

Theme B – Leadership and people

The council should respect the values of openness and transparency and adhere to, and model, the behaviours and standards set for all councillors as contained in the code of conduct. In leading its community, the council should be committed to enhancing its capability and capacity as is commensurate with its range and scale of operations.

Employees are the principal asset of any council and it is important that they are given the trust and respect to perform their roles to their maximum ability within a safe working environment. Training and development of employees is vitally important as well as having appropriate systems in place to provide adequate reward, recognition and accountability within a framework of effective employment policies.

	Statutory obligation
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Statement	In place (Yes/No)	Further information	Comments and actions
The council provides leadership to its members and staff			
B.1 The council has adopted a code of conduct		The Code of Conduct for members of local authorities in Wales: Guidance from the Public Services Ombudsman for Wales The council should formally record in minutes that they have adopted a code of conduct based on the model code of conduct.	
B.2 All councillors have signed a formal declaration of acceptance of office		A formal declaration of acceptance of office must be signed before an individual is able to act as a member of a community and town council.	

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Statement	In place (Yes/No)	Further information	Comments and actions
B.3 All councillors have been provided with a copy of the council's adopted code of conduct			
B.4 All councillors have a council email address or a separate email address for council business			
B.5 All councillors have received training on their role and training needs are regularly reviewed		One Voice Wales, Planning Aid Wales and principal councils provide a range of opportunities for training of members in relation to their roles. The council <u>must</u> develop a training plan and maintain a record of training received. A training plan template is available to One Voice Wales members on request.	
B.6 All payments to councillors are made in line with the levels set out by the Independent Remuneration Panel for Wales		The Independent Remuneration Panel for Wales Annual report and guidance on payments to elected members is available on its website.	
B.7 A statement of payments to councillors is published by 30		Community and town councils must publish a statement of payments detailing all payments made to elected members in the previous	

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Statement	In place (Yes/No)	Further information	Comments and actions
September each year detailing payments made to elected members in the previous municipal year		municipal year. Nil returns must also be reported. See Independent Remuneration Panel for Wales guidance .	
The council carries out its employment duties			
B.8 All employees have a written employment contract setting out the terms of their employment		See ACAS – What an employment contract is One Voice Wales and SLCC have model contracts of employment for clerks which are available to members.	
B.9 All employees have an up-to-date job description		One Voice Wales and SLCC can provide guidance to member councils in relation to the preparation of a job description and person specification.	
B.10 Any changes to terms and conditions, including salary increments, are recorded and approved by the council		Councils must ensure that all changes to terms and conditions are properly approved and recorded.	
B.11 All staff have been given a copy of the employee code of conduct		The Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001	
B.12 The council has core employment		One Voice Wales and SLCC can provide member councils with a suite of policies and procedures.	

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Statement	In place (Yes/No)	Further information	Comments and actions
<p>policies in place, for example:-</p> <ul style="list-style-type: none"> • Adoption and Paternity Policy • Alcohol, Drugs and Substance Misuse Policy • Annual Leave Policy • Appraisal Scheme • Bullying and Harassment • Capability Policy • Code of Conduct for Employees • Dignity at Work Policy • Discipline and Grievance Policy and Procedure • Equality and Diversity Policy • Health and Safety at Work Policy • Maternity Leave Policy 		<p>The ACAS website also contains a range of model policies and procedures</p>	

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Statement	In place (Yes/No)	Further information	Comments and actions
<ul style="list-style-type: none"> • Member / Officer Relations Protocol • Recruitment Procedure • Shared Parental Leave Policy • Attendance Management Policy • Stress Management Policy • Time off in Lieu Policy • Training Policy • Whistleblowing Policy 			
B.13 The council is registered as an employer with HMRC		<p>All councils must operate PAYE unless no staff:-</p> <ul style="list-style-type: none"> • earn above the lower national insurance threshold; and • have any other source of income. <p>In practice, this means that very few clerks, even of small councils, will fail to be exempt from PAYE. Other sources of income include income from pensions as well as other</p>	

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Statement	In place (Yes/No)	Further information	Comments and actions
		employments. See GOV.UK PAYE and payroll for employers	
B.14 All overtime payments are paid through the normal payroll process and subject to PAYE		All additions to salary must be subject to PAYE	
B.15 Any additional allowances paid to staff are subject to tax where appropriate		Fixed sum allowances for home working are limited by HMRC . Payments above this amount are taxable and should be taxed through PAYE or entered onto a P11D return. Mileage payments are also subject to tax when they exceed mileage allowances specified by HMRC – currently 45p per mile.	
B.16 The council complies with pensions legislation		See The Pensions Regulator website	
The council gives its staff the resources and support to carry out their role			
B.17 All staff have received appropriate training for their role		The council must develop a training plan and maintain a record of training received. A training plan template is available to One Voice Wales members on request.	
B.18 All staff have council email addresses and access to council IT systems		Council staff should not use personal email addresses for council communications, or save council documents to personal computers, for reasons of information security.	

Theme B – Leadership and people – Summary of actions

Summary of actions	By who	By when
<ul style="list-style-type: none">•	<ul style="list-style-type: none">•	<ul style="list-style-type: none">•

Theme B – Leadership and people

The council should respect the values of openness and transparency and adhere to, and model, the behaviours and standards set for all councillors as contained in the code of conduct. In leading its community, the council should be committed to enhancing its capability and capacity as is commensurate with its range and scale of operations.

Employees are the principal asset of any council and it is important that they are given the trust and respect to perform their roles to their maximum ability within a safe working environment. Training and development of employees is vitally important as well as having appropriate systems in place to provide adequate reward, recognition, and accountability, within a framework of effective employment policies.

The council provides leadership to its members and staff

Questions to consider

- Do all councillors understand their obligations to ensure effective governance of the council?
- How do you ensure all members are trained in all aspects of their role?
- How do you ensure all members are suitably resourced to carry out their role?
- How do members and staff engage with recognised sector representative bodies (i.e. One Voice Wales and SLCC) to share and learn from good practice?

Examples of evidence to review to inform assessment

- Vision, purpose and values statements
- Declaration of acceptance of office
- Standing orders
- Code of conduct
- Arrangements for discharge of functions
- Records of attendance at council meetings

- Evidence of councillor training needs analysis and training undertaken
- Training plan
- Membership of One Voice Wales and the Society of Local Council Clerks

Further information**Responsibilities for effective governance**

A formal declaration of acceptance of office must be signed before an individual is able to act as a member of a community or town council. This includes an undertaking to observe the code of conduct adopted by the council. All councillors should adhere to and model appropriate behaviours and standards in line with expectations of those taking up elected office.

Resources and training

[The Code of Conduct for members of local authorities in Wales: Guidance from the Public Services Ombudsman for Wales](#)

[Model Code of Conduct](#)

[Video –Councillors’ Guide to the role of the Public Services Ombudsman for Wales – The Members’ Code of Conduct](#)

One Voice Wales online training (free to all councillors) [The code of conduct for community and town councillors](#)

One Voice Wales training module ‘*The Councillor*’ covers a range of issues relevant to councillors’ responsibilities including code of conduct and ethical behaviour. A specific training module on ‘Code of conduct’ is also available. Contact One Voice Wales for further information.

[The good councillor’s guide for community and town councillors](#)

Councillor training

A good community council is committed to ongoing training and development, for both councillors and staff. A National Training Strategy is currently under review.

[Section 67 of the Local Government and Elections \(Wales\) Act 2021](#) requires community and town councils to make and publish a plan about the training provision for its members and staff. The training plan should reflect on, and address whether the council collectively has the skills and knowledge it needs to deliver its plans most effectively. The first training plan must be published by 5 November 2022, six months after the duty comes into force. The training plan must be reviewed no later than three months after an ordinary election of community councillors. Statutory guidance has been published about the duty to make and publish training plans see Chapter 5 of [The Local Government and Elections \(Wales\) Act 2021: Statutory Guidance for Community and Town Councils](#)

Information on any current bursaries for councillors to undertake relevant training may be found on the One Voice Wales website.

A training plan template is available to One Voice Wales members on request.

Councillor remuneration

The Independent Remuneration Panel for Wales is the independent body responsible for determining payments to elected members of community and town councils in Wales. The Panel produces a report every year setting out the type and level of payments that may be made. It is the duty of the proper officer of a council (usually the clerk) to arrange for correct payments to be made to all individuals entitled to receive them.

[The Independent Remuneration Panel for Wales Annual report and guidance on payments to elected members](#)

Sector bodies

Councils are encouraged to be in membership of One Voice Wales and the Society of Local Council Clerks. Contact [One Voice Wales](#) and [SLCC](#) for details. One Voice Wales Area Committees and One Voice Wales and SLCC conferences and training events provide opportunities to learn about developments in other councils as well as share their own good practice. Consideration could also be given to submitting applications for the One Voice Wales annual awards scheme. In the case of 'larger' councils, they should consider taking a full part in the Larger Councils' meetings.

Commentary

Actions

We will:

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The council carries out its employment duties

Questions to consider

- Do all councillors understand their responsibilities as an employer?
- Does the council have a human resources/personnel committee to deal with staffing matters?
- Do all staff understand their obligations under the national employee code of conduct?
- How does the council review whether staff are remunerated appropriately?
- How does the council ensure open and fair competition for all vacancies?
- What arrangements are in place to enable employees to communicate with their line management and for appraisal?
- What processes are in place to resolve both internal disputes / grievances and potential external complaints about council members and staff?

Examples of evidence to review to inform assessment

- Evidence of applying current employment law
- Evidence of signed contracts and policies which are referenced in contracts of employment and which are fully aligned to the National Pay and Conditions Agreement for Clerks
- Pay policy
- Job descriptions
- Employee Handbook
- Appraisal scheme and evidence of appraisals completed
- Minutes of full council and HR committee meetings
- Financial records recording appropriate deductions from gross pay calculations
- Grievance and complaints procedure

Further information

The council must act at all times as a responsible employer and must ensure it complies with employment law. All staff must have a contract of employment incorporating terms and conditions and supported by appropriate employment policies.

The council must approve the remuneration payable to all staff in advance. Councils should consider using an effective benchmarking tool for determining salaries of their employees, ensuring appropriate hours are agreed for each role. In the case of clerks/deputies and assistants the national job evaluation and pay scales would be appropriate.

When councils with several employees wish to change job roles and staffing structures they should be mindful of the processes involved in varying contracts.

It is essential that effective line management arrangements are in place for all employees. In the case of smaller councils, perhaps with a single part-time clerk, consideration should be given to arrangements for the day-to-day routine management of the clerk and a reporting mechanism to the council via a human resources / personnel committee.

It is important that members and officers are trained in the use of employee appraisal and there is a suitable scheme in place which is understood by the council and employees.

The code of conduct for qualifying employees of relevant authorities in Wales sets out the conduct expected of employees of a community council. This sets out as a general principle that the public is entitled to expect the highest standards of conduct from employees of a community and town council and notes that in performing their duties they must act with integrity, honesty, impartiality and objectivity. The code of conduct also covers:-

- Accountability
- Political neutrality
- Relations with members, the public and other employees
- Equality
- Stewardship
- Personal interest
- Whistleblowing
- Treatment of information
- Appointment of staff

- Investigations by monitoring officers

Resources and training

Employment policy support is available through One Voice Wales and SLCC, including model terms and conditions of service and model policies.

[ACAS has a range of advice, templates and training available on its website to support both employers and employees](#)

[The Code of Conduct \(Qualifying Local Government Employees\) \(Wales\) Order 2001](#)

The National Agreement on Salaries and Conditions of Service of Local Council Clerks in England and Wales 2004 - This publication covers the salaries and conditions of service of full-time and part-time Clerks and other officers of Town, Parish and Community Councils. The National Agreement can be found on the [One Voice Wales website](#)

One Voice Wales have sent a model pay policy to all councils.

One Voice Wales have a training module on 'The Council as an Employer' which covers a range of areas including contracts of employment, role and person specifications, discipline and grievance, and health and safety. A short [e-learning module](#) is also available on the One Voice Wales website and is free of charge to all councillors as an introduction to this area.

One Voice Wales and the Society of Local Council Clerks have jointly produced a guidance document 'Bullying and Harassment in Councils'. This is available to members on request.

Commentary

Actions

We will:

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The council gives its staff the resources and support to carry out their role

Questions to consider

- How does the council encourage continuous professional development of its employees?
- How does the council ensure all staff are trained in all aspects of their role?
- How does the council ensure it provides all necessary facilities and equipment for those working from the office or at home?
- Are there appropriate policies and processes in place to manage the health, safety and welfare of the council's employees? How do you ensure these are followed?

Examples of evidence to review to inform assessment

- Training policy and plan
- Training budget
- Dignity at work policy
- Member/officer working protocol
- Equality and diversity policy
- Risk assessments
- Evidence of a process of establishing and reviewing individual development plans for all staff
- Investment in line management training for clerks who manage other council staff
- Investors in people status as appropriate

Further information

A successful council supports the development of its employees. [Section 67 of the Local Government and Elections \(Wales\) Act 2021](#) requires community and town councils to make and publish a plan about the training provision for its members and staff. The training plan should reflect on, and address whether the council collectively has the skills and knowledge it needs to deliver its plans most effectively. The first training plan must be published by 5 November 2022, six months after the duty comes into force. The training plan

must be reviewed no later than three months after an ordinary election of community councillors. Statutory guidance has been published about the duty to make and publish training plans - See Chapter 5 of [The Local Government and Elections \(Wales\) Act 2021: Statutory Guidance for Community and Town Councils](#)

A training plan template is available to One Voice Wales members on request.

Many of the training requirements for council staff can be sourced from the SLCC - including the CiLCA qualification. Councils are encouraged to provide the necessary funding, including paid time off, for courses and in the case of qualification routes to provide appropriate workload relief to support studies. Further information on courses and any bursary support available can be found on the [SLCC website](#).

Providing staff of the council with the appropriate resources to complete their work is a key consideration in ensuring the successful operation of the council. For example, staff should be provided with council email addresses and access to council computer systems rather than being expected to use their own. Council staff should not use personal email addresses for council communications or save council documents to personal computers for reasons of information security, as well as for ensuring effective continuity if the council employee should leave their role.

Resources and training

[One Voice Wales](#) provides a training course on this subject.

SLCC also provide a range of training opportunities – see the [SLCC website](#) for latest courses and availability.

Commentary

Actions

We will:

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