Elected Member Induction Notebooks

Roles and Responsibilities of the Elected Member at Council Level
1. Introduction

Each local authority in Scotland is governed by a council, which consists of councillors who are currently elected every five years.

Local authorities are bound by statute set out in Acts of Parliament. Councils are governed by UK and Scottish Acts. Acts of Parliament lay down specific duties that councils must carry out (mandatory acts) and things that Councils may do if they wish (permissive powers). Councils are bound by statutes and at times may need to take advice on what actions they are able to take.

The Scottish Parliament and Scottish Government influence many of the activities of Scottish local government. There are ministerial directives and regulations and many of the services councils run will be audited by Audit Scotland and inspected by:

- The Care Inspectorate
- Education Scotland
- The Scottish Housing Regulator

Some of the decisions councils reach may be the subject of an appeal to a minister or a governmental department. As local government power is embodied in statutes and regulations, decisions can be challenged in the courts. There are specific legal responsibilities placed on elected members to ensure that their councils are well governed, produce best value services and adopt sustainable policies and practices.

This notebook outlines how decisions are made within the council and the decision making structures, as well as focusing on key issues you will encounter at council level. The

“You’re not there to run the council. Councils employ people — chief executives, planners, teachers, people to sweep the streets. You don’t have to do that; you’re there to make sure what’s being done is being done well, is being done properly and that the direction of travel that the council has is the right one.”
first few weeks in office notebook includes a section on ‘How your council works’ with regards to its duties and powers and it is recommended that you familiarise yourself with it along with this notebook.
2. Full Council

The full council meeting is the sovereign body of the council. Full council is where all elected members meet to debate and take the key decisions of the authority.

Full council is usually responsible for:

• Electing a civic head and depute (usually either Provost and Depute Provost or Convener). The civic head chairs council meetings and is a ceremonial figurehead/first citizen for the area. In the cities of Glasgow, Edinburgh, Aberdeen and Dundee the Provost is known as the Lord Provost

• Electing the Leader of the Council (or Convener) and the Depute Leader (or Depute Convener)

• Appointing elected members to all committees, boards and panels

• Appointing committee conveners/chairs and depute conveners/chairs

• Approving the Standing Orders/Rules of Business, Scheme of Delegation/Scheme of Administration and other council rules

• Agreeing strategic objectives, local outcomes and corporate policies

• Receiving reports from committees/boards about the implementation of policies, performance and expenditure

• Setting the annual budget, council tax and rents charged to tenants (if the council delivers housing services)

• Deciding how to share out funding between the different functions and activities to reflect council priorities

• Reviewing and approving the capital investment programme

• Delegating powers to committees and sub committees

• Appointing members to outside bodies

• Designating officers to the roles of Monitoring Officer and Head of Paid Service (Chief Executive)

• Making, cancelling or altering any byelaws or schemes introduced by law

• Certain decisions on planning applications
The Council meeting also provides the opportunity for elected members to:

- Question the Leader of the council and committee/board conveners/chairpersons on their leadership and the performance of council services
- Initiate new business by way of motions for debate or calling for reports

Each political group within the council, where they exist, typically appoints a Leader, with the leader of the largest single political grouping in the council usually becoming Leader of the Council. Each political group will have its own rules for appointing their office-bearers and their terms of office.
3. Members’ Representative and Party Political Role

Elected members either stand as a candidate endorsed by a political party, in which case they are elected under the banner of that political party, or they stand as ‘independents’ in their own right.

As the title implies, someone elected as an independent:

- is free to support decisions or challenge decisions within councils on their merits as they see them from the point of view of the communities that they represent and does not need to consider a party political collective responsibility in their decision making and behaviour as an elected member.

However, sometimes independent members agree to participate in an alliance/coalition with other members in order to form an Administration or Opposition. This may be governed by a partnership agreement and alliance/coalition members may meet regularly to discuss their proposed handling of issues in much the same way as political groups operate. Their primary responsibility remains to their electorate however.

If you have chosen to stand for a political party, it would suggest you largely accept and endorse the values and priorities of that political party. There are, however, potential tensions in being a local elected member who has been elected on a party ticket:

- If you were elected on a party ticket, it was the party who endorsed you as a candidate, but it was the community who elected you. Your primary duty and accountability is therefore to the local community.

- If you were elected as part of a political party then you will be part of a party group within the council. That party group may often meet together as a political group to agree a collective position on issues. The political party may have their own internal rules on how their members will reach a collective position. This may permit frank discussion in private but require a unified position in public.

Internal political group rules may create tensions for elected members between party discipline on the one hand and what you as an individual member think is the best action. The Councillors’ Code of Conduct provides guidance on dealing with such issues. The political party rules may allow dispensation for members to depart from the collective group
position if there are compelling local considerations.

Ultimately it is the duty of locally elected members to make sure that their communities' issues and interests are fully represented throughout the decision making process. All of this is a question of balance. It is likely that there will only be a very small number of occasions when you experience a genuine tension between what you think is good for your communities and what your party group is proposing.
4. Conducting Council Business

Councils are large organisations employing thousands of staff and they adhere to set rules and procedures to help them function effectively and legitimately.

As a newly elected member, you will be given a copy of your council’s Standing Orders/Rules of Business. This may be two or more separate documents that specify general Standing Orders and detailing contract Standing Orders. You will also have access to the Scheme of Delegation/Scheme of Administration. These provide the framework within which the council conducts its business and makes decisions. They describe the council’s democratic decision making structure, who is responsible for making decisions, how decisions are taken, how contracts are awarded and money spent. The Standing Orders/Rules of Business must be read and complied with and you must know when to challenge them if you believe they have been breached.

The Standing Orders/Rules of Business define how the council conducts its business democratically. They vary from council to council as each has the power to make, change or revoke its own Standing Orders/Rules of Business via a formal procedure that usually requires a special resolution with advance notice. They typically provide details of:

- the Committees that the council appoints, their functions and delegated powers and their relationships with council meetings and each other (although this may be specified in the Scheme of Delegation/Scheme of Administration if your council has one).
- the timing and frequency of council meetings.
- the quorum required (i.e. the minimum number of elected members needed to constitute a meeting which has the authority to make decisions).
- the rules of debate (e.g. how many times an elected member may speak, the right of reply, the power of the chair, procedures to move or withdraw motions, voting etc).
- procedures to deal with tenders and contracts.

The council will also have:

- a written Scheme of Delegation/Scheme of Administration.
Scheme of Administration which itemises the functions which the council has asked Committees or the Chief Executive, Directors, Heads of Service and other relevant staff to undertake on its behalf, and the conditions with which they must comply when doing so.

- Financial Regulations that describe the arrangements the council has made for the proper administration of its financial affairs. These deal with accounting arrangements, financial reporting, budgets, audit, income, insurance and other related matters.
5. Decision Making Structures

Local authorities in Scotland must take corporate decisions: there is no legal provision for policies being made by individual elected members.

Provisions in the Local Government (Scotland) Act 1973 allow local authorities to devolve most decision-making to a committee, sub-committee or officers of the council. Council committees normally consist of a smaller group of elected members selected by the council. However, particularly in smaller councils, it is not uncommon for all elected members to serve on some committees.

Councils tend to operate either a traditional Committee system or a cabinet/executive style of government, each of which is described below. Some councils have combined aspects of the two systems to form a ‘hybrid’ system. It is a decision for each council as to what it thinks is the more appropriate and effective decision making and scrutiny structure for its particular circumstances and context. The council elected in May 2017 will establish the council’s decision making structure.

- **Committee system**
  The majority of councils in Scotland operate a committee system and most have audit/scrutiny arrangements in place. Some councils have streamlined their committee structures by reducing the number of service specific committees and instead concentrating on broader, more cross-cutting thematic areas.

- **Cabinet/executive arrangements**
  Other councils operate a cabinet or executive structure whereby a small ‘executive’ group of elected members make key decisions delegated to it by the council. The roles of the cabinet or executive are likely to be:

> “You can make an impact and you can be involved in decision-making which actually has an impact on the lives of the people in your community and that’s what it’s all about.”
- providing strategic leadership
- taking executive decisions within a budget and policy framework approved by the full council
- leading the council’s partnership activities with other bodies
- developing and making recommendations about strategy and budget to the council

In this kind of structure, it is the role of the non-executive or non-cabinet elected members to scrutinise the executive’s or cabinet’s activities through a committee or panel.

**Scrutiny Panels and Committees**

The remit of audit/scrutiny arrangements typically includes undertaking an annual programme of reviews (e.g. on issues like school meals, absence management etc), which may involve calling upon expert witnesses or members of the public to give evidence. Each review would result in a report making recommendations regarding improvements to the performance of the activity reviewed. In addition, the audit/scrutiny arrangements may encompass financial audit, governance and risk management.

Where an executive or cabinet structure is created, it is necessary to create much more forceful structures to allow scrutiny. This tends to take the form of scrutiny panels or committees through which non-executive or non-cabinet elected members can question and challenge the performance of the executive or cabinet in a manner that will enable public debate.

There is no single model of how the scrutiny process should be carried out and consequently, councils have developed different arrangements to suit their local needs. For example, councils could choose to have a scrutiny panel or committee for each portfolio (portfolios are areas of council business, such as children and young people, housing, communities, planning and transport etc.) so that scrutineers become expert in the portfolio. As an illustration, if there is to be an executive/cabinet portfolio holder for children’s services, councils can also have a scrutiny committee for children’s services who are there to scrutinise the decisions made by the executive/cabinet and to challenge, reform, and refine them. In other cases, councils have one single scrutiny panel that looks across the whole range of decisions taken.
In general terms, scrutiny committees or panels are responsible for:

- Monitoring the performance of the executive/cabinet, departments/services, and outside organisations which receive funds from the council, against service delivery and financial targets
- Considering decisions of the executive/cabinet
- Commissioning reviews of particular issues, policies, and services within its remit
- Submitting comments and recommendations to the executive/cabinet and full council
- Submitting reports on their activities to full council

For more information on the role and remit of the scrutiny committees/panels in your council speak to Committee, Members’ or Democratic Services.

**Regulatory Committees**

All Councils will have one or more Regulatory Committees or Boards. These committees/boards are tasked with carrying out various legal procedures to regulate activities in the council’s area. The Licensing Board will, for example, decide on issues in relation to liquor licensing such as applications for pub and hotel licences.

The Planning Committee (or equivalent in your council) approves reports and plans which provide the legal framework for the carrying out of development (changes of use or building, construction or engineering work), and the context within which decisions on planning applications are made. Local Review Bodies consider certain appeals against planning decisions.

If you are appointed to one of the regulatory committees, you will need to make sure you understand the legislation and guidance covering the area where you will be making decisions. Councils provide mandatory training to elected members sitting on regulatory committees.

In these roles, elected members are required to act independently, and, if they are members of a political party, they will not be subject to the group whip/Business Manager at these meetings. Elected members cannot lawfully be subject to party or group instruction prior to any substantive planning decision (such instruction would disqualify them from participation) and should avoid expressing an opinion on a planning
Application in advance of the Planning Committee (or equivalent)/Local Review Body meeting.

Further information on Licensing is available on the Scottish Government’s [licensing webpages](#) and for Planning please see the [Improvement Service resources for elected members on Planning](#).

Elected members should be particularly careful to avoid any suspicion of undue influence when considering regulatory matters and should follow the agreed standards of behaviour set out in the [section 7 of the Councillor’s Code of Conduct](#). Members should seek guidance from the council’s Head of Legal Services or equivalent if they are at all concerned that they or others may be subject to such influences.

### Appeals Committees

In situations where officers make decisions on the council’s behalf, there may be the right for people unhappy with the decision, to appeal to a panel of elected members. All councils operate some appeals committees - some are statutory while others are voluntary. For example:

- Placing in schools appeals – Statutory
- Local Review Body - Statutory
- Pupil/student support appeals – Voluntary
- Personnel appeals – Voluntary

If you are on one of these committees, it’s good practice for you to be trained on procedures and equal opportunities before you can sit as a committee member.

### Appointments Committees

In most councils, elected members will be responsible for making decisions on the recruitment of senior officers of the council, including Head Teachers. The council will therefore have a formally constituted Appointments Committee to handle such appointment procedures. Some councils only set up an Appointments Committee when they need to recruit a senior officer, others have a standing committee, or a sub-committee of a more generic standing committee. Normally only members of the Appointments Committee will be involved in interviewing and appointing senior officers. It is good practice for your council to offer members on Appointment Committees training on equalities/diversity and good recruitment and selection processes. For Head Teacher appointments in particular,
there are specific areas in which those involved in appointments should be trained, such as the Standard for Headship, and the role of parents in the selection process.

Out with Appeals and Appointments Committees, elected members should not be involved in individual staffing matters as that is the responsibility of officers.

Area Committees

Some councils have area committees that develop strategies to meet specific local needs. These committees often meet in the local area and involve and consult local people. They may undertake the scrutiny role for all services delivered in the area. Normally only Ward members for each area would sit on their area committee. Some area committees have delegated budgets to fund work in the local area.

Allocation of Committee Places

Each council has its own way of selecting members for all committees and panels. If you are elected on a party political platform you should check with your party group on the method adopted by your council. If you are an independent councillor, check with the appropriate senior officer on how committee places are allocated.

Co-options (Co-opted Members)

Councils can co-opt members to committees – people from the community with specific expertise and knowledge. Some co-options are statutory, for example, religious representatives on education committees or executives/cabinets (where these exist). In other instances, councils have the opportunity to invite interested members of the community to serve on other committees. For example, councils with formal scrutiny committees also often invite local people to be co-opted members of a particular scrutiny panel. Some councils also invite lay members onto their audit committee, who represent the business community, voluntary sector, community councils, tenants and residents groups etc. Lay members are not remunerated, but receive expenses for travel and subsistence where appropriate. It can be useful to include people who may not be strongly represented, such as business people, young people and people from ethnic minorities.

Agendas and Minutes

The law requires notice of meetings that are open to the public, with the
date, time, venue, and agenda to be posted publicly at least three clear working days before the meeting takes place. The law also requires that a calling notice to attend such meetings, usually in the form of an agenda (or calling notice), is sent to elected members and that the agenda and any reports being made to the meeting are available for public inspection unless the reports contain ‘exempt information’.

Many councils also publish the agendas and minutes of meetings on their website. This allows you to check whether there are any items coming up that concern your Ward. If there are issues of interest, you can attend the meeting as an observer even if you are not officially a member of that committee. Observers, even if they are elected members, are not usually given the opportunity to speak at committee meetings, unless they have lodged a petition and have been given prior approval to speak to a certain item on the agenda. If you have a special interest, you may be invited to contribute to a meeting but you will not have a vote unless you are a member of the committee concerned.

At all formal meetings of the council, a minute is recorded by council officers of the business transacted at the meeting, including noting who was present (this is known as the Sederunt), the decisions taken and the reasons for the decision. The minutes are made available to the public, although details of exempt items of business are kept to a minimum.

The only matters for discussion at a meeting are those which are on the agenda, unless the Chair certifies a matter as urgent. The Councillors Code of Conduct states that you must respect the chair and comply with rulings from the chair in the conduct of the business of these meetings.

**Pre-meetings/pre-agendas**

Party groups tend to meet before council and committee meetings to determine the party group’s position on various agenda items. The group will normally then consider its decisions to be binding on the group members. Given the significance of the group meetings, it is normally acceptable for council officials to attend meetings when requested, but only to explain and clarify the details of agenda items. Officers will be available to attend the meetings of all groups as invited and the council’s chief executive normally will monitor the situation to ensure political fairness.

Your council may hold pre-agenda
meetings prior to a council or committee meeting. You should attend these meetings if they are open to you.

**Meeting Procedures**

All council and committee meetings are open to members of the public unless there are legal reasons to exclude them. The press and public can be excluded from items that are exempt and this will be indicated on the agenda. Where reports to committees are confidential, this will be clearly highlighted. It is absolutely critical that elected members must not leak or share with the public or other organisations the contents of these reports.

The [Guidance on the Code of Conduct](https://www.gov.scot) from the Standards Commission explicitly covers behaviour in the council chambers and in committees. While complaints can be made to the [Commissioner for Ethical Standards in Public Life in Scotland](https://www.gov.scot) when the behaviour of elected members is unacceptable, it is important that members avoid doing so to achieve political ends.

**Roles at meetings**

The role of the chair or convener of the committee or council is to regulate the meeting by ensuring the proceedings are properly conducted according to law and according to the Standing Orders/Rules of Business. He or she must also ensure that all shades of opinion are given a fair hearing and that decisions are made. You should address all remarks to the chair/convener when you wish to speak.

The chair or convener controls the meeting and some of their key responsibilities include:

- opening and closing the meeting
- welcoming members to the meeting
- introducing each agenda item, or asking officers to introduce the item and keeping reasonable time for discussion of each agenda item
- ensuring that the debate keeps to the point of the agenda, in accordance with Standing Orders/ Rules of Business
- inviting members to speak when they have indicated they wish to do so
- summarising at the end of each item
- indicating when and if voting
should take place

• controlling disorderly members and putting a motion to remove them

• warning and, if necessary, excluding unruly members of the public

• making rulings, with legal guidance where necessary, in matters of relevancy or competency or compliance with Standing Orders/ Rules of Business.

Preparation for meetings is important and you should read the agenda and any attached papers beforehand. It is important that you attend meetings and submit apologies in advance if you are unable to attend. It may be possible for a substitute or proxy to attend a meeting if you are unable to do so. If you fail to attend a council meeting throughout a period of six consecutive months, unless the failure was due to some reason approved by the council, then you will cease to be a member of the council authority.

You may also decide to consult local Ward groups and constituents or Ward party colleagues on non-confidential items. If you hold a different point of view to that put forward in a paper, you should decide what questions you want to ask at the meeting. You may also want to raise a question on a report with an officer beforehand.
6. Representing the Council on Outside Bodies

In order to develop effectively their town, city or local area, many councils seek to extend their influence through developing close working relationships and partnerships with statutory agencies in their area and voluntary sector and community groups.

One way of extending this influence is to nominate elected members to the governing bodies or management boards of these agencies and organisations. If you are nominated to such an agency or group you should ask the relevant officers in your council to provide you with a full briefing on the organisation, including its involvement with the council and its history, its strengths and weaknesses.

Make sure you read through and properly prepare before you attend meetings of outside bodies as this will help you to make effective contributions. When you are appointed to any outside body make sure you receive an explanation of your legal responsibilities. For example, if you are nominated to be a director on the board of a limited company you will have personal responsibilities to that company under the Companies Act.

It’s good practice for you to ask the council or the outside body for guidance on your responsibilities when being appointed.

Arms Length External Organisations (ALEOs)

Some councils have created separated organisations to deliver a wide range of services such as leisure services, economic development and property maintenance. These are typically known as Arms Length External Organisations (ALEOs) and take the form of companies or trusts. They are ‘arms length’ because the council retains a degree of control or influence, usually through a funding agreement, and ‘external’ because they have a separate legal identity to the council. While the ALEO is responsible for delivering services, the council remains responsible for ensuring that the ALEO uses the public funds provided by the council properly and can demonstrate best value.

The main reasons councils set up ALEOs is to reduce costs or to improve services. ALEOs may qualify for business rates relief, attract grants or be able to trade to generate income. At the same time they may offer different and better ways of providing services.
It is vital that strong governance arrangements are in place to ensure that ALEOs contribute effectively to the delivery of the council’s corporate objectives and local outcomes. The effective governance of ALEOs requires clear roles and responsibilities, both for those in the council with responsibility for monitoring the ALEO and for those elected members or officers asked to sit on the ALEO Board. The Corporate Governance Induction Notebook has further information on effective governance arrangements.

A key challenge for elected members sitting on ALEO boards is to find an appropriate balance between their responsibilities to the ALEO and to the council. For example, elected members have a duty under the Code of Conduct to act in the interests of the council. However, when sitting on the board of an ALEO you will be required to act in the interests of that organisation and not the council.

If you serve as a director of an ALEO that is constituted as a company, you will assume personal responsibilities under the Companies Acts. If the company engages in wrongful trading or if any other offence arises, you may find yourself personally liable. Similarly, if you serve as a trustee on a charity, you must observe the legal provisions which apply to charities and trusts.

In its report on Arm’s-length external organisations (ALEOs): are you getting it right? Audit Scotland noted that councils must ensure that elected members involved in ALEOs:

- are aware how well council objectives are being met by the ALEO
- carry out their scrutiny or management roles effectively, and take action on any shortcomings or underperformance
- are risk aware and satisfied that risks to the council and the ALEO are identified and acted upon
- act quickly on potential conflicts of interest, including declaring interests and seeking advice
- take action to withhold funding or to review or terminate the agreement, particularly where services or public money are at risk
- take action where the intended objectives of the ALEO are not being met, or diverge from council priorities
- periodically review their delivery arrangements to ensure that the
best use is made of resources and that clear governance is in place

- review or wind-up ALEOs that are no longer active or effective, or contribute to the council’s aims
- ensure that they have the skills and training to undertake their role.

If you are selected to serve on a board of an ALEO, your council should provide you with guidance and training on your roles and responsibilities.

The Standards Commission has also produced *Advice for Councillors on Arms Length External Organisations*. 
Joint Boards are set up to run specific services across a large geographical area covering several councils or across sectors within a local authority boundary.

Joint Boards are jointly funded by local councils, partners and by the Scottish Government and they will decide how the relevant service should be organised, performance monitored and local people consulted about proposed changes to the service. Joint Boards also have to ensure that the services being provided do give best value. They are a commonly used model for Health Boards and Local Authorities to integrate the governance, planning and resourcing of adult social care services and other key services.

An elected member appointed to a Joint Board (unless the terms of appointment to a particular board prohibit this) is expected to represent their council’s considered position on the matters before the board. They should report regularly back to the council, on the policies and decisions of the Joint Board and be prepared to account for their votes and actions.
8. Strategic Planning

In addition to representing their constituents and their Ward, a key role of elected members is to take major decisions as members of the council as a whole, considering the strategic interests of the area.

Strategic planning is basically the setting and agreement of the longer term direction of the council and it is an area that elected members must be influential in.

Strategic planning is an important activity for councils. Strategies help councils to think through:

- What they want to achieve for local communities within the resources available
- How they will do this
- The timescales within which they will do this
- The order in which things will be tackled
- Who will be responsible for doing what

Strategic planning will also be fundamental to supporting the council, working with its community planning partners, to meet its statutory duties under the Community Empowerment (Scotland) Act 2015 to develop a Local Outcomes Improvement Plan (LOIP).

In addition to the LOIP, the partnership must also identify smaller areas within the local authority area which experience the poorest outcomes and prepare and publish locality plans to improve outcomes on agreed priorities for these communities. Active community participation is again a core element of the locality planning process.

Every council has its own process in place for strategic planning. Whatever approach is taken by your council, there should be clear links between any strategic decisions that are made, the policies which the council puts into place and the resulting services delivered to local people. The strategy “It’s also quite exciting to be involved in the stuff region wide, the more strategic things, and seeing inputs you’ve had make a difference is really worthwhile.”
also needs to have a clear sense of direction, based on some analysis of different strategic choices and their implications. For many councils, the practical outcome of this will be a mission or vision statement, together with some aims and outcomes that provide a coherent and consistent framework for planning ahead.

Typically, a strategy has the following features:

• It is clear about objectives, local outcomes and relative priorities

• It is rooted in the demands and challenges posed by the external environment (e.g. legislative and political pressures, changes in funding, inequalities, unemployment, rising public expectations, ageing population etc)

• It is based on an integrated area profile of social, economic and environmental conditions and trends and consideration of future challenges and opportunities.

• It is focused on the future, but also considers the short term to ensure it is workable

• It takes account of organisational capacity and is based on a realistic understanding of what is possible

• It helps councils exercise choice in the use of available resources

• It is designed to add value to local communities

• It is developed with, and communicated to, all those with a stake in the implementation of the strategy, for example, elected members, officers, partner organisations, community groups etc.

• It is clear about what success will look like and how the council will know it is getting there – i.e. how will the end outcome be measured and how will progress towards that be monitored.

Within the council, most of the actual work on strategic planning will normally be done by the Corporate Management Team. However, as an elected member, you should expect to be able to contribute to and influence the development of the council’s strategy as well as approve it and, where necessary, provide scrutiny and challenge. You have a role to ensure that the views of your ward are represented as the strategy is developed, and will be useful in contributing checks and balances on key strategic decisions.

Councils in Scotland obtain the majority of their financing from the Scottish Government.

Councils raise additional funds through local taxes and charges, the most notable being the Council Tax which accounts for around 12% of local government funding (http://localtaxcommission.scot/html-version-of-just-change-a-new-approach-to-local-taxation/03-taxation-and-funding-for-public-services/The Commission on Local Tax Reform). Local government spending represents approximately 30% of public sector expenditure in Scotland.

The challenge to elected members is to ensure that their financial knowledge and general understanding of local government finance not only remains current but is at a level commensurate with their responsibilities. Councils have dealt with significant cuts to their budget in recent years at a time when demand for services is increasing. The trend of increasing demand and reduced budgets will continue for some time to come. The Policy and Legislative Context notebook provides further information on the financial challenges facing councils.
10. Health and Safety

Elected members have a role in ensuring that health and safety is effectively managed within the council.

A serious injury to an employee or customer, or even worse a fatality, can result in significant costs to the council as well as the possibility of reputational damage. With the introduction of the offence of corporate homicide, it is even more important that councils have effective arrangements in place for health and safety management, as breaches of health and safety law that cause death can lead to a charge of corporate homicide. The Health and Safety Executive’s website provides further information on corporate homicide – www.hse.gov.uk/corpmanslaughter/faqs.htm

You are not expected to be an expert in health and safety – the council will have health and safety advisers to help you and the council’s chief officers understand the technical and legal issues. You do, however, need to be confident that your council’s health and safety governance arrangements stand up to scrutiny.
11. Civil Contingencies

Elected Members have an important role to play in emergency planning – before, during and after an emergency.

It is important that you are aware of the responsibilities of your Council under the Civil Contingencies Act 2004 and that you have a good understanding of your role in emergency planning. The Act defines an emergency as an event or situation which threatens serious damage to human welfare or to the environment and war, or terrorism, which threatens serious damage to the security of the UK.
12. Corporate Parenting

Corporate Parenting is the responsibility that councils have for children and young people who are Looked After under the Children and Young People (Scotland) Act 2014.

Most young people become Looked After as a result of a decision of a children’s hearing or a court and thereafter are, in most cases, referred to as “in care”.

As an elected member you are responsible for making sure that the council meets all of its statutory responsibilities. You will not routinely have direct contact with these children, but you have a right and a duty to hold your officers to account, to challenge your authority and demonstrate leadership within the council and in the community.
Checklist for the Roles and Responsibilities of the Elected Member at Council Level

To help you cover all the key areas that are expected of you at council level, we have developed a summary checklist of the key points raised in this notebook. This will hopefully be a useful aide memoire for you.

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<td>Familiarise yourself with the responsibilities of the full council.</td>
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<td>If relevant, familiarise yourself with your party political roles.</td>
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<td><strong>3</strong></td>
<td>Read your council’s Standing Orders/Rules of Business.</td>
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<td>Read your council’s Scheme of Delegation/Scheme of Administration.</td>
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<td>Familiarise yourself with your council’s Financial Regulations.</td>
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<td>Find out what decision making structure is in place within your council</td>
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<td><strong>7</strong></td>
<td>Find out how to access the necessary training if you are allocated a place on one of the council’s regulatory committees, appeals committee or appointments committee.</td>
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<td><strong>8</strong></td>
<td>If you are elected on a party political platform, you should check with your party group on the method adopted by your authority to choose members for policy committees or to executives/cabinets and scrutiny committees. If you are an independent councillor, your Members’ Services or Democratic Services should be able to advise on the allocation of committee places.</td>
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<td><strong>9</strong></td>
<td>Familiarise yourself with the calendar of meetings, agendas and minutes by accessing them through your council’s website in advance of attending meetings.</td>
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<td><strong>10</strong></td>
<td>Familiarise yourself with the role of the Chair or Convener of the council and committees.</td>
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<tr>
<td><strong>11</strong></td>
<td>Find out how to access the necessary training and support if you are invited to represent the council on an outside body, arms length external organisation or joint board. Start by reading the Standards Commission advice note <a href="http://www.standardscommissionscotland.org.uk/education-and-resources/professional-briefings">www.standardscommissionscotland.org.uk/education-and-resources/professional-briefings</a></td>
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<td><strong>12</strong></td>
<td>Familiarise yourself with strategic planning and your role in it.</td>
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<td><strong>13</strong></td>
<td>Familiarise yourself with the basics of financial management and find out how the budget process works in your council.</td>
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<td><strong>14</strong></td>
<td>Access your council’s Health and Safety Strategy and familiarise yourself with your role.</td>
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<td><strong>15</strong></td>
<td>Familiarise yourself with your role in emergency planning and find out what procedures are in place in your council in the event of an emergency.</td>
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<tr>
<td><strong>16</strong></td>
<td>Familiarise yourself with your role as a corporate parent.</td>
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