

REPORT TO EXECUTIVE

CARLISLE
CITY COUNCIL

PORTFOLIO AREA: STRATEGY AND PERFORMANCE

Date of Meeting: 28th January 2002

Public

Key Decision: No Recorded in Forward Plan: No

Title: CONSULTATION PAPER ON QUALITY TOWN & PARISH COUNCILS

Report of: Town Clerk & Chief Executive

Report reference: TC.19/02

Summary:

The consultation paper published on 7th November sets out details of the proposal for Town & Parish "Quality Councils" The Department for Environment & Rural Affairs are seeking response by 31st January 2002.

Recommendations:

The Executive consider:

1. the proposal for "Quality" parish councils noting the potential implications for the City Council.
2. responding to the Department for Environment & Rural Affairs taking account the views expressed by Overview and Scrutiny.

Contact Officer: Jim White Ext: 7017

1. Background Information

1.1. The Rural White Paper "Our Countryside: The Future – A fair deal for rural England" set out the Government's proposals to strengthen the role of parish and town councils in England. Parish councils that achieved the award would be given freedom to take on an enhanced role.

1.2. The Consultation sets out the details of the proposed "Quality" parish council scheme, including setting out what a "Quality" parish council" should as well as proposals on what "tests" parish councils would need to pass in order to achieve "Quality" status. The Paper also considers how these tests could be validated. Views on these proposals are sought by 31st January 2002.

The proposals

1.3. The Consultation Paper proposes that a charter be drawn covering relations between parish councils and their principal authorities (the City Council) outlining how they will work in partnership. It goes on to suggest that the Benefits of being a "Quality Council" including an enhanced role in consultation with their principal authority, the delivery of services and the provision of access points to information. It is clear from the consultation document that these proposals are aimed at larger parish councils. These are defined as parishes with a budget in excess of £500,000. Clearly none of the parish councils in our area meet this financial threshold. However any parish may, if it so wishes, apply for "quality" status. The proposals relating to the drawing up of a charter between principal authorities and parish councils will need to be addressed by the City Council irrespective of whether there any parishes wishing to pursue "Quality" status.

Proposals for a Parish Charter

1.4. The document proposes that in all areas in which there are parish councils that there should be a charter setting out how the principal authority and parish councils will work in partnership. These local charters should be based on the model charter as set out in the consultation paper (page 18). The model charter is in two parts. Part one (applying to all areas with parish councils) would cover sustainability, community strategies, local governance, consultation, information & complaints, standards Committee, delegation, finance, local community life and practical support.

1.5. Part 2 of the proposed charter would only apply to areas with "Quality" parish councils where the charter would cover in more detail community strategies, information and access points, land use planning and development control the delegation of specific functions and services. If individual parishes councils wished to pursue "Quality" status the City Council would be required to actively participate in the process and work with the parishes to agree a charter covering these areas

Key Features of a "Quality Council"

1.6. The paper continues by setting out guidance on the key features of a "Quality Council" which include the following:

- Representative of and actively engaging all parts of their communities.
- Effectively and properly managed.
- Working in partnership with the City Council and other public agencies
- Undertaking more service delivery (in proportion to the size and skills of the Parish Council) possible functions are listed on page 23 of the consultation document.
- Provide leadership to their communities through parish plans.
- Providing information points for local services.

"The Quality Test"

1.7. In order to achieve "Quality" status the consultation paper sets out a series of test that parishes would need to pass and seeks views on whether these are appropriate. The consultation also considers how these tests could be validated. The tests identified are:

- A requirement that all parish council seats be contested.
- Undertake a minimum of 6 meetings per year.
- Parish clerks qualified to a minimum level.
- Production of an annual report.
- Publish a quarterly newsletter.
- Publish properly audited accounts.

1.8. It is proposed that external auditors would undertake assessment.

Comments

1.9. The proposals contained in the consultation paper to introduce "Quality" parish councils" provide an opportunity for developing improved partnership between the Parishes and the City Council. However there are a number of potential barriers to the full implementation of these proposals not least of, which may be the willingness of parish councils to undertake the relatively onerous accreditation tests. Faced with the prospect of increased responsibility and additional commitment in terms of time, potential parish councillors may be deterred from standing for election.

1.10. Assessment would also involve potentially significant increases in the workload of the role of parish clerks. It is understood that some parish councils are having difficulties in recruiting clerks these proposals may exacerbate the situation. It is proposed that the

parish council applying for "Quality" status would meet the cost of the assessment process.

1.11. Clearly there implications for the City Council in these proposals irrespective of whether individual parish councils wish to pursue "Quality" status if these proposals are accepted then a new parish charter will be required covering the areas set out above in 1.4. If there are parishes which wish to pursue quality status the again the City Council will need to consider the extension of the charter to cover those area set out in 1.5. The City Council would also be obliged to maintain an up to date list of all "Quality" parish councils in the area.

Consultation

1.12 Overview and Scrutiny have being considering the issue and the minutes of those meetings are attached

Recommendations

The Executive consider:

1. the proposal for "Quality" parish councils noting the potential implications for the City Council.
2. responding to the Department for Environment & Rural Affairs taking account the views expressed by Overview and Scrutiny.

Reasons for Recommendations

To ensure that the City Council is aware of the implications of the proposals for "Quality" parish councils and has the opportunity to respond to the consultation.

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE 20 December 2001

OSM.33/01 CONSULTATION PAPER ON QUALITY TOWN AND PARISH COUNCILS

The Head of Corporate Policy and Strategy presented a consultation paper issued jointly by the Department for Environment, Food and Rural Affairs (DEFRA), the Department of Transport, Local Government and the Regions (DETR), the Local Government Association, the Countryside Agency and the National Association of Local Councils (NALC) in consultation with the Audit Commission, setting out detailed proposals for Town and Parish "Quality Councils".

He drew Members' attention to the summary of the proposals contained in the Consultation Paper, together with the list of questions upon which views were sought. He added that the closing date for responses was 31 January 2002.

In considering the matter, a Member questioned the procedure by which the Executive/Council would respond. The Head of Corporate Policy and Strategy commented that the paper could be considered by the Community Overview and Scrutiny Committee on 10 January 2002 with comments being forwarded on to the Executive. The Town Clerk and Chief Executive added that he had already written to all Chairmen of Overview and Scrutiny Committees and any comments received would be forwarded to the Executive.

Members then raised the following points:

With regard to the list of possible functions which may be considered for delegation to all Parish and Town Councils by the principal Authority (Appendix 2 Page 23 refers), it was felt necessary to look at the wider picture and how such delegation would impinge on the working of District Councils;

Within Carlisle, the majority of residents receiving these services lived in non-Parish areas and it may therefore not prove to be workable;

The proposal that Clerks of Quality Parish and Town Councils should be able to demonstrate that they possessed the necessary skills/competencies to carry out their duties may put people off serving in that capacity.

The Parish Councils should determine what happened and the response should be left to them.

Various new funds and assistance schemes (amounting to £37 m) were now operational under the Rural White Paper to support rural Councils who wished to improve the levels of service provision to their local communities. It was felt that the District Councils already provided good services and that money should be reallocated to them, rather than "reinventing the wheel".

RESOLVED – That the consultation paper on Quality Parish and Town Councils, together with the comments of this Committee, be referred to the Community Overview and Scrutiny Committee on 10 January 2002 for consideration.

**EXCERPT FROM THE MINUTES OF THE
COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE
HELD ON 10 JANUARY 2002**

COS.16/02 CONSULTATION PAPER ON QUALITY TOWN AND PARISH COUNCILS

Pursuant to Minute OSM.33/01, the Head of Corporate Policy and Strategy presented the Overview and Scrutiny Management Committee's comments in respect of a consultation paper on Quality Town and Parish Councils, copies of which were also submitted.

The paper had been issued jointly by the Department for Environment, Food and Rural Affairs (DEFRA), the Department of Transport, Local Government and the Regions (DETR), the Local Government Association, the Countryside Agency and the National Association of Local Councils (NALC) in consultation with the Audit Commission, and set out detailed proposals for Town and Parish "Quality Councils".

He drew Members' attention to the summary of the proposals contained in the Consultation Paper, together with the list of questions upon which views were sought. He added that the closing date for responses was 31 January 2002.

Members then raised the following points:

With regard to the list of possible functions which may be considered for delegation to all Parish and Town Councils, it was felt that the vast majority of people who serve on such Councils were volunteers and would not want to take on additional responsibilities.

When vacancies arose on Parish Councils they often proved difficult to fill. In addition, smaller Parish Councils would not wish to be amalgamated with neighbouring ones.

At present good relations existed between the City Council and Parish Councils and it would be a matter of regret if that were jeopardised.

RESOLVED – (1) That this Committee endorses the comments made by the Overview and Scrutiny Management Committee.

(2) That the observations of this Committee, as set out above, be forwarded to the Executive for consideration when formulating a response to the consultation document.

Quality Parish and Town Councils

A Consultation Paper

Quality Parish and Town Councils

A Consultation Paper

November 2001

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ABOUT THIS CONSULTATION EXERCISE

The Department for Environment, Food and Rural Affairs (DEFRA) would welcome your views on all or any of the questions contained in this consultation by 31 January 2002

Responses and general enquiries about this paper should be sent to:

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Zone 3/B5
Eland House
Bressenden Place
London SW1E 5DU e-mail: quality.parish@defra.gsi.gov.uk

Large print versions and translations can be provided on request

Responses

It would be helpful if e-mail responses were given the title "Response to Quality Parish and Town Councils Consultation".

If you are responding on behalf of a representative group, please would you include a summary of the people and organisations you represent.

Responses may be published or deposited in DEFRA's library for public inspection. If you do not wish your comments to be made available in this way, please make this clear in your response. Any statistical or other summary of the consultation exercise, however, will be based on all responses.

Code of Practice on Written Consultation

To ensure that written consultations are fully effective the Government has introduced a code of practice on how they should be carried out. The code includes criteria that a consultation should satisfy, and these are reproduced at Annex B. In our opinion this consultation satisfies the first five criteria, and the remaining two will be covered at the end of the consultation period.

If you have any complaints or comments about the way this consultation has been conducted please contact:

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SUMMARY

1. This consultation paper follows up the commitment made in the Rural White Paper to consult on how a *QUALITY* parish or town council might work. It sets out our detailed proposals for putting the "*QUALITY*" concept into practice following formal discussions with the Local Government Association, National Association of Local Councils and the Countryside Agency.
2. *QUALITY* parish and town councils (or local councils) will work closely in partnership with their principal authorities and, through their enhanced role, give their communities a better deal on local services and a stronger voice in the decisions that affect people's lives.
3. The consultation paper sets out proposals for:
 - a model charter covering relations between all parish and town councils and their principal authorities setting out how principal authorities and local councils will work in partnership;
 - the additional benefits that a local council can expect from achieving *QUALITY* status (bigger role in delivery of services, access and information point and integral part of consultation arrangements);
 - guidance to principal authorities and local councils setting out how the *QUALITY* system will work, including the model charter and guidance to principal authorities for their financial arrangements with parish and town councils, supported by further advice that Best Value Performance Plans should include a summary of the charter;
 - a series of tests that town and parish councils should pass to achieve *QUALITY* status;
 - self assessment validated by the external auditor.
4. The consultation paper concerns England only. It is aimed particularly at parish and town councils, their principal authorities and other partners at all levels in England. But we also welcome comments from any organisations or individuals with an interest in the work of parish and town councils.
5. The questions on which we are seeking views are on the next page.

LIST OF QUESTIONS

Parish and Town Council Charter and Partnership Working

- Q1 We invite views on the content of the model charter (pages 18-23 below) and on the arrangements for agreeing and reviewing individual charters.
- Q2 In particular we invite views on the additional provisions for *QUALITY* parish and town councils in Part 2 of the model charter.
- Q3 Do you agree with the proposed additions to guidance on Best Value?
- Q4 Are there any other actions that might be taken to bring about closer working between principal authorities and local councils?

“Tests” for *QUALITY* Parish and Town Councils

- Q5 We invite views on the test that a local council should have all its seats filled by election at the beginning of each 4-year term to qualify for *QUALITY* status.
- Q6 Do you agree with the test on the proposed number of meetings a year which a local council should hold to qualify for *QUALITY* status?
- Q7 We invite views on the test for a competent clerk and the proposed approach to training for clerks, the thresholds for categorising councils and what will be appropriate training or qualifications.
- Q8 We invite views on the proposed annual report test, its timing and contents, the extent to which they should mirror those of Best Value Performance Plans and the value of distributing copies to local households, local businesses, voluntary interests and other service users.
- Q9 We invite views on the proposed newsletter test for *QUALITY* status, and examples of good practice, particularly in relation to distribution methods.
- Q10 Is there a need for parish and town councils to do more to provide access to the accounts for interested members of the community if they are to be given *QUALITY* status?
- Q11 Do you agree with the test framework, as a whole? Should any of the tests be omitted, or others added?

Assessment of *QUALITY* Status and Accreditation

- Q12 We invite views on proposed assessment format and whether there are other options that should be considered.
- Q13 We invite views on whether external auditors should undertake *QUALITY* assessments and on whether there is a role for national and/or local advisory assessment panels.
- Q14 Is four years the right length of time for *QUALITY* accreditation to be valid before it needs to be re-confirmed? What is the best point within the electoral cycle for the assessment?
- Q15 We invite views on the proposed re-accreditation process and whether there are other options that should be considered.
- Q16 Do you agree that parish and town councils should meet the costs of the assessment process for *QUALITY* status?
- Q17 Do you agree that it is appropriate to place the responsibility for maintaining up to date lists of *QUALITY* Parish and Town Councils on principal authorities?

CHAPTER ONE

Introduction

Purpose of Consultation

- 1.1 This consultation paper follows up the commitment made in the Rural White Paper to consult on how a *QUALITY* parish or town council might work. Its purpose is to seek views on our detailed proposals for putting the *QUALITY* Parish and Town Council¹ concept into practice.
- 1.2 This consultation paper concerns England only. It is aimed particularly at local councils, their principal authorities and other partners at all levels in England. However, we are keen to receive comments from any organisations or individuals with an interest in the work of parish and town councils. A list of those we are consulting is at Annex A.

The Rural White Paper

- 1.3 The Rural White Paper '*Our countryside: the future, a fair deal for rural England*', was published in November 2000. This White Paper gave details of our initial ideas for a strengthened role for local councils in England. The White Paper set out a number of measures to give people the opportunity to be more involved in the development of their community. We want local councils, as the tier of local government closest to their communities, to have a central role in achieving this.
- 1.4 The most prominent measure in the White Paper with respect to local governance was the introduction of the new concept of *QUALITY* local councils. *QUALITY* status would enable parish and town councils to take on a stronger role in their communities and would be achievable by any council, regardless of its size, location or current activities.
- 1.5 Although it was the Rural White Paper that introduced the "*QUALITY*" concept, such a status would be open to all councils.

Development of the Consultation Paper

- 1.6 This consultation paper details our more developed proposals for *QUALITY* local councils following formal discussions with the Local Government Association, National Association of Local Councils and Countryside Agency. The proposals

¹ The proposals in this consultation paper should be read as applying equally to parish and town councils.

in this consultation paper are issued jointly by DEFRA, DTLR and the above organisations, in consultation with the Audit Commission.

The *QUALITY* Parish or Town Council Proposal

- 1.7 *QUALITY* local councils will work closely in partnership with their principal authorities and others to give their communities a better deal on local services and a stronger voice in the decisions that affect people's lives. Local councils are the democratic bodies with the closest direct links to their communities. They can make a vital contribution to establishing the long-term vision and the priorities contained in the community strategies which principal authorities are responsible for preparing. They can also help to implement community strategies although their individual capacity to do so will vary. The role of parish and town councils should be a matter for discussion between those councils and the relevant Local Strategic Partnership².
- 1.8 We want a *QUALITY* local council to:
- be representative of, and actively engage, all parts of its community, providing vision, identity and a sense of belonging;
 - be effectively and properly managed;
 - articulate the needs and wishes of its community;
 - work in partnership with principal authorities and other public service agencies;
 - in proportion to size and skills, deliver local services on behalf of principal authorities when this represents the best deal for the local community;
 - in proportion to size and skills, undertake more service delivery and other responsibilities themselves;
 - work closely with voluntary groups in their communities;
 - give leadership to work by the community on town or village plans; and
 - act as an information point for local services.
- 1.9 Chapter 2 sets out the benefits that achieving *QUALITY* status will bring and our proposals for a charter setting out how principal authorities and parish and town councils will work together. Chapter 3 describes how the benefits will be

² See statutory guidance on community strategies and non-statutory guidance on Local Strategic Partnerships.

delivered through guidance to authorities and further guidance on Best Value arrangements. Chapter 4 sets out the proposed tests for achieving *QUALITY* status and how these will be assessed and accredited.

- 1.10 We recognise that there are many parish meetings across the country, which do not have full council status, but do much good work for their communities. The *QUALITY* proposals outlined here, however, relate to an enhanced role for local councils, and are not intended to apply to parish meetings.

Helping Local Councils meet the *QUALITY* Tests

- 1.11 The “*QUALITY*” proposal is just one of a variety of measures which aim to modernise the way local government - including local councils - is managed and financed. There are a number of complementary measures either currently in force, or about to be implemented, which will help local councils to take on extra responsibilities and, hence, assist in their move towards *QUALITY* status.
- 1.12 The Local Government Finance Green Paper ‘*Modernising Local Government Finance*’, issued last year, raised a number of issues relating to the successful operation of local councils, including the issues of Section 137 expenditure, “double-taxation” and Council Tax Benefit Subsidy Limitation. DTLR is now looking in detail at these issues in tandem with the continued development of our “*QUALITY*” proposals. The Government will be publishing a White Paper on Local Government, amongst other things taking forward Government action on the above issues.
- 1.13 To establish an accounting and financial reporting framework that is more proportionate to the amounts of public money involved, action is being taken to revise the accounting thresholds for local councils, as set out in the Accounts and Audit Regulations 1996. The Audit Commission recommended, following responses to its “think piece” discussion paper on the future of parish audit³, that the threshold, above which a parish or town council is required to prepare income and expenditure accounts, be increased to £50,000 from £5,000. A Statutory Instrument taking forward this and some other minor technical amendments has been laid before Parliament. Meanwhile, the DTLR have indicated that they are content for all local councils that genuinely fall below the new threshold to be able to make the changes in the type of accounts kept from 1 April 2001.
- 1.14 The Audit Commission has published its formal proposals for changes to the external audit regime for local councils⁴, in the light of the responses it has received to its “think-piece” published last July. The paper sets out the

³ Think Piece – The audit of parish, town and community councils: issues for stakeholders (July 2000)

⁴ A new approach to local council audit (August 2001)

Commission's proposals for a new "lighter touch", lower cost audit regime for local councils in England and Wales, tailored to the size of the councils concerned, which is broadly similar to the Charity Commission's regime of independent examination that applies to charities with a turnover of less than £250,000. The approach would be underpinned by strengthened governance and accountability arrangements within councils themselves. The Audit Commission aims to roll out the new audit arrangements in time for the audit of 2001/02 accounts in the summer of 2002.

- 1.15 The Best Value regime, which sets a framework for public service delivery targets, represents another important advance in modernising our local government system. The duty of Best Value already applies to 41 parish or town councils, which have taken on the sort of roles we envisage for all *QUALITY* local councils. DTLR has commissioned a study on the effect of Best Value on local councils and the impact of extending the duty of Best Value if the threshold were to be lowered.
- 1.16 The Rural White Paper announced various new funds and assistance schemes, which are now operational. They offer support to rural councils who wish to improve the levels of service provision for their local communities, either through their own direct action or by articulating the community's needs to other service providers. The schemes, with the 3 year funding allocated to them, are:
 - a £15 million Parish Transport Fund established to provide grants of up to £10,000 towards the cost of local transport projects, open exclusively to parish and town councils;
 - £15 million for Community Services Grants, offering help to re-establish or strengthen local services;
 - £5 million to help around 1000 rural communities prepare their own Parish Plan - a key tool in identifying the wishes and needs of local people and to help local councils tackle them or get others to address them; and
 - £2 million to help establish a national training and support strategy for local councils, a process being steered by the Countryside Agency, National Association of Local Councils, the Local Government Association, the Society of Local Council Clerks and training experts. The strategy is expected to be launched this autumn.

These schemes should all help local councils to attain *QUALITY* status. More details of the first three schemes are available from the Countryside Agency.

Next Steps

- 1.17 In the light of the responses to this consultation and following further discussions with the Local Government Association, National Association of Local Councils, Countryside Agency and Audit Commission, the Government will issue detailed guidance to principal authorities and local councils on the operation of the *QUALITY* local council scheme. We aim to issue the guidance in Spring 2002 and to open the *QUALITY* scheme to applications thereafter.

CHAPTER TWO

The Benefits of *QUALITY* Status

Introduction

2.1 We intend that *QUALITY* status for a local council will bring considerable benefits to the community it represents. A *QUALITY* local council will play an enhanced role:

- as an integral part of all consultation and co-ordination arrangements set up by principal authorities and other service providers on how services are delivered in its area including Community Planning;
- in partnership with principal authorities on the discussion, management and delivery of services which they may carry out and deliver, on their partners' behalf, or using their existing powers, to give Best Value to local communities; and
- working with partners on provision of access points to information on services of principal authorities and other service providers and linked to their IT systems, for example through operation of high street kiosks, information points or a community office which can be used by a range of different services (county, district and local councils and other service providers).

This enhanced role will be achieved through partnership working with principal authorities.

Parish and Town Council Charter

- 2.2 We propose that in all areas in which there are parish and town councils there should be a charter setting out how principal authorities and local councils will work in partnership and that local charters should be based on the "model for individual charters", below (page 18).
- 2.3 The proposed model Charter draws on the joint Local Government Association and National Association of Local Councils guidance on securing effective relationships between principal authorities and local councils and also on examples of existing charters.
- 2.4 Such a charter will cover relations between all local councils and their principal authorities. It will also set out the way in which the principal authority will

work with *QUALITY* councils and the additional benefits that a council can expect from achieving *QUALITY* status.

- 2.5 We think that such charters should be tailored to local conditions and circumstances but should incorporate a number of general principles and include coverage of a common set of topics.
- 2.6 We think it best if such charters are agreed between principal authorities and the parish and town councils in their areas. We would expect there to be a process of consultation and discussion between principal authorities and their local councils on a local charter based on the model charter. We are sure that in most cases this will lead to an agreed local charter. However principal authorities will be expected to set out a summary of their charter in their Best Value Performance Plans (see Best Value, paragraph 3.4 below).
- 2.7 Once a charter is in place it should be formally reviewed from time to time by the principal authority in consultation and discussion with local councils. We suggest this should be at least every five years and there may be good reasons for reviewing within a shorter period.
- 2.8 In areas where there are two tiers of principal authority (ie County and District) there may be benefits from joint charters – between the two tiers of principal authorities and the local councils within them. We would encourage authorities to consider this but the obligation will be on each local authority to have a local charter in place. The model charter is set out in terms of an individual principal authority. It should be modified as necessary for use as a joint charter covering two tiers of principal authorities.
- 2.9 The model charter is in two parts. The first concerns all parish and town councils while the second part concerns only *QUALITY* councils. The first part of the model charter gives details of working practices for achieving improved partnership working, including the process of preparing and implementing community strategies, information flow and dialogue between principal authorities and local councils, financial arrangements and opportunities for delegating service delivery.
- 2.10 The second part applies to councils who have attained *QUALITY* status. It sets out the enhanced role described in paragraph 2.1 above.
- 2.11 The model charter indicates where it is expected that more detailed provisions reflecting local circumstances will be included. The content of these sections should be considered and discussed between principal authorities and local councils in drawing up the local charter.
- 2.12 Arrangements with individual local councils over partnership working and the devolving of particular functions, services, etc will in many cases need

individual discussion and agreement. There may be scope for joint working between two or more QUALITY councils to enable them to develop the capacity and economies of scale to create the necessary organisational strength to deliver a service or enter a partnership.

- Q1** We invite views on the content of the model charter (pages 18-23 below) and on the arrangements for agreeing and reviewing individual charters.
- Q2** In particular we invite views on the additional provisions for QUALITY Parish and Town Councils in Part 2 of the model charter.

Parish and Town Council Charter – Proposed model for individual charters for principal authorities following consultation and discussion with their local councils

1. The councils in the area of [*principal authority*] have agreed to publish a charter which sets out how they aim to work together across the [*two*] tiers. This Charter is the result of discussions locally and across the [*principal authority*] to establish a new way of working and to confirm existing good practice. There are [*x*] parish and town councils in the [*principal authority*], all playing a valuable role in local democracy and service provision.
2. The Councils (together with the [County Council/District Council]) jointly represent all levels of democratic local government, to whose principles they are both committed. They are both keen to see continued efforts made to improve our system of local democracy and to see greater public participation in and appreciation of this system.
3. The [*principal authority*] acknowledges and recognises that parish and town councils are the grass-roots level of local government. By working with them and the [*name of any Local Area Committees/Partnership groups*], the principal council aims to act in partnership with local communities, while balancing the needs of the wider locality.
4. In their role as democratically accountable bodies, parish and town councils offer a means of shaping the decisions that affect their communities. They offer a means of decentralising the provision of certain services and of revitalising local communities. In turn, they recognise the strategic role of the principal council and the equitable distribution of services which they have to achieve.
5. This Charter reflects the increasing importance attached by Central Government to partnership working and the development of *QUALITY* status for parish and town councils. The first part of this Charter (Part 1) applies to all parish and town councils. The second part (Part 2) applies to *QUALITY* councils only. It will be formally reviewed after five years in operation.

Part 1 All Parish and Town Councils

Sustainability

6. The [*principal authority*] will work in partnership with parish and town councils to promote sustainable social, economic and environmental development in the area of [*principal authority*].

Community Strategies and Local Strategic Partnerships

7. *[The principal authority and relevant local strategic partnership(s)]* will involve parish and town councils in the processes of preparing and implementing the community strategy to improve the economic, social and environmental well-being of the area, and the role which local councils should take. *[The principal authority and local strategic partnership(s)]* will consult and involve local councils accordingly about the content and direction of the community strategy as it affects the local communities they represent.

Local Governance

8. *[Paragraphs drafted locally on arrangements for engagement of parish and town councils in principal authority local governance arrangements and for liaison between them]*

[possible examples:

- Representatives of the *[local area parish and town council committee/association]* sit on the Council's *[name of locality]* area advisory committee.
- *[]* will hold liaison meetings with parish and town councils.
- The *[principal authority]* will maintain its close working relationship with the *[local area committee/association]* through an annual meeting between senior Council Members and the Committee.
- Parish and town councils will invite appropriate members and officers of the *[principal authority]* to their meetings.]

9. The *[principal authority]* will help organise the administration of parish and town council elections. The respective authorities will work together to limit the costs of holding such elections.

Consultation

10. The *[principal authority]* will aim to give parish and town councils the opportunity to comment before making a decision which affects the local community. In furtherance of this, the *[principal authority]* will circulate its public reports to committees and sub-committees to the Clerk to the local councils at the same time as they are sent to members of the Council so that the local council can respond directly or through the local district/county councillor(s).

[List relevant Council Cabinet and Scrutiny Committee and other agendas and reports, indicating where available on web sites]

Only in exceptional circumstances will appropriate consultation not take place, in which case a written explanation will be given on request.

11. To help achieve the objectives laid down in this Charter, liaison and consultation (both formal and informal) will be further developed at parish and town council level through regular meetings or specific service consultative groups and, at officer level, individually or through working parties and groups.
12. The *[principal authority]* will attend meetings with parish and town councils (or groups of local councils) at a mutually agreed time to discuss matters of common interest when requested to do so and given sufficient notice.
13. Parish and town councils will send copies of their agendas and papers to the *[principal authority]* and to local councillors. Officers and councillors of the *[principal authority]* will be given an opportunity to speak at local council meetings on matters of mutual interest if they request to do so.

Information and Complaints

14. When the *[principal authority]* consults local councils, it will provide them with sufficient information to enable them to reach an informed view on the matter, and give them adequate time to respond in accordance with the statutory requirements where applicable.
15. The *[principal authority]* will communicate with local councils and other communities by publishing *[name of principal authority newsletter]* regularly and distributing it free of charge to all households. It will also keep local councils informed by sending them as many copies of *[other relevant newsletters/local promotional material]* as they require.
16. The *[principal authority]* and parish and town councils will acknowledge letters, and provide substantive answers to letters which need a reply *[as follows/in accordance with the provisions of its Customer Charter]*. A full substantive reply or an acknowledgement will be sent by the *[principal authority]/local council* within *[seven]* days. If an acknowledgement is sent, the full substantive reply will be sent within *[28]* days.
17. If a local council is dissatisfied with the principal Council's actions, their response to a request for information, or their failure to consult, it may initiate that Council's formal complaints procedure.

Standards Committee

18. Both the *[principal authority]* and the parish and town councils have adopted codes of conduct, based on the national model code of conduct. The local councils will work with the *[principal authority's]* Standards Committee to promote and maintain high standards of conduct. The *[principal authority]* has consulted and agreed the following arrangements with the parish and town councils for the appointment of representative(s) to the Standards Committee (and sub-committees, if any) *[locally drafted arrangements]*.

Delegating Responsibility for Service Provision

19. If a local council (or group of local councils) wishes to take on delegated responsibility for service delivery, the *[principal authority]* will actively encourage this, where it is best value (taking account of cost, quality, local preferences and practicability). Where it is not good value or practicable the *[principal authority]* will, in consultation with the local council, explore alternative solutions to encourage more local-level input into service delivery.

Financial arrangements

20. The *[principal authority]* has set out its financial arrangements for parish and town councils at Appendix 1 in accordance with the principles and good practice guidance *[draft financial principles as set out in the Annex to Chapter 3]*.
21. Where a parish or town council takes on the provision of certain services, the level of funding will be agreed by the principal council and the local council. A list of possible functions which will be considered for delegation by mutual consent is given at Appendix 2.

Local Community Life

22. The *[principal authority]* will promote local community life through *[list schemes available: e.g. capital grants and loan schemes to village halls, community centres, and other similar organisations, and community discount scheme for the disposal of surplus property]*.

Practical Support

23. The *[principal authority]* will, where practical, offer local councils access to their own support services, to enable them to take advantage of facilities such as printing and purchasing, at a mutually agreed price. In particular, assistance will be offered in identifying and helping to meet the training needs of local councils.

Part 2 *QUALITY* Parish and Town Councils

24. In addition to the above, the *[principal authority]* has agreed to work in the following ways with those local councils which are recognised as having attained the *QUALITY* standard.

Community Strategies

25. Where a *QUALITY* council (or group of *QUALITY* councils) has prepared an area plan the principal authority will take account of its proposals and priorities in developing and implementing the community strategy as it affects the local areas concerned. The *[principal authority]* will strengthen links between these local councils and the local strategic partnership in order to improve delivery of local priorities.

[further details depending on local arrangements for Local Strategic Partnerships and community strategy preparation]

Information and Access Points

26. If a *QUALITY* local council (or group of *QUALITY* local councils) wishes to become a local information and/or access point for the [*principal authority*] services the [*principal authority*] will help it to do so. In particular it will:

- issue to the local council (and up-date as necessary) relevant written information and application forms on its services;
- give electronic access to similar information and forms (where it provides these electronically) provided the local council has appropriate technology;
- provide suitable briefing, training and support to staff of the parish or town council;
- [information on local arrangements – eg availability of principal authority staff to run regular surgeries in local council offices.]

Land Use and Development Planning

27. Where a *QUALITY* local council (or group of *QUALITY* local councils) has prepared (in consultation with the [*principal authority*]) a village or town plan which includes proposals concerning land use and development planning issues (eg a village design statement) the [*principal authority*] will adopt this as Supplementary Planning Guidance (provided it meets the requirements set out in national planning guidance).

28. Where the village or town plan proposals imply some changes to the current development plan for the area, the [*principal authority*] will consider and discuss the proposals with the local council (or councils) as part of its next review of that plan.

[*information on local arrangements*]

Delegation of Functions and Service Provision

29. The [*principal authority*] has agreed to offer a *QUALITY* local council (or group of councils) the opportunity to take on one or more of the services and functions listed in Appendix 3, or parts of them, in accordance with the practical and financial arrangements set out there.

30. As part of its Best Value arrangements, the [*principal authority*] will give *QUALITY* councils (or groups of *QUALITY* councils), who wish to, the opportunity to put forward proposals to take on aspects of the delivery, management and monitoring of services provided by the [*principal authority*].

[*information on local arrangements*]

Appendix 1

[Local financial arrangements for parish and town councils in accordance with paragraph 20 above]

Appendix 2

Possible functions which might be considered for delegation to all parish and town councils by the principal authority by mutual consent (in accordance with paragraph 21 above)

- Control of Markets
- Street Cleaning
- Maintenance of Highway Verges, footways and footpaths
- Litter Collection and Litter Control Measures
- Street Lighting (other than principal routes)
- Recycling provisions
- Street Naming
- Parking restrictions (and related matters)
- Issue of bus and rail passes
- Road Safety Measures
- Noise and Nuisance Abatement
- Tree Preservation Orders
- Some aspects of Development Control
- Some aspects of the management of Libraries and Museums
- Some aspects of Leisure and Tourism provision (eg. bowling greens, playing fields, issue of Leisure permits)
- Public conveniences
- Allotments

[Note: this list is illustrative not exhaustive] This list is intended only as a summary of the principal functions of parish and town councils. It is not intended to be a definitive list of such functions.]

Appendix 3

[Locally drafted arrangements for delegation of functions and service provision to QUALITY parish and town councils in accordance with paragraph 29 above]

CHAPTER 3

Delivering the Benefits

Introduction

- 3.1 We propose to issue guidance to principal authorities and parish and town councils setting out how the *QUALITY* system will work. An integral part of the guidance will be the model charter. We also propose to include guidance to principal authorities for their financial arrangements with parish and town councils.
- 3.2 In order to support the process of developing partnership arrangements for the improved delivery of services on behalf of principal authorities by local councils, our proposals need to be underpinned by the statutory performance management framework for principal authorities. This can most effectively be achieved by issuing advice that complements the statutory Best Value Guidance, that authorities whose administrative area covers local councils should consult with those councils particularly in the context of Best Value Reviews relating to the delivery of services within their area, and include a statement summarising the main provisions of their Charter within the Best Value Performance Plan.

Financial Arrangements

- 3.3 We propose to set out in guidance the principles that should govern the financial arrangements between principal authorities and local councils, which will include good practice in the prevention of “double taxation”. This will be part of the guidance on *QUALITY* status that we propose to issue to principal authorities and parish and town councils which we intend will also include guidance on good practice. The Annex to this chapter (page 27) sets out our proposals for the key principles.

Best Value

- 3.4 We propose to issue further advice that complements statutory guidance on Best Value, that authorities whose administrative area covers parish and town councils should consult with those councils in the context of Best Value Reviews relating to the delivery of services within their area, and include a statement summarising the main provisions of their Charter within the Best Value Performance Plan (BVPP). Such a statement may include notes on how the principal authority proposes to engage with parish and

town councils on considerations relating to the delivery of local services, and should refer to the complete Charter, providing details of when and where it may be accessed.

- 3.5 The Charter embodies our aim that principal authorities and local councils should work in partnership to find the best way to deliver their services to the local electorate – in a climate of co-operation where the principal authority recognises the contribution that a *QUALITY* council could make as partner, to achieve a common goal. Principal authorities already have a duty to consult local people which covers the requirement to consult parish and town councils on Best Value Reviews relating to the delivery of services within their area (section 3 of the Local Government Act 1999). Consultation should take account of proposals put forward by *QUALITY* local councils to assume responsibility for delivery, monitoring or management of services provided by the principal authority. The requirement to include a consultation statement in Best Value Performance Plans will promote transparency and accountability in relation to the principal authorities' approach to engaging with local councils. Best Value Performance Plans are subject to audit, and it would be open to external auditors to make recommendations in relation to an authority's consultation statement or statement regarding the Charter. In addition Best Value Reviews are subject to external inspection, and authorities must be able to demonstrate that effective consultation has taken place.

Q3 Do you agree with the proposed additions to guidance on Best Value?

Co-operation between the Tiers

- 3.6 We set out above how we intend to promote *QUALITY* standards amongst local councils and implement partnership working. Our aim is to improve the contribution of parish and town councils to effective local governance; to promote greater co-operation between the tiers of local government and to encourage principal authorities to work in partnership with local councils. Our guidance will be backed up by the production of best practice advice by the Local Government Association and National Association of Local Councils.
- 3.7 Support for partnership working is provided by the arrangements for audit of principal authorities' Best Value Performance Plans, whereby an auditor may make recommendations for action (eg in relation to an authority's consultation statement or statement regarding the Parish and Town Council Charter) which then require the authority to respond by preparing a statement explaining the action it intends to take and its proposed timetable for further consideration by the auditor.

- 3.8 Concern has been expressed about what happens when principal authorities and parish and town councils cannot reach agreement. We think the framework we propose should allow issues to be resolved locally.

Q4 Are there any other actions that might be taken to bring about closer working between principal authorities and local councils?

Annex to Chapter 3: Financial Arrangements

We propose that the financial arrangements between principal authorities and local councils should be governed by the following principles which are, in effect, among those underlying the concept of Best Value:

- Fairness between council tax bills in parished and non-parished areas, and between different local councils;
- Fairness in the provision of services (and access to them) by the principal authority between different parts of their area;
- Simplicity – to keep administrative costs of operation to a minimum;
- Transparency – to help understanding;
- Democratic control and accountability – to let local councils support additional services with additional expenditure while ensuring accountability to all those responsible for funding. This means distinguishing between funding by principal authorities (for a service carried out by a local council) and funding raised by local councils themselves (eg using their precepting powers);
- Finance following function – where provision of a service is devolved or transferred from a principal authority to a local council, funding is also transferred, with the amount involved being agreed by the principal authority and the parish or town council.

CHAPTER 4

Becoming a *QUALITY* Parish or Town Council

Introduction

- 4.1 This chapter sets out the tests we propose local councils should pass to achieve the *QUALITY* status and how these will be validated. The Rural White Paper states that the first requirement of a *QUALITY* council is that it is representative of its community. To demonstrate that, the council needs to actively engage a broadly representative subset of its residents, businesses and surrounding landowners and managers in its work through regular meetings and events, newsletters, surveys, working groups, youth councils, forum for older people etc. A *QUALITY* parish or town council also needs to have demonstrated the capacity to take on the stronger role envisaged in the White Paper.
- 4.2 A systematic approach is needed to confirming whether a local council has the attributes of *QUALITY* status. Such a process must be equitable, transparent and consistent.
- 4.3 The *QUALITY* tests should provide straightforward criteria that will be easy to assess. They should enable all local councils, irrespective of size to attain *QUALITY* status. The *QUALITY* tests will be important in determining what will be required by way of assessment. The *QUALITY* tests go beyond criteria which simply amount to statutory duties with which all local councils should be complying⁵.
- 4.4 The simpler the tests are to verify the easier they will be to assess. We are proposing a system where the local council can undertake an initial appraisal using a standard checklist format. This would then be submitted to an assessing body, with appropriate accompanying documentation for validation.

Electoral Mandate

- 4.5 We propose that to be eligible for *QUALITY* status local councils should have all their seats filled by members who have stood for election at the beginning of each four-year term.

⁵ Parish and town councils have a wide range of powers but few statutory duties beyond purely administrative ones (eg preparation of accounts and holding of elections and meetings); these include duty to provide allotment gardens if demand is unsatisfied, duty to receive the accounts of parochial charities; and duty to consider the community safety implications of all their activities.

- 4.6 This is fundamental to establishing local councils that represent fully the aspirations and needs of their people. We recognise that this test is rigorous but whether a seat is contested by several people or a solitary candidate we want to see every incoming member democratically chosen. There are many local councils that already fulfil this criterion but too often people complain that their councils are un-elected and unrepresentative. While there must be genuine input from members of the public to the elections that local councils are required to hold every four years, we acknowledge that there may often not be any real alternative to co-option to fill vacancies arising during that term.

Q5 We invite views on the test that a local council should have all its seats filled by election at the beginning of each 4-year term in order to qualify for QUALITY status.

- 4.7 We want QUALITY parish and town councils to have competent, well informed and active councillors who are fully representative of their communities. Members of QUALITY local councils will also have to be able to provide leadership and work with the clerk (and with other officers in larger QUALITY councils) to deliver programmes and partnership working. The Government recognises that training for parish and town councillors is important and has allocated £2 million to help develop a national training and support strategy that will provide training and support for both clerks and councillors. We would expect a QUALITY council to be encouraging its councillors to take advantage of training opportunities.

Number of Council Meetings

- 4.8 It is proposed that all Parish and Town Councils should hold at least six meetings a year (including the annual meeting) to qualify for QUALITY Status, setting aside time for the public to participate.
- 4.9 The purpose of requiring QUALITY local councils to hold more open meetings is to encourage greater public participation. Parish and town councils are currently required to hold one annual meeting which provides a unique, formal, statutory opportunity for members of the public to discuss the issues that affect their day to day lives. They must meet on at least three other occasions during the year. However, many local councils already hold more than the statutory requirement (around 50% hold more than ten meetings per year) and actively seek to involve members of the public.

Q6 Do you agree with the test on the proposed number of meetings a year which a local council should hold to qualify for QUALITY status?

Competent Clerk

- 4.10 We propose that clerks of QUALITY Parish and Town Councils should be able to demonstrate that they possess the necessary skills/competencies to carry out their duties through having undertaken authenticated training or holding an appropriate and up to date qualification or being able to demonstrate an acceptable level of experience or other form of accreditation. We propose three distinct levels of competence to suit different sizes/categories of council, as follows:

- annual budgeted income less than £50,000;
- annual budgeted income of £50,000 or more and less than £500,000;
- annual budgeted income of £500,000 or more; and

that clerks refresh their skills/competencies every four years.

- 4.11 All parish and town councils have a clerk or officer whose role is to act as secretary, dealing with correspondence, preparing agendas and taking minutes. We recognise the diversity of local councils, particularly in relation to their financial responsibilities. Clerks of many small councils often have other jobs and give up their time on a voluntary basis. On the other hand remunerated clerks may be shared by several councils and in some larger councils the clerk is one of a number of remunerated, full-time staff. Skills and competencies must be relevant to the needs of individual councils, covering procedures and roles and appropriate aspects of law, finance, planning and community action. Training should be in proportion to the nature and weight of council duties that clerks undertake. A steering group which has been established by the Countryside Agency and National Association of Local Councils and whose membership includes the Society of Local Council Clerks has the aim of preparing a national strategy for training and support for parish and town councils by the autumn. We shall look to the steering group for advice on levels of skills and competencies as well as taking account of the views of those who respond to this consultation document.

Q7 We invite views on the test for a competent clerk and the proposed approach to training for clerks, the thresholds for categorising councils and what will be appropriate training or qualifications.

Published Annual Report

- 4.12 We propose that QUALITY tests should require the parish or town council to prepare and make publicly available no later than 30 April following the end of the financial year to which it relates – an Annual Report which includes as a minimum:

- Chairman's overview of the Council's achievements against previous action plans and targets and what plans and targets are for following year(s);
- An un-audited summary of the Council's financial performance, including details of any major projects and a statement of when and how the full accounts will be published;
- a list of council members and officers with contact details; and
- summary reports of all council meetings held during the year.

We propose to commend the DTLR Guidance on Best Value for parish and town councils to local councils which aspire to QUALITY status, particularly with regard to the guidance on performance plans.

- 4.13 Many local councils already publish an annual report, to keep their communities fully in touch with their work. We see the production of such a report as an important link between a council and its electorate. In publishing an Annual Report the council will further demonstrate to its community that it is open and accountable. To meet the QUALITY tests, the Annual Report should be readily available for inspection, or purchase by members of the public – for instance with copies held at a council's meeting place, a local shop and/or public library and on any council web-site. There is also a strong case for distributing free copies of annual reports to local households, local businesses, voluntary interests and other service users.

- 4.14 Although the vast majority of parish and town councils will be below the Best Value threshold (annual budgeted income of more than £500,000) and therefore not subject to the statutory Best Value requirements, the Guidance on Best Value for parish and town councils states that the Government expects all parish and town councils to embrace Best Value principles and follow Best Value practices as far as possible. We consider that the Best Value Performance Planning process has much to offer local councils as a means of engaging with local people on their record of delivering local services and their plans to improve upon them. We acknowledge, given the diversity of parish and town councils, that the extent to which it would be appropriate or practicable for them to adopt Best Value practices will vary.

- 4.15 Since Best Value local councils would already publish most of the information listed in paragraph 4.12, above, in their Best Value Performance Plans, they would not be expected to publish a separate annual report in order to meet the *QUALITY* test. Any additional requirements (eg list of members and summaries of meetings) should be incorporated into the Best Value Performance Plan.

Q8 We invite views on the proposed annual report test, its timing and contents, the extent to which they should mirror those of Best Value Performance Plans and the value of distributing copies to local households, local businesses, voluntary interests and other service users.

Newsletter

- 4.16 We propose that councils should produce a newsletter on at least a quarterly basis in order to achieve *QUALITY* status – of perhaps no less than an A4 page in length which would be made available to every household within a council's area.
- 4.17 If communities are to be truly involved in shaping the issues that affect them they will need to be kept in touch with the work of their local councils. Many parish and town councils already encourage such participation by producing regular bulletins, providing useful coverage of issues as they develop. Ensuring that newsletters are readily available to everyone in a local council's area and, ideally, are delivered to every household is a challenge which councils resolve in diverse ways. Some local councils arrange for door to door delivery to be undertaken by volunteers; in other areas principal authorities undertake distribution of the local council's newsletters with their own community newsletter.

Q9 We invite views on the proposed newsletter test for QUALITY status, and examples of good practice, particularly in relation to distribution methods.

Properly Audited Accounts

- 4.18 The accounts of local councils applying for *QUALITY* status will have been audited by an auditor appointed by the Audit Commission. Under the arrangements which the Audit Commission expects to have in place by summer 2002, the auditor would be expected to confirm for a council with a budgeted annual income of less than £500,000 that no matters had come to the auditor's attention giving cause for concern that relevant legislative and regulatory requirements had not been met. It is expected that the accounts of

councils with a budgeted income of £500,000 or more would have been certified and reported on by the external auditors as presenting fairly the financial position of the council.

- 4.19 It is crucial that all local councils maintain accurate and transparent financial arrangements. Local councils with annual expenditure of more than £50,000 (under current arrangements) are required to prepare accounts on an income and expenditure basis and to have them audited by an auditor appointed by the Audit Commission. Smaller councils (those with a budgeted annual income currently of less than £50,000) are required to prepare a record of receipts and payments, which is similarly subject to external audit.
- 4.20 In meeting their statutory requirements under the Accounts and Audit Regulations 1996, parish and town councils will send their statement of accounts to their external auditors. The Regulations also provide for the publication of accounts as soon as reasonably possible after the conclusion of an audit or nine months after the end of the period to which the accounts relate, whichever is the sooner. We consider that taken with the proposal to include a statement in the annual report on when and how the accounts will be published (see paragraph 4.12 above) this provides adequate access to the accounts for interested members of the community.

Q10 Is there a need for parish and town councils to do more to provide access to the accounts for interested members of the community if they are to be given QUALITY status?

The Test Framework

Q11 Do you agree with the test framework, as a whole? Should any of the tests be omitted, or others added?

How the Assessment Process will work

- 4.21 We propose that a local council wishing to become accredited with QUALITY status for the first time should complete a standard checklist covering the test criteria and provide supporting documentation comprising:
- latest election returns
 - copies of the minutes of all council meetings held during the preceding 12 months
 - copies of annual report and newsletters for at least the previous year

- latest audited accounts and any, awaiting audit, that cover more recent years
- evidence of clerk's current skills/competencies and qualifications.

We propose that the material produced by local council should be reviewed by an authoritative and independent assessor in order to confirm that it meets the test criteria for *QUALITY* status.

- 4.22 The documentation that a local council will have to produce in order to demonstrate initial compliance with the *QUALITY* criteria should be readily available from its records. Meeting the requirement should not result in significant additional work (or costs). It would detract from the credibility of *QUALITY* status if accreditation relied solely on self-assessment. It will be essential that the material provided by a local council is validated to give the *QUALITY* award both status and consistency. Although the documentation should lead to straightforward decision-making in most cases, there will no doubt be situations that require the exercise of judgement. We propose to provide guidance for assessors on operating the tests (which can be reviewed in the light of experience) in order to ensure consistency and fairness. We expect that decisions about whether a local council has met the *QUALITY* tests should be clear-cut.

Q12 We invite views on proposed assessment format and whether there are other options that should be considered.

Who will undertake the Assessments

- 4.23 We propose that *QUALITY* assessments should be undertaken by the local council's external auditors.
- 4.24 Assessors need to be authoritative and independent and have knowledge and experience of parish and town councils. We have considered a number of possibilities for who could make the assessment:
- One option is assessment by a principal authority (which might be district or county in areas with two principal authority tiers). The regular contact between principal authorities and local councils gives them considerable knowledge and experience of parish and town council operations but, in some circumstances, principal authorities might not be seen by local councils as wholly independent.
 - Assessment by a panel drawn from organisations with knowledge and experience of parish and town councils, such as the National Association of Local Councils or the Countryside Agency, is an option with some

attractions because of its independence and transparency. Such an approach would need resources for a supporting infrastructure to service the panels and might be seen as bureaucratic and cumbersome. However an assessment panel could have an advisory role both on guidance issued to assessors and where individual assessors wanted a view on less straight forward cases. Under that scenario initial scrutiny, at least, would be undertaken by individual assessors and panels would need less supporting infrastructure. There might be local advisory panels or a national one could be established.

- External auditors (appointed by the Audit Commission) are independent and authoritative. QUALITY assessments would be an extension of the kind of work auditors already undertake as auditors and in relation to the validation of Best Value for local councils. Some should be familiar with the parish and town councils whose accounts they audit and it would in any case be efficient for auditors to build on knowledge gained through auditing such accounts by undertaking QUALITY assessments as well.

Q13 We invite views on whether external auditors should undertake QUALITY assessments and on whether there is a role for national and/or local advisory assessment panels.

Length of Accreditation

- 4.25 We propose that QUALITY accreditation should normally be valid for four years.
- 4.26 It cannot be assumed that a local council will continue to meet the QUALITY tests and this will need to be re-confirmed periodically. The period of accreditation should take account of the electoral cycle (four years) and give a council time to benefit from its QUALITY status (eg taking on delivery of some services). These factors point to an accreditation period normally lasting for four years.
- 4.27 The electoral mandate test is a key test for QUALITY status for which the four-yearly elections will be crucial. So it might be appropriate to put in place an interim arrangement when QUALITY status is first awarded so that the first review would fall a reasonable period after the next local council general election. One suggestion is that a council initially given QUALITY status in 2002 might have its first review by the end of 2003 if elections were in 2003 (or by the end of 2004 if they were in 2004). On the other hand, as the next general elections for most local councils will be in 2003 and 4-yearly thereafter, this could lead to a disproportionate number of councils seeking re-accreditation in 2007 and every 4th year thereafter. Ministers are also concerned to avoid a situation where the QUALITY assessment is undertaken so soon after an election

that is it the “old” council rather than the “new” council that is being assessed. This would point towards most assessments being made in years two and three of the council’s life.

Q14 Is four years the right length of time for QUALITY accreditation to be valid before it needs to be re-confirmed? What is the best point within the electoral cycle for the assessment?

Review of Accreditation

- 4.28 We propose that the process for renewing QUALITY status should be similar to the initial accreditation process, but that applications would need to be supported by historical material covering the preceding 4-year period in order to enable a review of performance over the intervening years.
- 4.29 The ideal for re-accreditation would be that a QUALITY parish or town council had met the criteria throughout the 4-year period. But there might have been a shortcoming in one or more years or problems which had been addressed successfully by the time of the assessment. At this stage there are likely to be more areas for interpretation and judgement by the assessor while maintaining a consistent approach. For example, in considering the standard of performance the assessor may need to take account of mitigating circumstances such as a change of clerk. This reinforces the importance of sound guidance for assessors on operating the tests (see paragraph 4.22 above). An advisory panel (see also paragraph 4.24 above) could have a greater role than at the initial accreditation stage in advising on guidance for assessors on re-accreditation of QUALITY local councils and ensuring consistency and fairness across the board.

Q15 We invite views on the proposed re-accreditation process and whether there are other options that should be considered.

Costs of Accreditation

- 4.30 We propose that the cost of the assessment process should be met by the parish or town council applying for QUALITY status and that a flat rate fee be set.
- 4.31 The initial stage of assessment based on the local council collating evidence of having met the tests will not involve significant additional cost. Independent accreditation, which would only be incurred once every four years will involve checking the documents submitted, occasionally asking for clarification of details and the exercise of judgement in some cases. The time taken should be the same, irrespective of the size of the council concerned. We want the costs of

assessment to be kept to a minimum and not to act as a deterrent to local councils aspiring to QUALITY status. We envisage a flat rate fee for accreditation. We would aim for an assessment system for which the fee was of the order of £100 for initial accreditation. But much will depend on the efficiency of local councils in providing the assessor with a complete package of evidence of having met the tests. We will of course provide further guidance on what is required. The assessment costs of applications for re-accreditation may be higher than for initial assessments, because of the larger amount of material to be evaluated, but still of the same order of magnitude.

- 4.32 The costs of independent accreditation, which would only be incurred once every four years, will not be onerous. There is no compulsion on local councils to apply for QUALITY status and it is for them to decide whether they wish to do so. It therefore seems reasonable to expect the council applying for QUALITY status to bear this cost. We propose that councils seeking accreditation or re-accreditation should submit the fee, which would be non-returnable, with their application.

Q16 Do you agree that parish and town councils should meet the costs of the assessment process for QUALITY status?

Lists of QUALITY Parish and Town Councils

- 4.33 We propose that principal authorities (districts, where there are two tiers) maintain up to date public lists of QUALITY Parish and Town Councils.
- 4.34 We propose a simple procedure whereby the local council would forward copies of the assessment confirming that they met (or had failed to meet) the Quality criteria, to the relevant principal authorities and National Association of Local Councils. The principal authorities would have the responsibility of compiling and maintaining up to date lists of QUALITY parish and town councils in their areas and for making them available for public inspection, in a similar way to planning applications and perhaps putting the lists on their web-sites. The National Association of Local Councils would maintain a national list.

Q17 Do you agree that it is appropriate to place the responsibility for maintaining up to date lists of QUALITY Parish and Town Councils on principal authorities?

ANNEX A

List of Consultees

Parish and Town Councils and parish meetings in England
County, London and Metropolitan Borough, District and Unitary Councils in
England

Action for Market Towns

Action with Communities in Rural England

Advisory Board of Ministry of the General Synod of the Church of England

Age Concern

Alliance of Independent Retailers

AONB Staff Forum

Arthur Rank Centre

Arts Council of England

Association of AONBs

Association of British Chambers of Commerce

Association of Charter Trustees

Association of Chief Police Officers

Association of Community Councils in Rural England

Association of Community Health Councils in England and Wales

Association of Community Technical Aid Centres

Association of Community Trusts and Foundations

Association of Convenience Stores

Association of Independent Businesses

Association of Larger Local Councils

Association of Local Government Archaeological Officers

Association of National Park Authorities

Association of Neighbourhood Councils

Audit Commission

Baha'i Community of the United Kingdom

Black Environment Network

Board of Deputies for British Jews

British Chambers of Commerce

British Council of Disabled People

British Council of Shopping Centres

British Holiday and Home Parks Association

British Horse Society

British Hospitality Association

British Independent Grocers Association

British Meat Federation

British Mountaineering Council

British Retail Consortium

British Self Catering Association
 British Trout Association
 British Trust of Conservation Volunteers
 British Urban Regeneration Association
 British Waterways
 Broads Authority
 Business and Professional Women UK Ltd
 Business in Sport and Leisure
 Business in the Community
 Business Link Network Company
 Byways and Bridleways Trust
 Carers National Association
 Catholic Bishops' Conference
 Central Council for Physical Recreation
 Chartered Institute of Environmental Health
 Cheltenham and Gloucester College of Higher Education
 Church Commissioners
 Churches Council for Britain and Ireland
 Churches Main Committee
 Civic Trust
 Commission for Local Administration
 Commission for New Towns
 Committee of Area Museum Councils
 Community Architecture Group (RIBA)
 Community Development Foundation
 Community Matters
 Community Self Build Agency
 Community Support Programme
 Community Transport Association
 Compassion in World Farming
 Confederation of British Industry
 Confederation of Business Organisations
 Confederation of Passenger Transport
 Council for British Archaeology
 Council for National Parks
 Council for the Protection of Rural England
 Country Land and Business Association
 CountryFolk Challenge
 Countryside Agency
 Countryside Alliance
 Countryside Business Group
 Countryside Planning & Management
 Countryside Recreation Network
 Countryside Restoration Trust
 Countryside Rights Association

Countrywide Holidays Association
County Associations of Local Councils
County Councils Network,
County Surveyors' Society
Crime Concern
Crop Protection Association
Cyclist's Touring Club
Development Trusts Association
Duchy of Cornwall
Enabling Rural Housing
English Heritage
English Historic Towns Forum
English Nature
English Regional Association,
English Tourism Council
Environment Agency
Equal Opportunities Commission
Evangelical Alliance
Family Farmers' Association
Farm Animal Welfare Council
Farm Holidays Bureau UK Ltd
Farm Retail Association
Farming and Wildlife Advisory Group
Federation of Community Work Training Groups
Federation of Licensed Victuallers Association
Federation of Rural Community Councils
Federation of Small Businesses
Fieldfare Trust
Food From Britain
Forestry Commission
Forum for Rural Children and Young People
Forum for the Future
Forum of Private Business
Free Churches Council
Friends of the Earth
Game Conservancy Trust
Garden History Society
Gingerbread
Greenpeace
Groundwork Foundation
Guides Association
Health and Safety Executive
Help the Aged
Historic Houses Association
Horticultural Trades Association

House of Commons Information Bulletin
 Housing Corporation
 IGD
 Improvement and Development Agency
 Institute for School and College Governors
 Institute of Chartered Foresters
 Institute of Public Policy Research
 Institute of Rural Health
 Interfaith Network for the UK
 International Society of Ecology and Culture
 Jain Samaj Europe
 Joseph Rowntree Foundation
 LANTRA
 LEAF (Linking Environment and Farming)
 Learning and Skills Council
 Library Association
 Livestock Auctioneers Association
 Local Government Association
 Local Government Employers Organisation
 Moorland Association
 Muslim Council of Britain
 National Association for Councils of Voluntary Service
 National Association of Citizens Advice Bureaux,
 National Association of Farmers Markets
 National Association of Health Authorities and Trusts
 National Association of Local Councils
 National Association of Village Shops
 National Association of Women's Organisations
 National Beef Association
 National Consumer Council
 National Council for Hindu Temples
 National Council for One Parent Families
 National Council for Voluntary Organisations
 National Council for Women of Great Britain
 National Council of Voluntary Child Care Organisations
 National Farm Attractions Network
 National Farmers Union
 National Federation of Anglers
 National Federation of Retail Newsagents
 National Federation of Self Employed
 National Federation of Sub-postmasters
 National Federation of Women's Institutes
 National Federation of Young Farmers
 National Forum for the Development of Rural Youthwork
 National Gypsy Council

National Health Service Executive
National Housing and Town Planning Council
National Housing Federation
National Market Traders Federation
National Organisation of Asian Business
National Park Authorities in England
National Rural Enterprise Centre
National Rural Touring Forum
National Sheep Association
National Trust
National Union of Residents' Associations
Neighbourhood Initiative Foundation
Network of Buddhist Organisations (UK)
Planning Inspectorate
Planning Officers Society
Post Office
Princes Youth Business Trust
Ramblers Association
Redundant Churches Advisory Board
Regional Development Agencies in England
Royal Agricultural Society of England
Royal Institute of Chartered Surveyors
Royal Society for the Prevention of Cruelty to Animals
Royal Society for the Protection of Birds
Royal Town Planning Institute
Rural Bishops Conference
Rural Community Councils in England
Rural Housing Trust
Rural Services Partnership,
Rural Stress Information Network
Rural Voice
Salmon and Trout Association
Scout Association
Sikh Network
Small Business Service
Society of County Treasurers
Society of Local Council Clerks (including County Branches)
Soil Association
Sport England
Standing Conference for Community Development
Sustainable Development Commission
Sustrans
Tenant Farmers Association
The Children's Society
The Co-operative Group Ltd

The Land is Ours (Chapter 7 Office)
Timber Growers Association
Town and Country Planning Association
Townswomen's Guilds
Trades Union Congress
Transport and General Workers Union (Rural, Agricultural and Allied Workers)
Transport 2000
Urban Task Force
Urban Villages Forum
Village Retail Services Association
Voluntary Bureau,
Volunteer Centre UK
Wildlife and Countryside Link
Wildlife Trusts
Women's Environmental Network
Women's Food and Farming Union
Women's Royal Voluntary Service
World Wide Fund for Nature
Youth Hostels Association

ANNEX B:

Code of practice on written consultation (Cabinet Office)

The Consultation Criteria

The criteria in this code apply to all UK national public consultations on the basis of a document in electronic or printed form. They will often be relevant to other sorts of consultation.

Though they have no legal force, and cannot prevail over statutory or other mandatory external requirements (eg under European Community law), they should otherwise generally be regarded as binding on UK departments and their agencies, unless Ministers conclude that exceptional circumstances require a departure.

The criteria should be reproduced in consultation documents, with an explanation of any departure, and confirmation that they have otherwise been followed:

1. Timing of consultation should be built into the planning process for a policy (including legislation) or service from the start, so that it has the best prospect of improving the proposals concerned, and so that sufficient time is left for it at each stage.
2. It should be clear who is being consulted, about what questions, in what timescale and for what purpose.
3. A consultation document should be as simple and concise as possible. It should include a summary, in two pages at most, of the main questions it seeks views on. It should make it as easy as possible for readers to respond, make contact or complain.
4. Documents should be made widely available, with the fullest use of electronic means (though not to the exclusion of others), and effectively drawn to the attention of all interested groups and individuals.
5. Sufficient time should be allowed for considered responses from all groups with an interest. Twelve weeks should be the standard minimum period for a consultation.

6. Responses should be carefully and open-mindedly analysed, and the results made widely available, with an account of the views expressed, and reasons for decisions finally taken.
7. Departments should monitor and evaluate consultations, designating a consultation co-ordinator who will ensure the lessons are disseminated.