# A CHARTER FOR SHROPSHIRE COUNCILS

# June 2010

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# A CHARTER FOR SHROPSHIRE COUNCILS

#### 2010

#### **Executive Summary**

2009 saw local government re-organisation in Shropshire and the creation of a new Unitary Council.

This new Shropshire Charter will assist in building on the existing strong, collaborative partnership-working between the different councils in the county that between them represent all levels of democratic local government in Shropshire.

In Shropshire there are more than 150 parish and town councils, ranging from small rural parishes representing a few hundred people, to larger town council representing many thousands.

Shropshire Council recognises that the town and parish councils (Local Councils) are the grass roots level of local government. By working together we will provide better services to local communities and a higher degree of satisfaction for the people of Shropshire.

Diversity across the local council sector is recognised. The principles of the Charter are consistent, whilst the impact of its shared commitments on individual councils may vary according to scale.

By signing up to this document councils agree to work together to promote the best interests of the communities we serve; to provide quality, value for money public services and; to promote opportunities for greater public participation and involvement in our work.

Strong partnership working will be increasingly essential as the reduction in public sector funding bites. Relationships built on trust and mutual respect will be vital if we are to best serve the people of Shropshire.

The Charter will be monitored and evaluated regularly, through liaison meetings with the local council membership organisation (ALC), the Larger Local Council Forum, direct communications and further opportunities to raise issues of common interest or concern through the Local Joint Committee structure.

#### <u>AIMS</u>

In addition to the overall aim of strengthening relationships between Shropshire Council and the Local Councils, the Charter has the following aims:

- 1. To promote sustainable social, economic and environmental development in Shropshire without compromising the quality of life of future generations.
- 2. To establish a framework for effective local governance, striving to improve community involvement in local democracy.

- 3. To ensure effective communication and working relationships between the two tiers of local Government in Shropshire and their partner organisations, by improving consultation and communications about policies and decisions that affect communities.
- 4. To recognise that Local Councils and local Members are the grass-roots of local democracy and community leadership, possessing local knowledge that can help the policy, planning and decision-making processes.
- 5. To recognise the diversity of the Local Council sector in Shropshire and inform, enable and assist them in fulfilling their responsibilities and to support those that wish to take on additional services or facilities.
- 6. To ensure all councils are aware of procedures for dealing with information, compliments, complaints and standards.
- 7. To work better together to deliver quality services to Shropshire people.

## THE SHROPSHIRE CHARTER COMMITMENTS

The Councils in Shropshire commit to working together in respect of:

Information and communication Consultation and engagement

Liaison

Community Led Planning

**Regulatory functions** 

Standards and ethics and Quality Status

Training and development

Delivery of services

Elections

Compliments and complaints

Further details of the commitments can be found in the Shropshire Charter at

http://www.shropshire.gov.uk/communityworking.nsf/open/AA1637F876958833 802576940033C162

For more information or to discuss any concerns about the Charter please contact:

Head of Community Working

Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND

or email <a href="mailto:communityworking@shropshire.gov.uk">communityworking@shropshire.gov.uk</a>

# SHROPSHIRE COUNCIL'S COMMITMENTS TO THE SHROPSHIRE CHARTER

#### 1. Information and Communication

1.1 Effective working between the Local Councils and Shropshire Council depends on clear information being available to all.

#### Shropshire Council will

- use clear, concise, plain language in all communications. The use of acronyms will be limited and when used, should include an explanation of their meaning.
- ensure that staff have a clear understanding of the role of Local Councils and the importance of their involvement on relevant matters.
- place all Council meeting papers on the website at www.shropshire.gov.uk
- provide information in the most appropriate form wherever possible.
- encourage and support all Local Councils to equip themselves to receive electronic information.
- acknowledge all written communications from Local Councils in line with the Council's Service Standards.

http://www.shropshire.gov.uk/registrar.nsf/open/98B71214DA7C68AA80 25722F003F52A3

• signpost to relevant procedures such as the Management Development Charter.

http://www.shropshire.gov.uk/planning.nsf/open/03EA2326B3CFC2CD80 2575850055813F

- distribute through ALC an up-to-date list of Members and Senior Officers, their duties and contact details.
- communicate information relevant to **ALL** Local Councils in Shropshire through ALC (irrespective of ALC membership).

#### 2. Consultation and Engagement

- 2.1 Shropshire Council recognises the importance and value of communication and in particular keeping Local Councils informed of issues affecting their own parishes. Shropshire Council will provide to Local Councils and ALC, clear concise documentation and seek to avoid paperwork overload wherever appropriate.
- 2.2 Shropshire Council will consult with Local Councils on all matters where there is a **statutory requirement to do so** See Appendix 1.

- 2.3 Shropshire Council has provided a mechanism for Local Councils to refer planning applications to committee for consideration. Further details are available in the Development Management Charter. (see above link)
- 2.4 In the case of **Non-statutory matters:** i.e. matters for which there is no statutory requirement to consult, Shropshire Council will recognise the importance of the views of its stakeholders and partners, such as Local Councils. See Appendix 1.
- 2.5 Wherever possible concise meaningful consultation, on matters of significant local importance, will be undertaken **in advance** of any decision-making.
- 2.6 Wherever possible sufficient information to allow Local Councils to make an informed response and an acceptable amount of time to give consideration to the matter will be provided.
- 2.7 A named officer, to whom queries regarding such consultations can be addressed, will consider all the views offered by the Local Councils.
- 2.8 In the event of decisions being taken which are contrary to the expressed wishes of a Local Council, the clerk will be informed and reasons offered. In the case of planning decisions, Development Management produces a weekly list of decisions. Full copies of the officer report, which specifically states why consultees' views have or have not been agreed with, are available on the Shropshire Council website via the online planning register.

http://planning2.shropshire.gov.uk/publicaccess/default.aspx

- 2.9 Local Councils will be offered the opportunity to have direct discussions where the community is likely to be significantly affected by the outcome of decisions on strategic policy. Strategic policy documents may also be included on an agenda for the Local Joint Committee Meetings and/or ALC policy group.
- 2.10 The Shropshire Partnership Consultation Portal will be promoted and include a database of planned consultation activity so that Local Councils can incorporate them into their own work plans.

#### Shropshire Council will:

- make available on request a hard copy of its public reports to Council, Cabinet, Panels, Committees, etc
- advise all Clerks of the dates of its public meetings and make copies of agendas and minutes available on the Council's website as soon as possible.
- consult on issues for which the first tier of local governance would have an
  interest or concern, including key corporate arrangements which affect the
  work of Local Councils or the delivery of local services; issues of strategic
  policy; other issues of relevance to all or a number of Local Councils.
- identify named officers to whom queries from Local Councils can be addressed.

- feedback on the outcomes following consultations.
- allow 12 weeks for consultation on policy wherever possible, recognising that statutory timescales (for example the Local Development Framework) do not always allow for this length of time.

#### 3. Liaison

#### Shropshire Council will:

- host two liaison meetings with ALC Executive members, relevant Portfolio holders and senior Shropshire Council officers every year.
- host briefing sessions with local councils on major issues that are the subject of consultation and promote full engagement on all key issues.
- encourage local Members to attend Local Council meetings in their divisions.
- make staff available by phone to Local Council Clerks and Councillors.
- respond to requests to attend meetings to discuss particular issues of common interest, subject to availability and appropriateness.
- provide liaison opportunities to Local Councils through Local Joint Committees

#### 4. Community Led Planning

#### Shropshire Council will

- ensure that Local Councils are consulted and involved in community plans and strategies as they affect the local communities they represent, and ensure that they have the opportunity to take an early and active part in the formulation of policy and service delivery.
- take into account issues raised by, the community planning process as appropriate.
- recognise the collective role that is shared between principal and local councils in delivering local community leadership.
- actively support all Local Councils in developing their own projects, in particular those that address the priorities of local community plans
- strengthen links between local councils and the Local Strategic Partnership in order to improve the delivery of local priorities

#### 5. Standards and Ethics and Quality Status

- 5.1 Shropshire Council and all Local Councils have adopted a Code Of Conduct based on the National Code of Local Government Conduct.
- 5.2 Local Council representatives sit on the local Standards Committee to promote and maintain high standards of conduct at all times.

#### In addition Shropshire Council will

- offer advice on the Code of Conduct for Councillors and maintain the Register of Interest.
- work with SALC and Local Councils to encourage greater achievement of Quality Status.

#### 6. Training and Development

#### Shropshire Council will

 offer assistance in identifying and helping to meet the training needs of Local Councils and work with the Association of Local Councils, Local Joint Committees and the Society of Local Council Clerks (SLCC) through the Shropshire Local Council Development Group to develop an annual training programme.

#### 7. Delegation or Devolution of Services

Shropshire Council welcomes dialogue regarding enhanced service and facility provision.

- 7.1 Where a Local Council (or group of Local Councils) wish to take on delegated responsibility for the delivery, management or monitoring of services, Shropshire Council will discuss and support opportunities, where this is lawful, maintains accountability and represents best value (taking account of cost, quality, local preferences and practicability). Local Councils wishing to take on delivery or management of services would need to demonstrate that they can meet Quality Status standards.
- 7.2 Examples of services and functions considered suitable for delegation or devolution to Local Councils are shown at Appendix 3.
- 7.3 Local Councils wishing to apply for service delegation/devolution must submit a business case in respect of their proposals. This will be assessed to ensure that services continue to be efficiently and effectively delivered. Where the provision of a service is devolved or transferred to Local Council(s), the financial arrangements and partnership framework will be agreed by Shropshire Council with the relevant Local Council(s).

#### 8. Compliments, Comments and Complaints

- 8.1 Shropshire Council will aim to resolve any complaint by early and constructive dialogue. If this is not possible, a meeting between the Chairman and Clerk of the Local Council with the responsible Cabinet Member and/or Lead Officer of Shropshire Council will meet to discuss the issue and find a mutually acceptable resolution.
- 8.2 If something goes wrong, Shropshire Council will act quickly and effectively to put it right, and if a resolution cannot be agreed, we will help local councils to use our formal complaints procedure.

http://www.shropshire.gov.uk/complaints.nsf/open/1B6A5A18771261DA8 025762A004A9905

#### 9. Elections

- 9.1 Shropshire Council will organise the administration of Local Council elections.
- 9.2 Shropshire Council will provide Local Councils with a "Guide to Election Procedures for Town and Parish Council Elections".
- 9.3 Shropshire Council will recharge Local Councils for elections on a formula basis and will seek to recover costs in the following financial year.

#### 10. Practical Support

Shropshire Council will, where practical and affordable, offer parish and town councils access to their corporate services for the following support. Initial enquiries should be free, thereafter such support for some services may need to incur a charge, or may be offered through an agreed service contract.

Further information of services that may be available is included at Appendix 2

#### 11. Shropshire Council Grants for Town and Parish Councils

The following financial grant schemes are available, subject to annual budget confirmation, to Local Councils from Shropshire Council:

- Environmental Maintenance Grant
- Street Lighting Improvement Grant
- Rural Bus Stops Grant
- Local Joint Committees
- Sports Grants
- Arts Grants
- Community Fund (grants for community buildings)

Further information on these grant opportunities can be obtained by contacting the relevant Service Manager.

# PARISH AND TOWN COUNCIL COMMITMENTS TO THE SHROPSHIRE CHARTER

#### 1. Information and Communication

#### Local Councils will

- inform Shropshire Council through ALC of the current Clerk's contact details, Councillors names and addresses and other relevant information at the earliest opportunity
- use plain language in all communications and avoid acronyms whenever possible. When unavoidable, an explanation of the meaning should be included
- work to promote sustainable social, economic and environmental development
- use the Council's website to access publically available information and to receive and provide information electronically wherever possible
- have the right to initiate the Council's Complaints Procedure if they are dissatisfied with an action of Shropshire Council
- inform the local Shropshire Councillor(s) of the dates of meetings as soon as they are set and provide them with a copy of the Agenda for each formal meeting plus a copy of the last Council meeting's minutes, three clear days before the meeting
- provide a space where practical on their meeting agenda for the local Shropshire Councillor(s) to provide a relevant report. It should be noted, however, that if the local council resolves to exclude the press and public for an item, this will include the Shropshire Councillor unless specifically invited to remain
- give at least one month's notice for requests for an officer from Shropshire Council to attend a meeting, unless in a matter of an emergency
- respond to all communications within the requested timescales wherever possible

#### 2. Consultation and Engagement

#### Local Councils will

- include correspondence for communication on the next available and appropriate agenda and respond within the agreed timescales.
- respond to consultations by Shropshire Council on any matter within the time limit specified. If, for any reason this is not possible, the Clerk will inform the relevant officer of the Council so that alternative arrangements can be made.
- be eyes and ears for the Principal Authority, and wherever possible inform the relevant departments at Shropshire Council of any matter in need of attention (e.g. dangerous or fallen trees, potholes, kerbs, bollards and street lighting) at

the earliest opportunity, using the Council's reporting systems – for example via the Customer Service Centre on 0345 678 9000 or the Shropshire Council website.

- engage in pre-application discussions, where invited, on planning matters and assist Shropshire Council in monitoring compliance with planning decisions, including conditions, and support the Council where it undertakes enforcement of breaches of planning control.
- make use of the mechanism to refer planning applications to committee for consideration as set out in the Development Management Charter.
- nominate a severe weather warden to liaise directly with the Council at times of severe events such as snow, ice, gales and floods and assist with the coordination of the response at a local level.
- take an active part in the Local Joint Committees and ensure that agenda items for meetings are notified in good time.

#### 3. Community Led Planning

#### Local Councils will

- respond to community planning consultations and invitations to participate either individually or collectively.
- consider the production of a parish, neighbourhood or town plan and engage with Shropshire Council on the preparation of the Local Development Framework.
- work with Shropshire Council on any policy or service delivery consideration, recognising the collective role that is shared in delivering local community leadership.
- inform Shropshire Council of their local plans and projects for the future and discuss with relevant officers ways in which the two Councils can work together at an early stage of development.

#### 4. Standards and Ethics and Quality Status

- 4.1 Local Councils and Shropshire Council have adopted the Code of Conduct based on the National Code of Local Government Conduct and will work with the Standards Committee to promote and maintain high standards of conduct at all times.
- 4.2 Local Councils will strive to provide a quality service and achieve the operational level of service as described in the National Quality Parish Council scheme.

#### 5. Training and Development

5.1 Local Councils, clerks and councillors, will attend training and informationsharing events whenever possible.

#### 6. Delegation or Devolution of Services

- 6.1 Local Councils will work with Shropshire Council and consider any delegated responsibility in detail, taking into consideration the cost, quality, local preferences and practicability at all times.
- 6.2 Where a request for delegation or devolution is made local councils will produce a costed business case in support of the request and should demonstrate they can achieve Quality Status Standards.

#### 7. Compliments and Complaints

- 7.1 Any complaints or breach of the Parish Charter will be resolved by early dialogue and Local Councils agree to attend a meeting with the Cabinet Member and/or Lead Officer of Shropshire Council in order to find a mutually acceptable resolution.
- 7.2 If something goes wrong, Local Councils will act quickly and effectively in supporting Shropshire Council to put it right and have the right to use the formal complaints procedure if all else fails.

## SHARED COMMITMENTS TO THE SHROPSHIRE CHARTER

#### **Quality Council Provision**

All Shropshire Councils are encouraged to achieve Quality Status which will equip them to take on a stronger role in their communities. Quality status should be achievable by any Local Council, regardless of its size, location or current activities.

#### **Equality of Opportunity**

Shropshire Council embraces equality and diversity in all its work. The issue of equality is not the responsibility of one section or service area solely, but is owned by all Members and staff at all levels of the Council.

In Shropshire we recognise the value difference can make and we are committed to serving the diverse needs of our communities. We are committed to treating everyone fairly, openly and honestly and the Council is striving to achieve equality for the diverse mix in our communities and our own workforce, recognising that people have different needs, cultures, experiences and expectations.

The Council recognises that valuing equality and diversity will lead to more sensitive services that are responsive to the needs of the communities, a workforce that is representative of the community, and a commitment to participation by all.

Local Councils in Shropshire are encouraged to make the same commitments and to eliminating discrimination in all its forms, providing equality of opportunity to all the communities we serve.

#### Safeguarding

Safeguarding responsibilities encapsulate our duty to reduce accidental harm and to protect vulnerable adults and children and young people from abuse. This includes harassment and discrimination, neglect, emotional abuse, violence, sexual abuse and exploitation, and financial abuse. Safeguarding should ensure that all reasonable actions and approaches are taken to minimise the risk of accidents and harm, and to enable individuals to make appropriate choices and have opportunities to take part in day to day life.

Shropshire Council responds to all concerns about the safety of a vulnerable adult, child, or young person. In doing so it takes appropriate actions to address the concerns and reduce risk by working to the agreed policies and procedures in full partnership with other local agencies. The Council considers safeguarding in a proactive manner to raise awareness of issues and take actions to minimise potential risks occurring.

Local Councils in Shropshire are encouraged to think about safeguarding and to help to protect vulnerable adults, children and young people as part of our shared responsibilities to the people of Shropshire.

#### **Review and Operation of the Charter**

The Charter will initially be reviewed after a twelve-month period and again after a further three years. However, changes in functions or legislation may dictate that it be updated as and when required. It will also be reviewed following any Local Government Elections.

The Charter will be monitored and evaluated regularly, through liaison meetings with ALC, the Larger Local Council Forum, direct communications and further opportunities to raise issues of common interest or concern through the Local Joint Committee structure.

### COMMITMENT

This Charter must evolve and develop if it is to remain relevant to the changing needs of all Councils and to respect the role that each play in serving their communities. It commits all parties to work together, to ensure that we are able to serve our communities to the best of our abilities for the benefit of the people of Shropshire.

To be signed by the Leader of Shropshire Council

To be signed by the Chief Executive of Shropshire Council

Date

To be signed by the Chairman and Clerk of each Local Council

Date

#### SHROPSHIRE COUNCIL CONTACT DETAILS Head of Community Working – 01743 252591 communityworking@shropshire.gov.uk

#### Appendix 1

Issues that Shropshire Council will refer to Parish and Town Councils for information and/or consultation. This list may be subject to change.

Statutory	Non-statutory (and other consultations in which Parish or Town Councils are stakeholders)
<ul> <li>Consultation on planning applications in accordance with the Development Management Charter</li> <li>Bridge maintenance, closure and diversion</li> <li>Pedestrian crossings</li> <li>Public Rights of Way – proposals for permanent legal change</li> <li>Regional Spatial Strategy issues that are likely to affect parishes</li> <li>Roads new and improved, i.e. the need for them, their alignment and the standard of road under consideration (consultation from the earliest stages)</li> <li>Closures of designated rural schools</li> <li>Traffic regulations (e.g. speed limits, waiting orders, weight restrictions, one- way streets, parking restrictions)</li> <li>Waste Management Strategy (to be updated)</li> <li>Local Development Framework – subject to provision of specific regulations which would over ride the consultation provisions set out in this Charter</li> </ul>	<ul> <li>Emergency planning and community resilience</li> <li>School organisation proposals including school catchment areas</li> <li>Changes to on-street parking enforcement</li> <li>Complaints procedure changes</li> <li>Customer services standards</li> <li>Derelict land reclamation and landscaping schemes</li> <li>Design of Improvement Schemes (e.g. traffic calming, cycle routes, safety schemes)</li> <li>Highway structural maintenance (e.g. surface dressings (tar and chippings), resurfacing, road closures)</li> <li>Economic development schemes and support available such as grants for businesses</li> <li>Landscape projects</li> <li>Libraries – mobile routes, opening hours, buildings issues</li> <li>Local Transport Plan (invitation to stakeholder forums)</li> <li>Opening, change of use and closure of Shropshire Council facilities in the area</li> <li>Registration service changes</li> <li>Winter maintenance (changes to treatment routes)</li> <li>Street Trading Policies</li> <li>Changes to subsidised bus routes</li> </ul>

## Appendix 2

Where any local council(s) seeks professional or technical advice from Shropshire Council, subject to capacity, an initial enquiry may be free of charge. Thereafter, any associated costs will be discussed and agreed in advance.

Functions	Who to contact
Human Resources	Head of Human Resources
<ul> <li>HR Advisory including employment legislation and statutory employment rights.</li> <li>Occupational Health</li> <li>Organisational Development</li> <li>CRB disclosure service</li> <li>Health and Safety training and advice</li> </ul>	Tel: 01743 252804
ICT	Head of IT Services
<ul> <li>IT Helpdesk Support</li> <li>PC equipment and consumables for Clerks</li> <li>Strategic advice and planning of IT infrastructure</li> <li>Website support through Shrop.net</li> </ul>	Tel: 01743 252131
Legal and Democratic Services	Head of Adults and Children
<ul> <li>Code of Conduct guidance</li> <li>Property and Related Matters</li> </ul>	Law (Contract Law) Tel: 01743 252756
<ul><li>Contracts</li><li>Elections advice</li></ul>	Head of Public Law and Property Tel: 01743 252712
Finance	Director of Resources
<ul> <li>Payroll</li> <li>Pensions advice</li> <li>Accounting and budgeting</li> <li>VAT and Tax advice</li> <li>Procurement advice</li> <li>Pension fund membership for paid employees</li> <li>Insurance and risk management advice</li> <li>Office supplies and consumables through West Mercia Supplies</li> </ul>	Tel: 01743 252007
Burial Authority	Bereavement Services Manager Tel: 01743 256220
Management of information and records in paper and electronic formats, and preservation of archive records	County Archivist, Shropshire Archives, Castle Gates, Shrewsbury SY1 2AQ Tel: 01743 255356
Emergency Planning Advice	Emergency Planning Officer Tel: 01743 252841

Research and Information	Information and Research
<ul> <li>Local area information such as Census data</li> <li>Signposting to published and accessible sources of information</li> <li>Bespoke information requests</li> </ul>	Manager Tel: 01743 252517
<ul> <li>External Funding</li> <li>Identification of external funding sources</li> <li>Support with monitoring and evaluating externally funded projects</li> </ul>	Team Leader Funding and Programmes Tel: 01743 252279
<ul> <li>Community Development</li> <li>Community project support</li> <li>Festivals and events advice</li> </ul>	Head of Community Working (Community Project Development) Tel: 01743 252591 Head of Arts and Heritage (Festivals and Events) Tel: 01743 255908
<ul> <li>Community Safety</li> <li>Advice and support to seek partnership solutions</li> </ul>	Community Safety Manager Tel: 01743 252263
Community Transport Advice	Senior Public Transport Officer Tel: 01743 255615
<ul> <li>Youth Services</li> <li>Advice on youth provision and services</li> <li>Local Democracy Week</li> <li>Support for Work Placements</li> <li>Support for inter-generational activities</li> <li>Young people consultations</li> </ul>	Assistant Director Shropshire Youth Tel: 01743 254201
Local Benefits Surgeries	Head of Revenues and Benefits Tel: 01743 256127
<ul> <li>Play Provision and Local Leisure Development</li> <li>Management of local greenspaces and rights of way</li> <li>Leisure facilities, sports clubs, activities &amp; events</li> </ul>	Parks and Countryside Manager Tel: 01743 255914
Catering for large events Shared Facilities	Catering Manager Tel: 01743 252872 Customer Service Area HQ
Use of meeting space at Area Headquarters free of charge subject to availability	Manager Tel: 01743 256190

Devolved functions that may be offered to Parish and Town Councils following agreement between Shropshire Council and Parish/Town Council are subject to the Local Council providing a business case with benefits to enable either a cost saving or a better service provision. Where such arrangements are agreed, they will be based on:

- Close liaison founded upon trust
- Explicit formal agreement as to their purpose
- Visible tangible contributions from both parties
- Clear lines of communication and responsibility
- Recognition that financial support, in either direction, should not be the sole reason for such initiatives
- Formal monitoring and notification of progress and effectiveness
- Local Councils accepting responsibility for the consequences, financial or otherwise, which might arise from any actions being challenged
- Making every effort to avoid double taxation
- Local Councils having achieved Quality Status

Suggestions include (please note this is not an exhaustive list and other potentials can be discussed as appropriate):

- Community Recycling
- Some road safety measures for example community speed watch
- Minor highways works for example sign cleaning, grass cutting, drain clearing
- Street Cleansing for example litter picking, sweeping, graffiti removal, removal of fly posting
- Maintenance of amenity areas, play areas, public toilets, closed churchyards, open spaces, street furniture
- Local markets
- Information access point provision
- Street trading
- Cemetery maintenance
- Markets and Street Trading
- House to House and Street Collections
- Management of local rights of way (Parish Warden and Parish Paths Partnerships)
- Play provision, local amenity green space, public park provision