

**REVIEW OF GOVERNANCE OF NORTHIAM PARISH COUNCIL:
December 2022 – May 2023**

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Background summary

- 1.1 Northiam Parish Council is a council in the area of Rother District Council. The Council has 9 councillors, although during the period of our review there were fewer given ongoing vacancies and resignations. Contested elections were held in May 2023. Our period of review related to the 'old' Council and reflect our experience of working with them but our recommendations (insofar as they have not yet been implemented) are for the consideration of the 'new' Council. The Parish is not warded. The population of the village is around 2,000 people.
- 1.2 In common with many town and parish councils, Northiam Parish Council councillors do not sit in political groupings, although as the review will make clear there have in recent years been two clear 'factions' operating around a specific issue and some candidates in the May election did stand under a collective 'grouping'. The new Council's term of office began in May 2023 and will end in 2027. Most of the nine members elected this May were 'newly-elected' in 2023, albeit some had served on the Council previously – only two members were on the Council at the time of our review although some of the people now 'new' on the Council took part in the review as former councillors.
- 1.3 The Parish Council has a Clerk as its only member of staff. The current Clerk is an interim who works part-time for Northiam and is contracted for 10 hours per week. The Council are, we believe, in the process of recruiting a permanent clerk and should have regard to our recommendations when doing so.
- 1.4 Relationships within the Parish Council have become strained over recent times, with difficult working relationships in particular between certain councillors and between previous clerks and certain councillors. These issues have arisen because of ongoing disagreements about the Community Interest Company (CIC) set up by the Parish Council to manage the piece of land known as St Francis Fields, though the disagreements have been exacerbated by personality clashes. This has led to a number of Code of Conduct complaints and a number of councillors and clerks resigning, including some councillors resigning during the course of our review. The interim Clerk was appointed at the start of our review in December.
- 1.5 As stated, these relationship difficulties have their origins in differences over the way the CIC is run and whether proper procedures are followed, but also the strategic direction the Council should take on behalf of the village, in particular around the issue of the future of St Francis Fields. Internally, this has led broadly to a number of members of the Council being dissatisfied with the governance of the Council and CIC and raising those concerns with the Clerk and Chair as well as with the District Council. It should be noted that our review was not commissioned to review the work of the CIC nor the way it has been set up, although inevitably we did need to understand the issues to help us understand the underlying difficulties and we do have a specific section below looking at that relationship and suggestions for the best way forward.
- 1.6 According to the majority of people we spoke to these differences are sometimes made very forcefully in meetings but most of the conflict has been through

correspondence. This has led to meetings being difficult to manage, becoming protracted, for example over disputes about minutes of the meeting and descending into strong disagreements as passions run high. This has made working relationships unmanageable and made many councillors feel disaffected at the pressure they are under and wondering whether they wish to continue in their voluntary role.

- 1.7 This has at times resulted in complaints being made to the Monitoring Officer at Rother about alleged member misconduct in particular and has also meant that the Parish Council has become frustrated in the way business is conducted. Rother approached us initially in February 2022 to discuss whether we could assist them in supporting the Parish Council and seeking to help them move forward more constructively and effectively although we were not formally commissioned to carry out this review until December.
- 1.8 This review has not been about investigating any particular complaints or grievances, including any specific past incidents. Our focus has always been on working with the Parish Council to address the way they could operate more effectively in the future, not to adjudicate on things that may have happened in the past, nor to examine the governance of the CIC.
- 1.9 The review team consisted of three people – Paul Hoey and Natalie Ainscough, who are co-directors of Hoey Ainscough Associates Ltd, and Sarita Presland, working on behalf of Hoey Ainscough Associates Ltd for this review.
- 1.10 Hoey Ainscough Associates Ltd was set up in April 2012 to support local authorities in managing their arrangements for handling councillor conduct issues and wider governance issues. The company was co-founded by Paul Hoey, who had been director of strategy at Standards for England from 2001 until its closure in 2012, and Natalie Ainscough who had worked as his deputy.
- 1.11 Sarita Presland is an experienced local government officer and was until recently the chief officer at the Derbyshire Association of Local Councils.
- 1.12 In carrying out this review, we had the full cooperation of everybody that we spoke to at the Parish Council and District Council and we would like to thank them for the open and constructive way in which they approached the review and were willing to answer our questions and provide us with all relevant information we requested.

Methodology

- 2.1 Our proposal set out five aims:
 - a) to review the Parish Council's processes and procedures to ensure that the right tools are in place to allow the Parish Council to operate effectively;
 - b) to understand what their underlying issues are and help the Parish Council consider how they can work more effectively;
 - c) to help the Parish Council's reputation through demonstrating that there is a culture of high standards and good governance;

- d) to ensure there is a good understanding of the different roles of members and officers of the Parish Council and that both can do their job effectively; and
- e) to develop an action plan to help the Parish Council resolve its difficulties and allow the District Council to monitor progress over time.

2.2 In order to carry out a review we divided our work into four phases. These four phases were:

- a) to carry out a confidential online survey of councillors, officers and other relevant individuals to get a greater in-depth picture of the Parish Council and some personal perspectives on the key issues;
- b) to spend a day in the Parish Council having individual interviews with councillors and others to develop understanding of the key issues emerging and to spend time talking to the clerk and reviewing the policies and procedures and ways of working of the Parish Council;
- c) to present some interim findings to the Parish Council and invite discussion on those conclusions;
- d) to prepare a report and action plan for Northiam Parish Council and Rother District Council setting out ways in which the Parish Council could move forward.

2.3 The questionnaire was open for responses through December and January. In total, we had 17 responses to the questionnaire.

2.4 We then spent the day speaking to individuals from Northiam on 25 January and Sarita Presland carried out a desktop review of the Council's policies and procedures with the assistance of the Clerk on a number of occasions during January. This was followed up by a presentation to the Parish Council for phase three on 1 March. Although some administrative recommendations were shared with the Clerk after that presentation, we agreed that the final report would not be delivered until after the May elections as we did not want our review to become a focus of the elections nor to be taken out of context. Instead we saw it as a roadmap to help the new Council shape the coming priorities of the incoming administration.

2.5 Phases one and two provided much of the evidence on which our findings and recommendations are based. There were clearly areas of consensus as well as areas of disagreement and we should stress that we took lots of positive things from our work both about the running of the Council and the dedication of the individuals concerned to serving their community. It should be noted that the questionnaire and interviews were done on a confidential basis so no individual quotes are attributed. It should also be noted that as sample sizes are inevitably small we have tried to generalise rather than seek to identify individuals or repeat any comments that were made about particular individuals, although inevitably some comments make reference to the Chair or the Clerk which is reasonable given their particular role within the Council.

Findings and recommendations

- 3.1 Based upon the written and oral comments and responses which we received, we gave feedback to a meeting of members and officers of Northiam Parish Council, together with the Monitoring Officer and Deputy Monitoring Officer of Rother District Council and some ex-members of the Parish Council on the evening of 1 March 2023 as phase three of the methodology set out in the section above.
- 3.2 We indicated that we would then make detailed recommendations for the consideration of the incoming Parish Council as phase four. These are set out in this report.
- 3.3 There is a high degree of consistency as to issues affecting the Parish Council as identified in the responses to the questionnaire and the interviews we conducted at phases one and two.
- 3.4 In our view, the key issues are:-
- a) The need for better understanding of the relationship between the Parish Council and the CIC and clearer alignment of strategic aims
 - b) The need for clearer understanding of the responsibilities of Parish councillors and the Clerk and a review of staffing needs to support the Parish Council;
 - c) a breakdown in working relations between a number of individuals on the Council in the period leading up to May 2023 characterised by mistrust, suspicion, disrespectful behaviour and an inability to have any constructive dialogue at some meetings or in correspondence between meetings;
 - d) the need to improve certain aspects of governance in the Council, in particular its financial controls and the way meetings are conducted and correspondence dealt with; and
 - e) the need to develop a long-term strategy for the community as a whole with clear measurable objectives for the Parish Council, with a view to seeking majority consensus within the village and thereby becoming less reactive to individual events.
- 3.5 Having considered the information available to us, we therefore set out a series of recommendations and an action plan to address each of these issues in the sections below. A full list of recommendations is attached at **Appendix A**.

A. Relationship between the Parish Council and the CIC

Background

- 3.6 St Francis Fields is a large open site in the centre of Northiam. The site was previously owned by Blue Cross as an animal sanctuary but Blue Cross closed the site and put it up for sale in 2017. Following a village referendum the Parish Council acquired the site in 2020 with the help of a Government loan of £1.3 million repayable over 50 years with a promise to use the land for community benefit. A Community Interest Company (CIC) was established by the Parish Council to manage the day-to-day running of the site on its behalf (and on behalf of the community more generally).

3.7 A CIC is a special type of limited company set up with Government support and its purpose is to benefit the community as a whole rather than private shareholders as a 'normal' company would. The CIC is overseen by the Parish Council through a Management Agreement. Under the Management Agreement the Council gives the CIC a small annual grant to cover the CIC's basic administrative costs. The CIC is also allowed to authorise expenditure up to £500 without prior Parish Council approval. However, any expenditure above that amount has to be agreed by the Parish Council who are responsible for holding and repaying the Government loan. The Council also bears the risk for any shortfall in income generated, for example through rents from the site, which are insufficient to repay the loan. In effect, therefore the Parish Council is responsible for ensuring that the CIC is delivering the community's requirements for the site and the CIC is required to produce business and financial plans for consideration by the Council.

3.8 While there was almost universal support for the establishment of the CIC at the time, relations have become strained in the intervening period and essentially those strains have been the principal reason why the Council has found itself in such difficulties with regard to relationships. We should note here that in our discussions with individuals we do still firmly believe that the principle of the CIC (or at the very least St Francis Fields being owned by and managed for the benefit of the community) is still strongly supported. Differences fundamentally are about how the land can best be managed and used for the community.

3.9 It was not our role to examine the workings of the CIC nor whether they are complying with the Management Agreement. As part of our enquiries, however, we did speak with individuals from the CIC who freely admitted that the CIC had faced more issues than had perhaps been anticipated and that some of the ambitions expressed at the time of the referendum had not come to fruition, been scaled back or delayed. Some of these issues were of course caused by the Pandemic which could not have been foreseen and some of the issues are simply the inevitable evolution of any business where some things prove more difficult or have unforeseen legal repercussions and other previously-unforeseen opportunities may arise.

3.10 Our role is to examine the working of the Parish Council. However, given the fundamental issue of the relationship with the CIC one of our key aims had to be to look at that relationship from the Parish Council's perspective as, until that relationship is repaired, it seemed very difficult for the Parish Council to move forward on solving other internal issues. The incoming May 2023 Council gives an opportunity for that relationship to start again, almost as a 'Year Zero' proposition.

3.11 In talking to the various individuals, it became clear to us that this schism within the Council, and its related breakdown in relations, meant that people on the Parish Council had lost sight of their role in holding the CIC to strategic account on behalf of the community. Put crudely, there were certain people on the Council who were so opposed to the way the CIC was run and the direction it was taking, that they simply seemed to oppose anything to do with the CIC and

always imputed the worst motives even to relatively minor matters. By contrast the 'other side' of the Council seemed simply to act as cheerleaders for the CIC whom they felt could do no wrong and had equally lost sight of the need for constructive challenge and active management. The way that a number of candidates billed themselves in the election reflected that split.

3.12 Yet, as we have said, both sides said that they believed in the concept of the land being held in trust for the community and differences ultimately came down to what the land may be used for. It would be too grand to say there were 'competing visions' as the truth is neither side could articulate a strategic vision for the land beyond vague aspirations and platitudes, and we were concerned that there had been no proper discussion of strategy or realistic scrutiny of what the CIC's objectives were or whether they were being met.

3.13 Indeed it seemed to us that the Parish Council had, from the offset, miscalculated how much of a burden on the Council scrutinising the CIC would be. We will comment further on this when we look at officer support for the Council as a whole below, but suffice to say that, despite taking on this very large and costly workstream, we were very surprised that no resources had been allocated to managing that relationship or overseeing the work of the CIC above and beyond the existing workload of the Clerk prior to the CIC.

3.14 The Council has in theory set up an SFF Committee (and the Management Agreement sets out a structure for a liaison committee). However, issues around the CIC had become so toxic that the SFF Committee was only meeting sporadically – for example it met in March 2023 after our visit but according to the Council's website had last met before then in July 2022. Instead CIC business was in effect being dealt with at Full Council and was absorbing all the 'bandwidth' of Full Council meetings such that many other important matters in the Parish were not getting the attention they deserved and Council meetings were becoming increasingly fractious and unworkable. It also meant there had been no strategic discussion about what the CIC should be achieving nor discussion with the community led by the Council as to what the community's vision for the CIC should be five years on from the referendum.

3.15 We therefore believe that the key priority of the new Council is to get back on track in discharging its duty of scrutinising the CIC effectively and working with the CIC and community to develop and review a vision for the future of St Francis Fields.

3.16 In order to achieve this we make the following recommendations:

R1 The Parish Council should formalise the separation of CIC meetings (called SFF Committee) from Full Council meetings.

R2 To undertake a full audit of the CIC Management Agreement and reporting on the CIC lease. There is a need for the scrutiny of CIC management accounts and use of funding to be assessed and a process for proper definition and accounting to be put into place by the Parish Council.

R3 There need to be agreed objectives between the CIC and the Parish Council and there should be regular reporting back from the CIC to the Parish Council against those agreed objectives.

R4 The Parish Council should consider its staffing requirements to ensure that it is properly resourced to support its scrutiny of the CIC. This may include appointing a CIC Liaison Officer or more generally a project officer so that there is better liaison and scrutiny of the CIC and the Parish Council's interests are better protected.

R5 To review the Terms of Reference of the SFF Committee and consider with the CIC whether the Parish Council Chair and/or Deputy Chair should be ex officio directors of the CIC. This should include an agreement as to what matters are delegated to the Committee and which issues relating to the CIC must be signed off by Full Council.

R6 The Parish Council should work with the CIC and wider community to develop a strategic plan for the village including the use of SFF (see section below on wider vision for the Council). This should include in particular a 10-year plan for the CIC with measurable targets and objectives to allow for proper budget forecasting and management.

Roles and responsibilities

Role of members

3.17 The section above relates to the relationship between the CIC and the Parish Council. If that relationship is not resolved then the Parish Council is likely to remain dysfunctional and not serving the best interests of its community through its internal divisions. However the rest of this report now focusses on the Parish Council more widely.

3.18 The role of councillor, at whatever tier of local government, can be a difficult and daunting role, particularly to those who come new to the role. We would therefore expect all councils to provide comprehensive induction and ongoing development to councillors to support them in their job. This is particularly true in the period after all-out elections as is the case in May 2023. We felt that councillors at Northiam we spoke to prior to the election were not clear about how they should work collectively or individually. The new Council therefore needs to do a lot of work to help members understand their role and what is expected of a councillor.

3.19 There is a lack of clarity in many parish councils about what individuals do or can or should do. The sector of course relies on volunteers and people helping out where they can but the formal role must also be understood and boundaries not crossed. Of course what each individual can give to the Council varies widely – some councillors will work fulltime so cannot devote as much time and energy to the role as others. That is perfectly understandable and normal but does need to be recognised. However, beyond that Parish councillors need to be clear what

it is they are expected to do and cannot do as individuals. No Parish councillor (including the Chair) can be given delegated individual decision-making responsibilities. Decisions can either be made by Full Council, a committee or the Clerk depending on the scheme of delegation. Often in practice of course, individual councillors (particularly the Chair) will have been authorised by the Council to have some individual responsibilities, either because of the need to react quickly to developing events or else because of a particular recognised expertise. Even in these rare cases, however, any binding decision must formally be taken by the Clerk in consultation with the individual and in line with a delegation scheme agreed with the Council and subsequently be ratified at a Full Council meeting.

3.20 We believe councillors do not have sufficient clarity about their roles and the Council should therefore review their schemes of delegation so that councillors fully understand it, and agree proper role descriptions and expectations for councillors.

3.21 That should include a clear statement of what an individual's role as a councillor in the community is as opposed to their role on the Full Council; and what a councillor's role is with regard to outside appointments where they represent the Council – including clarity about what views they should express, what they are delegated to say or decide and what they should or should not report back.

3.22 In particular the Council should seek to put in place a detailed training programme on the role of the parish councillor, understanding the role of the clerk, understanding delegated authority, chairing and meeting skills, the Code of Conduct, financial regulations and other matters. This also needs to become an ongoing package for new councillors.

3.23 We would also expect councillors to undergo regular refresher training throughout their term of office. We believe that it is vital councillors have a full understanding of their roles and responsibilities before they start to discharge their functions, and, while training cannot be made mandatory, the Council should therefore consider what training individual councillors must undergo as soon as possible after they take up office. They should also consider what training they would require of councillors before they are allocated permanent seats on any committees or given some individual lead responsibilities to ensure councillors understand fully their role and responsibilities on a particular committee in future.

R7 That the Council put in place a detailed training programme on the role of the parish councillor, understanding the role of the Clerk, understanding delegated authority, chairing and meeting skills, the Code of Conduct (in particular to improve understanding of requirements around registration and declarations of interest), financial regulations and other matters.

R8 That councillors recognise that they cannot speak on behalf of the Council unless authorised by the Full Council to do so. Any correspondence from individual councillors needs to make this clear.

R9 The Council should develop an agreed understanding of the role and expectations for individual councillors when they are acting as Full Council, as committee members, as individuals and as representatives of the Council externally.

R10 That councillors understand their fiduciary duties and vicarious liability and be reminded that they are all individually and severally liable for the finances and employment practices of the Council. Individual councillors should therefore be reminded that they should not act alone and unilaterally once Council collectively has made a decision or agreed a course of action. Nor should councillors act alone on issues such as tree felling without proper insurance and risk assessment.

Role of the Clerk

3.24 While councillors set the tone and strategic direction of an authority, the clerk is charged with supporting the council and delivering its strategy on a day-to-day basis. The Clerk must therefore be resourced adequately and have the appropriate skills to do this.

3.25 During the period of our review the Council was supported by a temporary locum Clerk, following the resignation of the previous Clerk just before our process started. The locum was well qualified in her role and gave the Council sound support within the parameters of her role. However, what she could do was necessarily limited given she was only employed on a part-time basis. We understand the Council is now recruiting a permanent Clerk so will wish to make note of our recommendations during that exercise.

3.26 Having a part-time clerk is not unusual for this size of Council but did seem inappropriate given the added management of and support for the CIC as outlined above.

3.27 All councillors need to recognise that any Clerk's time is inevitably very limited so must be used to maximum effect. The Clerk from our observations actually worked beyond her contracted hours as did her predecessors as we understand. This is almost inevitable particularly in the run-up to and immediate aftermath of Council meetings but the Parish Council should ensure that staff are not overburdened, that the workload is sustainable and that they ensure they fulfil their duty of care to their staff. That is why all councillors must recognise that there are limitations on what the Council can realistically achieve. The Council as a whole is the Clerk's employer and therefore each individual councillor has employment responsibilities to ensure that the Clerk has a reasonable working environment and is able to manage the workload within contracted hours or else consider as a Council what changes to terms and conditions may be necessary to achieve this.

3.28 As a result of this lack of understanding of individual roles, we found that the Council had set little strategic direction for the Clerk, was unaware of workloads, and there was no clear understanding of what contact with the Clerk was

appropriate on a day-to-day basis nor that individual members should not set work priorities for the Clerk.

- 3.29 The Clerk seemed to be asked to respond to a lot of emails and correspondence making very detailed comments and broadly seeking to keep going over similar ground. There is of course nothing that can be done to stop emails being sent and councillors and the public do have right to seek information and raise queries. However, the Council does have to recognise that this can place heavy demands on the resources of the Council. Given the other calls on the Clerk's time the Council does therefore need to review its policy in handling correspondence and where necessary ensure that the Clerk and Chair are empowered to draw a line under certain matters.
- 3.30 Any policy would probably need two aspects – an agreed period at a meeting where governance issues and correspondence could be raised. They should be done with sufficient notice to allow a response to be prepared for tabling and/or discussion at the meeting. However, the time spent on such matters would have to be limited to allow the transaction of other important business. Thus, for example, it might be that ten minutes is set aside at the start or end of the meeting for any governance issues, and that each member is limited to raising no more than one concern. Similarly if the Council collectively is satisfied that the matter has been addressed it should not be raised again within an agreed period unless circumstances have changed. Standing Orders should make clear that resolutions previously made cannot be reversed within six months except by special motions or a motion from a committee and that the Council should ensure this is enforced to help achieve better governance.
- 3.31 Matters may well of course occur between meetings which need to be answered more quickly so there would still need to be room for correspondence from councillors and the public to be dealt with. However, again the Council should agree some limits on the amount, what timescales should be agreed for any response and, if the matter is not urgent, whether it should be brought to the next meeting for agreement.
- 3.32 The Council of course needs to recognise that a balance needs to be struck between allowing councillors and the public to question issues on the one hand and the Council and clerk to be able to operate within its limited resources and work with agreed collective responsibility on the other hand so any protocol would need to strike that balance to the satisfaction of the Council collectively.
- 3.33 We also believe it would help the Council and the Clerk if some form of schedule of work was prepared. This would help the Council to recognise what was a reasonable expectation on the Clerk and be clear with the Clerk what the priorities on her limited time should be. The Society of Local Council Clerks (SLCC) has a useful calendar available to clerks to remind them of what needs doing when. The Clerk should get this timetable and share it with councillors so that it can inform this work schedule.
- 3.34 Obviously line management is an important part of the Council's duty of care towards the Clerk. Again, as with many parish councils, there is obviously some

line management issues with only one employee and the Council as a whole as the employer. It must be generally recognised that there will inevitably be the need for a close working relationship between the Chair and the Clerk given their respective roles, and it is important that it is seen to be professional.

- 3.35 The Council should also review the performance appraisal system to ensure that it measures performance against targets with a view both to helping the Clerk develop and ensuring she is rewarded appropriately. The County Association should be able to provide a template if needed. Having a schedule of work would help with that process.
- 3.36 The Council also need to understand and recognise the role of the Clerk and Responsible Finance Officer (RFO). As the Proper Officer the Clerk is appropriately indemnified to advise Council and if necessary make emergency decisions (reported to councillors, whose advice she may seek, and subsequently get ratified by full council). Councillors must in particular beware of the rule of *ultra vires*. Even as chair all decisions need to be actioned through the Clerk as she considers appropriate. One example cited to us was playground inspections. Regular visual checks can be carried out by anyone and reported to the Clerk, damaged trees can be reported etc, but all remedial actions need to go through the Clerk, to ensure health and safety regulations are being adhered to and any actions requiring payments are shown to be transparent and according to financial regulations.
- 3.37 The comments above all relate to the Clerk's role as currently established. However, particularly in light of the work with the CIC, we felt that the Council was under-resourced at current staffing levels. There is a balance to be struck in any public administration between what one might call 'maintenance' on the one hand – that is, the day-to-day running of the council through, for example supporting meetings, carrying out statutory duties etc – and what one might call 'progression' – taking forward longer-term goals and projects. The more ambitious a council is in terms of strategy the more it needs to decide where the balance lies between maintenance and progression and if it is adequately resourced to deliver both. Our view is that at current resource level the Clerk can do little other than focus on maintenance and if the Council is to grow its ambitions it needs to have adequate support in place to develop the progression aspect of the role. We therefore think that, as well as recruiting a new clerk, the Council needs to consider further resources. We have mentioned above, for example, an officer dedicated to liaison with the CIC. Another possibility may be a 'project officer' who could have that role and oversee other 'progression' delivery. Or it may be that you want the Clerk to concentrate more on progression so you recruit a deputy who essentially takes over the administration and/or financial management to free up the Clerk's time. We are not being prescriptive as the Council can best make an assessment of its needs, supported by the experience of the current locum, and we are conscious that any new role would have resource implications. However, we believe that it would be a worthwhile investment to help move the Council forward and sticking with current resources does not help the Council become more 'progressive'.

3.38 One final area which was raised with us was the issue of councillor access to officer time. While councillor access to officers is important, in many parishes there is a risk that some councillors spend too much time in the office pursuing their own agenda, stopping higher priority work being done. The Council should, as part of its staffing review, look at how officer contact with councillors is regulated – for example by putting a system in place where councillors can only see officers during working hours by prior appointment, or for a set time unless by prior appointment, or only at particular times of day. The aim would be to strike a balance between allowing councillors to raise their own local priorities and issues and support officers with advice while allowing officers time to carry out their job and run the office effectively.

3.39 We know the Council is actively recruiting a new Clerk. We believe that, before appointing somebody permanently to the role, the Council needs to put these measures in place, in particular a schedule of work, and decide whether the currently-contracted hours overall are sufficient to meet the Council's needs, in particular with regard to progression, and if so how they expect work to be prioritised within those hours to avoid excess working becoming the norm.

Recommendations

R11 The Council needs to review its staffing needs. In particular it needs to recruit a permanent Clerk who is CiLCA qualified.

R12 The Council and the Clerk should agree a work schedule to ensure that staff's limited availability is focussed and that there are realistic expectations on their time.

R13 The Council needs to agree a councillor-officer protocol which would include a shared agreement as to the circumstances when councillors should have access to officer time and how the clerk should respond to queries from individual councillors.

R14 The Council should review its policy as to how correspondence is dealt with and responded to without absorbing the limited administrative resources available to the Council. This would include an agreed policy for dealing with persistent or vexatious correspondence.

R15 The Council should agree how governance issues should be raised in meetings to allow reasonable discussion but also to allow other business to be transacted.

R16 Once the Council has set a long-term strategy it should review whether its current staffing structure is in line with that strategy and able to help the Council deliver it and that the Clerk's key performance objectives and time are geared to deliver that strategy.

R17 The Council need to understand and recognise the role of the Clerk and RFO to ensure health and safety regulations are being adhered to and any

actions requiring payments are shown to be transparent and according to financial regulations.

R18 The Council should ensure that the Clerk and the Council make best use of external support and advice from its memberships of professional bodies.

R19 The Council should ensure that there is an appropriate performance appraisal framework in place for the Clerk which supports development of the Clerk and ensures performance is rewarded accordingly.

Behaviour

3.40 The principal reason that we were asked by Rother to review and support the Parish Council was because of a series of complaints made about the behaviour of councillors, in particular alleged lack of respect and personal attacks on the characters of individuals.

3.41 While our review went wider than a focus on behaviour and looked at what underlay some of the issues it is clear to us that the issue of respect needs to be addressed by the Parish Council before it can begin to improve its working processes as outlined in the rest of this report.

3.42 Our experience from working with the councillors and observing the Parish Council is that there was a high level of animosity between certain councillors which was holding the Parish Council back. This animosity was almost exclusively driven by disagreements around the direction of the CIC as set out above, although the issues had moved on from being 'policy differences' to ingrained animosity and more personalised attacks, as well as disputes about the wider administration of the Parish Council. This has led to several previous clerks having left as they have to some extent been caught in crossfire between the mutual distrust between two groups of members and been perceived as siding with one particular part of the dispute. The way that these disagreements are articulated on both sides has at times gone way beyond legitimate disagreements about policy or procedures and has descended into disruptive behaviour, allegations being made which question the integrity of individuals and an unwillingness to engage in debate or allow legitimate concerns to be raised. These comments were made in meetings and in widely-circulated emails. Such comments often lead to a downward spiral and what can start as a legitimate question or concern descends into disrespectful comments and unevicenced allegations of wrongdoing which simply leads to positions becoming entrenched and the Council closing in on itself with defensive positions. The whole culture of the Parish Council thereby becomes deeply unprofessional and brings the Parish Council into disrepute.

3.43 It is our experience from working with other councils where they have similar issues that such ways of communicating do nothing to bring about the positive change that may be needed to improve the governance of the organisation or help the clerk do their job effectively. Instead personal comments or allegations which question people's motives or make unfounded accusations of corruption and illegality based on assumptions simply make people defensive, stifle

legitimate concerns and lead to tit-for-tat accusations which mire the council in animosity.

- 3.44 If councillors are serious about bringing about the change that is needed they must therefore start to work together collectively as a team and stop personal attacks and feeding the flames of such attacks. Councils, like any organisation, have to work collectively to achieve the best outcomes, and if people feel they cannot work collectively but must resort to disrespectful comments and questioning people's motives with little or no evidence then it would be better if they left the Council as it cannot change while such poison exists within the organisation.
- 3.45 We should say that it is of course vital to any organisation, and in particular to a democratically-elected body, that people can challenge decisions, put forward opposing views and raise concerns that matters are not being implemented properly. However there is a world of difference between discussing those matters in a dignified and respectful way and simply being confrontational and imputing the worst possible motives to matters with which you disagree. It is acceptable to challenge ideas with which you disagree. It is unacceptable to make personal attacks on individuals in an intolerant and disrespectful way. In our schools we teach our children about Fundamental British Values. These include tolerance and respect for other people and their values and beliefs. We are afraid that certain individuals on the Council seemed to have lost sight of those values.
- 3.46 Councillors therefore need as a priority to stop behaving in this way if they have the interests of the Council and the community as a whole as their priority. The Council does need to change in certain aspects, and some of the concerns raised are legitimate, but change will only happen when councillors start to respect and tolerate each other.
- 3.47 Of course we recognise that a more rational and trusting atmosphere will work most effectively when all feel they have confidence in the Council. There are legitimate policy differences within the Council, particularly with regard to the CIC, and concerns about the way the Council operates but the way in which they have been raised and the way that the two sides have taken entrenched positions has made addressing them impossible. So there needs to be an agreement from all the new Council to deal with matters in a calmer and more rational way while the recommendations set out in other sections to improve the Council are adopted and implemented.
- 3.48 We should stress that we think that all councillors we spoke to and met had the best interests of Northiam at heart and, while their view of what was best for Northiam, and for St Francis Fields in particular, differed between individuals, that to us simply reflects a legitimate democratic plurality. We were struck by the near-universal view that, if the issue of the CIC had not arisen, then the Council would not be facing these issues and actually the recognition from both sides that ultimately their differences were policy issues rather than irreconcilable personality clashes, which we have seen too often elsewhere. We therefore believe that if the relationship between the Council and the CIC can be re-set as

above, the new Council has the potential to put these differences behind them and focus on working collectively for the good of their community. Councillors must accept, however, that decisions with which they disagree does not mean that decision is automatically wrong or the motives behind it wrong – it simply means that collectively the Council has decided to act in a particular way and once a decision has been taken by the Council, the Council is perfectly entitled to implement that decision. Similarly the Council must ensure that where people do have opposing views which are relevant to the matter in hand that those concerns are listened to provided they remain respectful and a reasonable amount of debate is allowed. It can be too easy to want to shut down discussion because matters are becoming polarised or personal or being unnecessarily prolonged and this highlights why it is important for behaviour on all sides to become more respectful before some of the issues outlined elsewhere can be resolved. The relationship of the Council to the CIC must be one of a critical friend and needs to avoid being either simply a cheerleader or simply opposing which is what the situation has been until now.

3.49 The majority of individuals we spoke to felt very strongly that meetings were difficult and the tone of debate, both at meetings and in correspondence, reflected very badly on the Council. The Council was referred to on a number of times as a 'laughing stock' and that the community as a whole had lost faith in it being able to run effectively. While we ourselves did not observe meetings first-hand we did see a number of email exchanges and have seen the Code of Conduct complaints which were made and the weight of evidence inclines us to believe that this pattern of behaviour does exist and is unacceptable. We think some councillors would be surprised at how they came across and how meetings were conducted if they could observe them.

3.50 We were also concerned that too much time was being spent on going over old issues, individual councillors seeking to raise issues with the Clerk and asking for 'rulings' on issues and too much time was being spent by the Clerk having to deal with emails about repetitive issues. We have commented on the use of the Clerk's time in future in the section above but we think the Council needs to have an agreed email policy which allows the Clerk time and space to focus on other aspects of the role.

3.51 We also believe that it is the responsibility of all councillors to challenge disrespectful behaviour in the Council chamber and support the meeting in being run effectively with the right balance between debate and getting the business done. The Council collectively should therefore agree where the boundaries of respect lie and how that should be enforced in meetings. A key way of doing this would be for the new Council to sign up to the NALC/SLCC Civility and Respect Pledge and ensure that this is effectively implemented.

3.52 We therefore think the Parish Council needs to agree the following actions:

RECOMMENDATIONS

R20 The Parish Council should sign up to the Civility & Respect Pledge and collectively agree what language is and is not appropriate in meetings and

correspondence among councillors and with the Clerk, how such language should be challenged in meetings and how meetings can be run more efficiently without getting bogged down in minutiae nor stifling legitimate debate. Behaviour needs to be re-set.

R21 The Council needs to adopt an email policy, for example that no member shall send more than two emails a day to the Clerk and no email should be more than a page of A4 in length. If the policy is breached the Clerk will simply reply to say that the email will not be responded to as it falls outside the policy. There may be exceptions for significant urgent matters but the Council as a whole shall agree a definition of what those exceptions should be. All emails should go through the Clerk.

R22 All councillors should give an undertaking to treat fellow councillors and officers with respect and not to make personal attacks on individuals or their integrity. Until such respect is shown the Council cannot move forward. If personal attacks are made in future the matter should be referred to Rother District Council who will deal with the matter against set criteria and will ensure that anything that falls below the Council's agreed standards is appropriately dealt with and breaches of the Code are sanctioned and publicised.

R23 All councillors should undertake that, where they have concerns about the way a decision has been made or a procedure followed they should discuss this with the Clerk and the Clerk should be allowed to give a ruling with reasons such as a reference to existing policy or legislation as to whether or not the concern is legitimate. This ruling should be communicated to all councillors. Where the concern is legitimate such a ruling should include the steps needed either to rectify the matter with an agreed timescale or the changes needed to prevent the matter re-occurring. Where the majority of councillors accept that the concern has been dealt with, the matter cannot be raised again for six months.

Policies and procedures

3.53 Aside from the behavioural issues, we also carried out an in-depth look at the governance and administration of the Council. The following sections look at each of the areas we examined in turn and make a series of recommendations, starting with our review of the Council's policies and procedures.

3.54 Overall, we felt there were significant gaps in the policies and procedures at the Parish Council, or if they did exist they were not available through the Council website.

3.55 In particular the Council needs to update its Standing Orders and Financial Regulations and there seemed to be significant issues with payment of accounts and proper budget setting. At the time of our review only one councillor was authorising payments, and the Council also had no evidence of sufficient

reserves (which should be a minimum of six months running costs) in place. We are aware that the locum Clerk has been addressing this area as a matter of priority but the new Council will need to satisfy itself that there are now sufficiently robust financial controls in place.

3.56 This relates to the issues raised about staffing levels above but the Council needs to specify and formalise the role of the Council's Responsible Finance Officer (RFO) and ensure it has proper budgeting measures and a budget cycle implemented so that it can better plan its budget strategy for coming years. It seemed to us there was too little analysis of what expenditure was actually needed and too much focus simply on an 'overall' budget figure which would then simply be drawn from through the year. The RFO role was appointed to in February on a temporary basis as we understand it but this will need to be considered on a more permanent basis in the future.

3.57 We identified a number of gaps where we thought significant policies were missing or out-of-date or at least not accessible. These included an Equal Opportunities Policy, Disciplinary and Grievance Policy, Health and Safety Policy, Sickness and Absence Policy, Code of Conduct Complaints Policy, Member-Officer Protocol, Policy on FOI requests and Council Publication Scheme, Data Protection (GDPR) Policy, Bullying Policy, and a Recording of Meetings Policy.

3.58 In light of comments made above about the role of individual councillors and the potential liability issues, we think the Council should also consider adopting a Trees and Open Space Maintenance Policy, and a Severe Weather Policy.

3.59 We also believe there is some confusion around what information held by the Council members are entitled to see as a matter of course. Councillors in general are entitled to see most information held by the Council, including confidential information not available to the public, in order to help them do their job. There will always, however, be circumstances where a council is legally entitled to regard certain information as confidential. The law itself sets out grounds for certain business to be considered in private by the council and it is widely recognised through case law and elsewhere that not all councillors are entitled to see all information at all times, as some personal information for example has to be regarded as confidential unless there is a demonstrable need for an individual to have access to that information to carry out their duties.

3.60 We therefore think the Council needs to agree a 'need to know' policy to establish a common understanding of where the boundaries of confidentiality and access to information might lie. This would also cover any information held by individual councillors and be tied closely to the Council's responsibility to protect information under GDPR.

3.61 The Council also needs to have a robust communications and social media policy in place. We felt the Council had been too internally focussed because of its disputes so was not communicating its work well to the local community. We address some of these issues below when looking at long-term strategy, but we think the Council should discuss how it will better communicate externally. This would include how social media is used both by the Council collectively and by

individual councillors. It is important that councillors and parishioners recognise what is permissible and within the realms of appropriate comment, and agree how, for example, Facebook, Twitter, and the Council's own website could be used as effective and informative channels of communication by the Council itself.

Recommendations

R24 The Council needs to update its Standing Orders and Financial Regulations.

R25 Payment of accounts needs to be resolved immediately and the Council needs to formalise the role of RFO and financial matters need to be put onto a firmer footing, in particular with proper budgeting measures implemented.

R26 A full suite of policies need to be in place and published on the website. These should include:

- **Equal Opportunities Policy**
- **Disciplinary and Grievance Policy**
- **Health and Safety Policy**
- **Sickness and Absence Policy**
- **Code of Conduct, Complaints Policy**
- **Councillor-Officer Protocol**
- **FOI requests and publication scheme**
- **Data Protection (GDPR) Policy**
- **Bullying Policy**
- **Recording of Meetings Policy**

R27 The Council need to formalise a Trees and Open Space Maintenance Policy, and Severe Weather Policy with appropriate Risk Assessments in place.

R28 The Council needs to adopt a Communications and Social Media Policy which would cover both appropriate use of social media by individuals and the Council's own approach to communications and social media as an organisation. In particular it should consider producing its own newsletter to be delivered to every household in the parish, and to develop a Facebook page.

Meetings

3.62 We heard how some meetings have been difficult to run because of conflict in the meetings and the disruptive behaviour arising from this conflict. This was a constant theme running through the questionnaires and face-to-face interviews. This section therefore makes some recommendations for making meetings run more effectively and efficiently.

3.63 Although we did not attend Council meetings and therefore have not seen them at first hand, it was clear to us from all that we have been told and noted

from our reading of past minutes that Council meetings have become increasingly difficult to manage and need to be run much more efficiently so that business can be transacted.

- 3.64 Everybody is dissatisfied with the way the meetings take place. Too much time is spent revisiting matters, in particular the work of the CIC which seems to have taken up so much bandwidth that other matters are not debated properly. We have said above that the relationship with the CIC should be dealt with primarily through the SFF Committee rather than at Full Council. But more generally people seem to have stopped listening to each other and meetings need to become genuine discussions again rather than disagreements. Individuals need to accept that it is perfectly fine to disagree and healthy debate is to be encouraged as it leads to better decision-making but there must be a recognition that once a decision is made that is the democratic decision of the Council. It must also be recognised that a balance needs to be struck between progressing the business of the meeting effectively and not unnecessarily stopping discussion.
- 3.65 As set out above we therefore recommend that the Parish Council should draw up a proper protocol about how councillors treat each other which needs to be properly enforced. Matters should be properly managed in meetings and the standards framework should not be used to air disputes about personalities or perceived procedural failings.
- 3.66 We would always look to the Chair of a meeting to enforce behaviour standards clearly, firmly and fairly. The role of the Chair is to act as an impartial referee, to ensure that people are treated equitably, everyone is encouraged to contribute to the debate and that the meeting is conducted in an orderly and civil way. A Chair should know when to seek advice from the Clerk but should not let the Clerk run the meeting. A Chair also needs to be conversant with Standing Orders and ensure that they are applied. However, the Chair also needs the support of other members to ensure that Standing Orders are consistently and fairly applied. Our comments are not meant as a particular criticism of previous chairs but rather reflect that councillors in general felt that meetings were not being effective because of disruptive behaviour and the balance being wrong about how some discussions were held. For example, from what we were told far too much time was allowed on procedural issues or debating previous minutes which was not an efficient use of Council time, whereas on the other hand concerns were raised that not enough time was allowed for more significant items and members could feel unwilling to contribute for fear of being criticised or denigrated. For a meeting to be effective and efficient, all members need to accept that the meeting needs to remain focussed on the business at hand and that greater support is needed for the Chair from members in conducting meetings.
- 3.67 To ensure that debate can be managed efficiently, we believe the Parish Council needs to enforce a 'three minute' rule at its meetings as set out in its Standing Orders – that is people's interventions in meetings – whether councillors or the public - should be strictly limited to three minutes and, when the three minutes is up, they should stop speaking. Everybody is entitled to an equal say at

meetings but all should equally respect that others should have an input and interventions should be limited to allow the meeting to proceed. It seemed to us from what we were told by a number of people that people were not being treated fairly – some people were being allowed to speak for too long, some people were being cut off and some people felt they did not want to speak, either for risk of prolonging already-lengthy discussions or because they felt intimidated by the atmosphere in the room.

3.68 There may of course be times when an agenda item is of such significance that councillors collectively will wish to speak for more than two or three minutes. Any waiving of the rule for a particular item should be proposed by the Chair at the start of a meeting and agreed by the meeting.

3.69 We also believe it would be helpful to have a timetable alongside the agenda of how long can be spent on each agenda item so that the business of the meeting can be progressed, and not too much time spent, for example, discussing the wording of previous minutes or raising procedural issues. Again the Chair could waive the timetable should the meeting collectively agree that an item was more significant than initially considered.

3.70 Similarly, the public should only be addressing meetings at the appropriate time and there needed to be a consistent approach to public participation and management of any disruption. The public need to be clear what the role of public participation is and where the balance is between hearing from the public and allowing the Council to transact its business. Public Time is not strictly part of the Council meeting and apart from a brief note of what questions/concerns were raised no other notes or decisions need to be taken by the Clerk or recorded. There is a danger if its role is not understood by all that this part of the meeting takes over and is overly long. Standing Orders should make it clear there is three-minute maximum speaking time per person, and the entire public time session should last no longer than 15 minutes. This is in line with accepted national practice. A short explanation of the role, purpose and duration of Public Questions should be given to every member of the public attending every meeting to reinforce this matter. It can also be good practice for the Chair to ask the public present at a meeting if they wish to speak and if so on what topic so that time can be managed. Thus for example, if several people all wish to speak on the same topic the Chair might encourage them to elect a spokesperson to speak on their behalf to avoid repetition and ensure that the business of the meeting can proceed in a timely way.

3.71 It would also be helpful if all councillors had a pack which contains all policies, Financial Regulations and Standing Orders that they bring to each and every meeting to aid understanding and avoid confusion.

3.72 We also want to cover the taking of minutes. Charles Arnold-Baker (the so-called Parish Bible) says “minutes should be a formal record of official acts and decisions, not reports, still less verbatim reports of the speeches made by councillors. Minutes should, therefore, be as short as is consistent with clarity and accuracy, and the arguments used in the discussion need be recorded only if the decision cannot be clearly expressed in any other way.”

3.73 We believe too much time has been spent at meetings arguing about minutes of previous meetings. We therefore recommend that Council agree that minutes follow the model of simply being a recording of the decision rather than a verbatim record. As it is important that all councillors are clear what has been agreed we recommend that at the end of each item the Chair asks the Clerk to read out what they believe has been agreed as the decision for that item so that all present are clear and agree that what has been noted is sufficient for the minutes.

3.74 Minutes should be agreed at the following meeting and cannot be deferred under any circumstances save in the event of manifest error. The Council also needs to be clear that amendments can only be proposed by those who attended the meeting and should be factual only rather than opinion. Likewise, when minutes come to be agreed it is not legal or appropriate for somebody to add in further comments as to the validity of the narrative especially if they did not attend the meeting.

3.75 Finally, those meetings uploaded to the website we looked at did not include supporting papers and minute reporting was in general very poor for previous meetings. The web pages of the Council also need updating. Incidentally, to include new councillor details and interests.

Recommendations

R29 All councillors need to be familiar with Standing Orders and should have a pack which contains all policies, Financial Regulations and Standing Orders that they bring to each and every meeting to aid understanding and avoid confusion.

R30 The 'three-minute' rule in Standing Orders should be enforced and all councillors should support the Chair in ensuring the meeting is run efficiently and without conflict. The rule may be waived in exceptional circumstances where an agenda item is of particular significance but this must be agreed at the start of the agenda item and a revised time limit (say five minutes) agreed.

R31 The Council should set an agenda with indicative timings so that the meeting can be progressed and the timetable waived only with agreement at the meeting.

R32 The Council needs to have clear rules for public participation which should limit contributions to allow council business to progress.

R33 Minutes should be agreed at the following meeting. Amendments can only be proposed by those who attended the meeting and should be factual only rather than opinion.

R34 Minutes are a record of the decisions made at meetings and whilst some brief narrative is required they should not be verbatim but should serve to help anybody understand the process by which a decision is made. So they should

be written to make clear the decision taken with some brief summary of matters considered for and against.

R35 Meetings should be uploaded to the website with supporting papers and the web pages of the Council kept up to date with councillor details and a link to registers of interests.

Ambition and strategy

3.76 As stated above, too much time has been spent in dispute over the CIC and focus has been lost on any longer-term ambitions. We therefore believe the Council needs to refocus on a strategic vision which looks at what it wants to achieve over the next five to ten years. This should focus on agreeing realistic aims, financial planning and milestones. This needs then to be matched up with the resources needed to deliver that vision; and in particular in developing the future of SFF in consultation with the CIC and the wider community.

3.77 While not everyone will share the same vision, the Council needs to work together to come to a collective understanding and then ensure there is an agreed consensus to deliver those plans for the people of Northiam.

3.78 As part of this we consider that the Council should refresh its relationship with the community. It is always a difficult issue for any council at this level and with limited resources to ensure it is sufficiently strategic and engaged with its community, but we think the Council is capable of such engagement and it is particularly important given current circumstances that the new council is seen to consult widely on its future priorities and to have engaged as fully as possible with the community about its work so that it is clear what the community as a whole wants. The Council should consider how this relationship is best nurtured – for example through one or a series of open days where the community are invited to help shape priorities and agree objectives.

3.79 Any plan developed must then be accepted as the plan for the Council but must be properly costed and resourced appropriately.

3.80 We believe that all councils should be aspirational and demonstrate to their public that they are working effectively. We think this is particularly important for Northiam Parish Council in future given the issues it has faced. In our view there is no reason why, once it has developed a deliverable strategy, Northiam should not be capable of becoming an outstanding council for its size and receiving external validation for its work. We therefore recommend that the Council Chair and Clerk actively seek opportunities on behalf of the Council to learn from and share best practice with outstanding councils in their vicinity. A good starting place would be to look at local councils in the East Sussex area who have been recipients of the Local Council Award Scheme – information on this is available from the National Association of Local Councils and the County Association.

Recommendations

R36 The Council should develop a process for strategic planning with a view to the new Council developing a strategic plan for its term of office, to be agreed by the Council collectively. This should be a fully costed and resourced long-term strategic plan for the parish and the community, including strategic aims for SFF.

R37 The Council should engage with the community and with the CIC in developing its long-term plan and should review its communication strategy in conjunction with the public to evaluate its effectiveness and ensure that the public understands the work of the Parish Council, is engaged in developing a vision for Northiam and is able to participate more fully in local decision-making. This engagement work needs to demonstrate the value of the Council to the community and encourage the community to become engaged in shaping the future.

R38 The Council Chair and Clerk should look to learn from and share best practice with outstanding local councils both in developing strategy and a communications policy.

Monitoring of this plan

3.81 While these recommendations are a matter for Northiam Parish Council, we feel it is important that they are accountable for ensuring that these actions are considered properly and, where appropriate, followed. We therefore think Rother District Council needs to be able to monitor progress. Whilst the District Council does give valuable support to Northiam this support comes at a price in terms of time and resources, and it is important that in due course Northiam's demands on officer time at Rother are substantially reduced.

3.82 The Parish Council's first steps should therefore be to review and prioritise these recommendations and share its implementation plan. When it has done so it should provide a copy to Rother District Council. This initial implementation plan should be drawn up within six weeks of the report being presented to the Council. Some of the recommendations need urgent action to get business back on an even keel but should be relatively straightforward and some have already been initiated by the locum Clerk – for example, the review and enforcement of policies and financial regulations; others have a longer-term output but are strategically important. It goes without saying that the modification of behaviours, the consideration of the Civility and Respect Pledge and strategies surrounding the improvement of behaviour should be treated with the utmost urgency and as a priority, as is the rebuilding of the relationship with the CIC and recruitment of a new permanent Clerk. We have not put deadlines on the recommendations but the Parish Council should meet and agree an over-arching action plan to put these recommendations into place by no later than six weeks from the receipt of this report.

3.83 The Council need also to be aware that if the internal issues at Northiam do not improve to Rother's satisfaction, Rother is entitled to carry out a Community

Governance Review in consultation with the local community (which could have as an outcome a recommendation for the dissolution of Northiam Parish Council).

3.84 In conclusion, the onus must be on Northiam Parish Council to adopt the recommendations noted in this report and bring about modified behaviours and the cultural change that is required to enable the Council to function effectively. Councillors must strive to work out their differences maturely and professionally and ensure that they are properly holding the CIC to account in line with the Management Agreement. Otherwise the Council needs to be aware that if the internal issues in Northiam Parish Council do not improve, it could find itself the subject of a Community Governance Review including the option to dissolve the Parish Council.

Recommendations

R39 Where Northiam Parish Council needs to use external support to comply with these recommendations, they should consult with Rother District Council and the East Sussex Association before agreeing such support to ensure they have considered all the options and are obtaining expert advice at value for money.

R40 Northiam Parish Council should develop an initial implementation plan within six weeks of receipt of the report which should be shared with the Monitoring Officer of Rother District Council. They should also report on their progress in implementing this action plan to the monitoring officer in six months and again in 12 months after the date of the plan.

R41 If the new Council is still not operating effectively and relationships have not improved after this 12-month review Rother District Council should consider a full review of the viability of the Council continuing.

Appendix A

Summary list of recommendations

R1 The Parish Council should formalise the separation of CIC meetings (called SFF Committee) from Full Council meetings.

R2 To undertake a full audit of the CIC Management Agreement and reporting on the CIC lease. There is a need for the scrutiny of CIC management accounts and use of funding to be assessed and a process for proper definition and accounting to be put into place by the Parish Council.

R3 There need to be agreed objectives between the CIC and the Parish Council and there should be regular reporting back from the CIC to the Parish Council against those agreed objectives.

R4 The Parish Council should consider its staffing requirements to ensure that it is properly resourced to support its scrutiny of the CIC. This may include appointing a CIC Liaison Officer or more generally a project officer so that there is better liaison and scrutiny of the CIC and the Parish Council's interests are better protected.

R5 To review the Terms of Reference of the SFF Committee and consider with the CIC whether the Parish Council Chair and/or Deputy Chair should be ex officio directors of the CIC. This should include an agreement as to what matters are delegated to the Committee and which issues relating to the CIC must be signed off by Full Council.

R6 The Parish Council should work with the CIC and wider community to develop a strategic plan for the village including the use of SFF (see section below on wider vision for the Council). This should include in particular a 10-year plan for the CIC with measurable targets and objectives to allow for proper budget forecasting and management.

R7 That the Council put in place a detailed training programme on the role of the Parish Councillor, understanding the role of the Clerk, understanding delegated authority, chairing and meeting skills, the Code of Conduct (in particular to improve understanding of requirements around registration and declarations of interest), financial regulations and other matters.

R8 That councillors recognise that they cannot speak on behalf of the Council unless authorised by the Full Council to do so. Any correspondence from individual councillors needs to make this clear

R9 The Council should develop an agreed understanding of the role and expectations for individual councillors when they are acting as Full Council, as committee members, as individuals and as representatives of the Council externally.

R10 That councillors understand their fiduciary duties and vicarious liability and be reminded that they are all individually and severally liable for the finances and employment practices of the Council. Individual councillors should therefore be reminded that they should not act alone and unilaterally once Council collectively has made a decision or agreed a course of action. Nor should councillors act alone on issues such as tree felling without proper insurance and risk assessment.

R11 The Council needs to review its staffing needs. In particular it needs to recruit a permanent Clerk who is CiLCA qualified.

R12 The Council and the Clerk should agree a work schedule to ensure that staff's limited availability is focussed and that there are realistic expectations on their time.

R13 The Council needs to agree a councillor-officer protocol which would include a shared agreement as to the circumstances when councillors should have access to officer time and how the Clerk should respond to queries from individual councillors.

R14 The Councils should review its policy as to how correspondence is dealt with and responded to without absorbing the limited administrative resources available to the Council. This would include an agreed policy for dealing with persistent or vexatious correspondence.

R15 The Council should agree how governance issues should be raised in meetings to allow reasonable discussion but also to allow other business to be transacted.

R16 Once the Council has set a long-term strategy it should review whether its current staffing structure is in line with that strategy and able to help the Council deliver it and that the clerk's key performance objectives and time are geared to deliver that strategy.

R17 The Council need to understand and recognise the role of the Clerk and RFO to ensure health and safety regulations are being adhered to and any actions requiring payments are shown to be transparent and according to financial regulations.

R18 The Council should ensure that the Clerk and the Council make best use of external support and advice from its memberships of professional bodies.

R19 The Council should ensure that there is an appropriate performance appraisal framework in place for the Clerk which supports development of the Clerk and ensures performance is rewarded accordingly.

R20 The Parish Council should sign up to the Civility & Respect Pledge and collectively agree what language is and is not appropriate in meetings and correspondence among councillors and with the Clerk, how such language should be challenged in meetings and how meetings can be run more

efficiently without getting bogged down in minutiae nor stifling legitimate debate. Behaviour needs to be re-set.

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R34 Minutes are a record of the decisions made at meetings and whilst some brief narrative is required they should not be verbatim but should serve to help anybody understand the process by which a decision is made. So they should be written to make clear the decision taken with some brief summary of matters considered for and against.

R35 Meetings should be uploaded to the website with supporting papers and the web pages of the Council kept up to date with councillor details and a link to registers of interests.

R36 The Council should develop a process for strategic planning with a view to the new Council developing a strategic plan for its term of office, to be agreed by the Council collectively. This should be a fully costed and resourced long-term strategic plan for the parish and the community, including strategic aims for SFF.

R37 The Council should engage with the community and with the CIC in developing its long-term plan and should review its communication strategy in conjunction with the public to evaluate its effectiveness and ensure that the public understands the work of the Parish Council, is engaged in developing a vision for Northiam and is able to participate more fully in local decision-making. This engagement work needs to demonstrate the value of the Council to the community and encourage the community to become engaged in shaping the future.

R38 The Council Chair and Clerk should look to learn from and share best practice with outstanding local councils both in developing strategy and a communications policy.

R39 Where Northiam Parish Council needs to use external support to comply with these recommendations, they should consult with Rother District Council and the East Sussex Association before agreeing such support to ensure they have considered all the options and are obtaining expert advice at value for money.

R40 Northiam Parish Council should develop an initial implementation plan within six weeks of receipt of the report which should be shared with the Monitoring Officer of Rother District Council. They should also report on their progress in implementing this action plan to the monitoring officer in six months and again in 12 months after the date of the plan.

R41 If the new Council is still not operating effectively and relationships have not improved after this 12-month review Rother should consider a full review of the viability of the Council continuing.