. That means more work for South Ayrshire Council but it means that things are done democratically, rather than not.

Less cumbersome or confusing.

Contested Election

100% should be moved online, as with most other CC processes. Can't speak from personal experience as we have never been in the situation where we have had a contested election but the idea of postal ballots in our CC is with the best words in the world, laughable.

I suppose that a more technological way of carrying out expensive and time-consuming paper ballots would be something that should be tried out.

A paper system has been tried and tested, provides an intuitive audit trail and does not cut out those that are not online. I would also doubt South Ayrshire Council's ability to run an electronic ballot system reliably.

I agree that electronic ballot would be more accurate and encourage

Only online if it is secure and no one can vote twice

Contested Election - Ballot Paper

Perhaps the first part of the postcode only should be included for safeguarding?

Should be name and then say address supplied for x community council area and checked like Cllr elections do

Simply for a safeguarding reason it should be name and postcode only. If we apply the principle of least privilege people don't need anything other than a name and postcode to verify who they are voting for and that they live in the constituency.

Yes

It is important that where applicant lives

Definitely! A person's name and address should not be given out to everyone in an area of so many people.

Co-option Process

In my opinion, it should be whatever comes first. If you are a co-opted member you should become a full member at the next AGM or 6 months from co-option (pending approval from the CC obviously). Although there might be a condition within that 6 month period that they have to attend a certain amount of meetings or some other engagement metric as I know all organisations have a problem with people joining and being active for the first few months but about 3 months in the notion wears off and they dip in and out.

I would rather see the co-option done away with as I said in my comment on the previous question. If this is such a good idea i.e. to do away with the person having to be "elected twice" by having to go through the next by-election, then why was it done in the first place? I really would like to hear the answer to this question. It would be very interesting to know.

The only functional difference is the removal of limitation on successive co-option and the ability to be elected chair or treasurer after 6 months. This is another example where the model scheme is superior. On co-option it says:

"Should a vacancy or vacancies arise on a community council between elections, it shall be a requirement that the community council undertake appropriate election arrangements, in consultation with the local authority. Filling a vacancy can be undertaken either through the process of an interim election or by co-option. ... Co-opted members must be eligible for membership of the community council as detailed in Section 5 of the Community Council Scheme. They must be elected onto the community council by a two-thirds majority of the elected (general and interim) community councillors present and voting. Such co-opted members shall have full voting rights, with the exception of voting on co-option of members, and will serve until the next round of elections

Works well as is

If by-elections are removed then this would be necessary?

When they are co-opted they automatically become a full member yes, but only until the next yearly by-election currently.

Community Council Meetings

This should be left to the council to decide. Again, the model scheme offers sense: "Community Councils may decide to take an in-person, online or hybrid approach to their meetings, and the platform to be used for any meeting is for the Community Council to decide.

Virtual meetings may include members of the public where this can be accommodated, but this is not mandatory and for each Community Council to determine."

I agree with Tom that the Model Scheme deals with this more modern approach to meetings pretty well.

100%. I cannot see a world in where having a hybrid meeting vs an in person one would make a difference, if anything I think that we should be equipping CCs with the equipment and skills so that we can eventually say that there is a minimum number of hybrid meetings that you should have. Doesn't need to be a fancy webcasting system like SAC uses, even just Facebook Live proves useful. Ultimately, why should we be excluding those who can't leave the house whether this be due to childcare arrangements, a medical condition, or another one of the thousands of reasons people cant attend CC meetings when something as simple as sitting a phone with Facebook on it in the room can work fine.

As far as I know there is no mention of restrictions on HYBRID meetings in the current Scheme - it only says that there is a maximum of two VIRTUAL meetings which is different from a HYBRID meeting (face to face plus online). It is possible that I have not understood the current Scheme wording.

There should be more hybrid meetings. We are volunteers and unlimited May put off members standing

2 virtual meetings insufficient,, Members should be able to participate virtually

This should be considered to give people who are unable to attend meetings to be involved. This would include for example: those with caring commitments (including those with young families), housebound for health reasons, temporary absence from home address, lack of time available to travel to meetings.

Discussion and clear guidance will be required. If this system works for elected members then it can be adapted for Community Councillors. Most Community Councils are finding it difficult to attract attendance at meetings so this would definitely be worth a try.

Financial Records

There are plenty of examples available in books or online for what should be a fairly standard document

In my opinion it should be left up to the CC, there should however be downloadable templates available. Some CCs, speaking from our experience, have workflows and software set up that we consistently use throughout the year to manage finances and others don't, it is simply a matter of preference as well as how much financial activity a CC has. I know if we left everything until April to prepare we would be ripping our hair out due to the amount of transactions we have in a year whereas other CCs (or even us 5 years ago) are able to prepare small accounts in an afternoon.

Within the new Model "Guidance" document created in 2023 there is most likely a very good example of what the Treasurer should present to SAC.

Agree a standard account would be useful

There is an example of the proper income/expenditure/balance sheet in the Guidance book but no-one seems to look at it. I must say it is not very attractive or easy to understand though anyone with basic accounting knowledge will know exactly what it is. There is training online with Open University for Treasurers to learn basic accounting. If someone does not present a good enough table of accounts then there application should be withheld until they look at the Guidance book. :)) I mean their application for top-up funds...

Any help is welcome!

Possible but one size doesnt fit all , some cc have other income

It is possible that South Ayrshire Council are only interested in the administration spending and receipts. It should be easy to complete a income and expenditure sheet for the administration funding/expenses only. No need to display other income.

Administration Grant

Yes, the items that are listed in the guidance I do feel are adequate but things like the amount you can donate to community groups should be increased especially with inflation these days. As a CC when making a donation to a

community group if asked we give £100 per year and only expense £50 of that and while that works for us because we don't give our a large amount it should be increased. ICO fees should however be separate similar to the PLI.

There seems to be plenty of money in Thriving Communities, so you would assume that these grants would be indexed to inflation.

Costs have dramatically increased since grant amount .All costs and IT never considered

We have a grant of £800 .Due to increased costs this is insufficient

In at least 14 years the amount has stayed the same, has inflation stayed the same? I have seen CC's give more than the allowed amount of £50 to community groups and I don't understand how they can do that if it has come from the admin grant. Donations given from fundraised money is different. Perhaps the allowance of £50 should be increased also along with the grant. Nowadays we have, data sims for laptop, software subscriptions, bank charges to pay. I think that the ICO subscription should be paid by South Ayrshire Council and not come out of the admin grant, just like the insurance.

I actually now think that the donations should be scrapped. I also think that the money should always be a top-up to the fund for EVERY year instead of CC's being able to accrue a surplus of funds due to being given the full amount (e.g. £800) every FULL ELECTION when there is already money left in our admin fund.

But, more support from SAC would be helpful e.g. communication provided with attractive graphic design that can be printed or published directly on the Internet social media platforms.

Administration Grant – Donations

Clearer on guidance on this I feel would be appreciated, as far as we were aware it was £50 as a few years ago we received a letter from SAC informing us that because we had gave £100 to a community group we were in breach of regulations. There should be a cap of course and maybe there should be information collected when giving out donations such as who was the donation made to, how much, did they reach out to the CC or did the CC reach out to them to give community groups a fairer chance when it comes to donations and it isn't just a case of who you know.

I do not think that any of the funding that the CC receives from taxpayers should be allowed to be donated to specific groups in the community at the discretion of the CC. CC's should only be allocated funding for the purpose of continuing to exist.

The question is wrong - it doesn't mention donations in the Scheme anywhere. In fact, this is a great example of the confusing and contradictory nature of the Scheme. 11.4 says "Administration Allowances shall be for Community Council administration and/or promotion purposes only, and shall not be expended on any other purpose. All decisions in relation to the expenditure of the Administration Allowance should be minuted."

You would have to argue that a donation is being made to promote your community council, which isn't a very charitable position to put yourself in. No wonder SAC often get it wrong themselves.

I had to do a search on the document to find it but on page 43 of the Guidance for Community Councils it has the list of items that the admin fund can be spent on which included Donations to Community Groups.

There appears to be no other information on donations such as how much they can be. Seems like this was missed out in this version of the Scheme?

There should be no limit on donations. We should be able to receive charitable donations

There is no clear guidance at the moment re grants from CCs to support local groups but it appears that CCs 'typically support 3 groups with £50 each, however, that is not set in stone. The only guidance (on page 43 of the Financial Accounting for Community Councils) states that anything over £250 has to be approved and agreed with the SAC CC Engagement Officer in advance; otherwise, it is up to each CC who they wish to donate to/fund, so long as all the admin expenses (again details of the typical uses/considerations of the admin allowance are shown on pg 43) are taken into account then the CC can make those decisions.

Clear guidance would definitely be welcomed! Upto £250 from admin grant seems appropriate if all expenses are accounted for. In practice community councillors do not claim for all expenses which explains some of the underspend.

Compliance

As a CC we have never had any complaints or compliance issues and have never went through the process, so I can't comment on whether it is fair however from reading the scheme it does seem like it could be simplified to give the TC staff that we work with more time to work on helping the development of CCs rather than the drawn-out process of dealing with compliance issues.

The current approach to compliance significantly compromises the autonomy of Community Councils. Rather than supporting their role as independent, democratically-elected bodies, the Scheme establishes a mechanism by which the Council can override local decisions and supplant democracy. This dynamic is at odds with the intended legal standing of Community Councils, and remains questionable in intent and authority.

The expectation that three volunteer members of a Community Council can make decisions of a quasi-judicial nature raises serious concerns. Such arrangements lack the procedural safeguards and legal expertise required for legitimate decisions.

Altogether, the process has resulted in a substantial and regrettable expenditure of time and public resources; efforts that appear to serve unclear or questionable objectives.

Very interesting topic - requires much discussion.

I have not gone through the process so I can't really have an informed opinion on this no matter what I read.

Really?

You doubt my answer? Why? Maybe I have misunderstood the question...

The process appears to escalate very quickly without any opportunities for arbitration and discussion at CC level.

Censure – Take a Vote of No Confidence

Complaint by the Chair is not covered.

There should be an opportunity for arbitration before issues escalate to the level whereby CC members are sanctioned, censured or whatever. Open and honest discussion with a neutral, external person could definitely help in some circumstances.

I don't understand your comment " Complaint BY the Chair is not covered". Do you mean, "Complaint ABOUT the Chair is not covered" because then I might agree, in many cases a member might want to complain about an "office bearer" but they could be extremely worried, it might be they are unhappy with all the office bearers and do not know who on earth they can send their complaint to. Hopefully, no-one would have a serious complaint that could not be dealt with at the next office bearers election....by not voting them in again! Agree that neutral arbitration could be a much better route in the first instance...

Should be something added in where there is a case that the member has no office bearers that they feel comfortable making a complaint to. This is where the link officer or someone similar should act as an impartial party to deal with it appropriately in the same way that the office bearers would should a complaint be made to them.

We followed the procedure and told we "done it wrong". We did it again, told it was "wrong again" and that we should have done it the first way.

It is worded in the loosest of ways that it can, and has, been interpreted with great variation. I don't feel that even officers understand or are clear on it.

The model scheme is silent on censure and it is a matter that should be handled by the board. In most places a censure and a suspension are different, but for community councils neither should really be hard-coded in a Scheme.

Again, an interesting topic that needs further discussion.

We have already used at Fort Seafield and Wallacetown

Agree with Cara answer.

Every CC member should be specifically trained in this regard so that there is no excuse for anyone to get the correct process wrong.

Public Complaints Process

If a Council Officer has a complaint made against him/her, he/she has support available from HR (and possibly a Trade Union). If a complaint is made against an elected member, support is available from the Council's HR team and the legal team. Community Councillors have nothing. No support. No guidance. No backup.

The complaints process is essentially designed for Council Officers. A separate, local process is required for Community Councils.

When a complaint is made, I fully agree that in the first instance it should be between the office bearer the complaint was made to as well as the member in question but at this stage the link officer should be made aware of it as well. This should trigger an impartial support process from someone within SAC who will be completely separate to the complaint investigation no matter the stage it gets to in order to guide and support the member. I fully support the idea that should a complaint be escalated it is reviewed by a panel of other CC members, as ultimately they are in a better position to evaluate than anyone else. I don't agree with the model scheme that SAC should not be involved in a complaints procedure, and

if it is going to be changed then there should still be an external and impartial body/partner to deal with complaints.

Costly, time consuming and a huge waste. The model scheme sensibly states that a local authority should not take part in the complaints process and matters should be handled locally.

I remember having a particularly difficult individual on the CC who seemed to be causing division amongst us and denigrating the office bearers when he had not even been in the CC for long. Turned out he was desperate to be first, Secretary, and then, Chair - and then he would not leave his position even when a vote of no confidence in him was taken by members. I went to SAC to the Communities Director at the time, long gone now, and she basically told me that there was nothing she could do. I found that hard to accept but thinking about it now, if I didn't like the CC I guess I should just have given up my voluntary role as Secretary and realised that this is life. Since the new officers have arrived there seems to be an improved way of dealing with difficult situations but my CC has not been through the process so I don't know for sure if the whole thing is fair or not. Does the Model Scheme actually say that? I missed that.

Adequate as is

This section could be abbreviated.

Looks ok to me.

Constitution for Community Councils

I am assuming that this section also includes comments on the Scheme itself and not only the Constitution.

Para 9.6 states that the quorum at meetings will be 50%. Whilst CCs in SAC must have 50%, para 10 from the Scottish Govt Model Scheme indicates that 33% is recommended. CCs in Glasgow City and East Ayrshire are 33% (NAC appears to be similar, as do other councils). To make matters worse, – in South Ayrshire Council meetings, our elected members only require 25% for a quorum. Very much double standards.

Wordy and overly complex

The division of quorates is not clear and should be made clearer

It needs more scrutiny. I have never understood why in Membership (b) page 41 the list of quorum examples does not include every number from 9 to 18. Was someone trying to save time? Total membership of 9 requires a quorum (minimum) membership of 5 to exist in the first place.

Total membership of 10 requires a quorum of 5 to exist in the first place. Membership of 11 requires a quorum (minimum) membership of 6 to exist.....etc. etc.. up to 18. Fully comprehensive. Then it talks about meetings and quorums in meetings which is different. In order to exist in the first place, lets say a CC can have a total membership of 13. That means that it needs a minimum of 7 members in order to exist. Lets say that in a meeting 4 people turn up then the meeting can go ahead because more than half of the membership is in attendance, or am I wrong...? This whole thing can be very confusing as the handbook does not distinguish clearly between quorums for existence and quorums for meetings.

But it should be revised and summarised.

Standing Orders for Community Councils

Can't see anything about Standing Orders on any page 50 of either my handbooks. (Handbook is split into two which is very confusing) why not get the handbook professionally spiral bound...

Is the degree of formality necessary for a well functioning Community Council?

Should the information about quorum be included here and could the quorum be reduced to one-third of the voting membership or full 3 members?

Funnily enough, our handbook says that meetings require 50% of existing membership have to attend a meeting for it to be quorate, so we had to cancel some of our meetings unfortunately. However, I see that in East Ayrshire Council handbook they only require to have a third of members in attendance or 3 full members whichever is greater. This could be because East Ayrshire Council have adopted the Model Scheme reviewed and updated by the Improvement Service/Scottish Community Councils in 2023 which I knew nothing about until I looked at what East Ayrshire were doing on their council website. What gives?

Most of the country uses the model scheme, which is approved by COSLA. It is duplicating effort to NOT use the model scheme

I agree, but I also think that some things might be added to it by us and possibly some things altered. It makes sense to start from the new model scheme document and not the one that we have currently which was based on the Model scheme of 2019. Not all Local Authorities are happy with every single aspect of the latest model scheme so we could take their advice and make slight alterations.

Standing orders that are included seem fit for purpose and we have never had an issue with them where we have wanted to do something and it has restricted us.

Not as bad as many other bits of the Scheme

Works as is

Training for Community Councillors

We already have someone doing that supported by the Scottish Government called Improvement Services. Anyone interested enough can find everything they need online at present in order to be a good Community Councillor.

Additionally, there should be a mandatory module for all members around making CCs an inclusive environment and what CCs can do to help young people who want to get involved. People might complain but we need to face that if you look at the average age of a CC member and the number of CCs that are folding it could all be rectified by ensuring that CCs work to become environments where you actively encourage young people to get involved. Because actually a CC is one of the best environments for a young person under ideal conditions because it is a place that such a diverse range of work is carried out that it gives them the opportunity to develop their own skills that they can later take on to life and the workplace.

It also shouldn't be something that a member completes when they are elected and never looks at again but rather something that new information can be added to and they can go back to. I'm not suggesting everyone has to do refresher training every year but there may be opportunities for optional topical training that crop up that allow CC members to continue their professional development.

Yes, especially office bearers. The reason that CC meetings become a hostile environment is because we elect office bearers to control a meeting who have no training in how to. I'm not suggesting that we train the chair to sit on a throne with a gavel but the amount of arguments that would never happen if an office bearer had training on how to control a room. Additionally there should be optional modules on things like minute taking for secretaries, basic accounts for treasurers, potentially a first-aid one for those wishing to run events and on new law surrounding events involving children and the PVG process.

The availability of training for CCs is essential but cannot be made mandatory. More importantly, there should be targeted training

available. eg Basic member training, Chair & Depute Chair training, Secretary training, etc. The most important thing though, is support. Elected members have the support of Catriona Caves and her team of lawyers, CC members have nothing.

It will further put off volunteers. Plenty of information is available online or in books, and most bring professional experience. It is not a job

Perhaps for new members and refresher for existing

There should be definite training particularly for new members

It is really important that Community Councillors have basic training and awareness as soon as they join. Simply handing out handbooks does not really suffice. Discussion of scenarios would be really beneficial.

E-mail Address

Office bearers should have access to a generic email address to conduct CC business. In the interests of transparency, all sent and received emails should be accessible to other CC members. This will help to prevent office bearers pursuing their own personal interests.

Definitely. A CC domain would also allow all committee members to set up a specific CC email, simplifying email management, and facilitating protection of private data.

Yes, we have hello@tarboltoncc.co.uk as well as role specific such as secretary@tarboltoncc.co.uk, chair@tarboltoncc.co.uk, social@tarboltoncc.co.uk and it means that when members leave the new office bearers can jump right into their shoes and pick up where they left off.

Definitely as detailed already

Yes .If office bearer leaves there should be continuity of e mail address.Fort Seafield and Wallacetown already operate.However increased costs in so doing eating into existing grant

Outlook is a better option than gmail if you don't have your own domain. Also, it is important never to insert an email as text online in a webpage such as SAC because internet bots can find the email and send spam to it. It should be inserted as an image file, not text. I am annoyed that our email is written into the code of the SAC website (i.e. text) instead of being an image.

This avoids previous Chairs being inappropriately sent emails intended for the current Chair and also reduces any infringement of personal emails and details. Ensures that important information does not 'go missing' and avoids need to inform agencies etc of change of personnel.
Improves transparency.

Young People's Involvement

We would like to know the same! Could information about 'Scottish Youth Parliament' members be circulated to local Community Councils so that reps could be invited along to CC meetings - an opportunity for swapping information about roles .

Hey, might not be the place but I am the MSYP for Ayr. We are always happy to engage with CCs and that goes to any CC in South Ayrshire. I can be reached at matthew.mccolm.msyp@sypmail.org.uk. Would love if you reached out and we would be more than happy to work with the SAC team to distribute a little 'about us' to all the CCs

It is also about putting the procedures in place for having young people, or even just volunteers in general. Does the CC have a volunteer policy? Does the CC have safeguarding policies in place? Does the CC have a volunteer/nominated safeguarding officer? Does everyone know who this officer is? There are many more, and there are organisations like Voluntary Action South Ayrshire who have staff members dedicated to helping charities do this, but the biggest thing is 'Does the CC actually want the young person to succeed?'. Because if you help that young person succeed and they go off to uni, or off to the workplace, or whatever it was they wanted to do and you support them through that transition in turn they will come back, and they will bring others with them. I have seen far too many Charities who don't do this and they are brilliant to their volunteers up until the point that they leave.

It is also about realising that CCs can't just expect young people to come knocking at the door to get involved and a lot of people have the opinion that all it would take is for SAC to run a social media campaign and young people will come flocking, they won't. You need to market what your CC can do to help that young person with their goals. Are they a young person looking at applying for college/uni in the next few years? Show them how you can involve them in a way that directly related to their prospective course and will give them that edge. Are they a young person who cares about making a tangible difference in their community? Show them that CCs don't just sit around making decisions

but get out in the community and make change happen. Are they a young person looking to develop their confidence? Show them what you can do as a CC to help them develop that.

The first thing that we need to do is to make sure that community councils are an environment where young people want to be involved. Speaking from the perspective of a young person who is used to the way that a CC works if I were to bring in another young person to a meeting where their was shouting and arguing, no matter how encouraged the young person was or how much they wanted to get involved, I guarantee you that they wouldn't be back because I certainly wouldn't and I'm sure that most other people no matter their age wouldn't.

If we get funding for a particular project in the community which residents can be involved in then that could attract younger people. We are hoping to involve school children in planting trees locally.

Difficult to get young members. Campaign by Council at colleges etc to attract

Additional Information

In the first instance, our scheme should follow the Model Scheme (in the same way as does EAC and NAC). SAC can then add into the scheme where there are gaps - eg specific support and training.

Completely agree with this.

The Model Scheme was produced by Improvement Service Scotland, which is partly funded by SAC and approved by COSLA which is also partly funded by SAC. They put a lot of work into it so this is an exercise in duplication to go over and often "discover" what they have already produced. Most of Scotland uses the Model Scheme and it could be considered the best practice. The current Scheme in SAC is poorly written, confusing and contradictory in places - paid officers get it wrong again and again then expect volunteers to understand it "the way they do". South Ayrshire should align with the others and use the Model Scheme.

The information is very difficult to navigate and there is repetition. Could the language be improved to make it more user friendly, and there needs to be changes to reference to she/he throughout?

Paper copies of the documents are really useful but the way they are currently organised is not user friendly making it difficult to navigate. Finding the information you need quickly is so important.

It would be good to see the responsibilities of others to Community Councils mentioned e.g. elected members.
Statutory consultation for applications needs to be recognised and adhered to by Planning Department.
Guidance on blended meetings to enable members or the public to participate remotely is required.

This consultation is a bit of a nonsense. There appears to be around 6 individuals making comment. We have (I think) 29 CCs yet there has been no serious attempt to obtain views from CC members or members of the public attending CC meetings. Not a consultation.

Yes I understand that 3 notices of meeting to be published Should only be needed 1ce-website