

**REVIEW OF GOVERNANCE OF ADDERBURY PARISH COUNCIL:  
January – July 2017**

**NATALIE AINSCOUGH  
PAUL HOEY  
HOEY AINSCOUGH ASSOCIATES LTD**

**ALAN TASKER  
WILKIN CHAPMAN LLP**

**26 July 2017**

## **Background summary**

- 1.1 Adderbury Parish Council is a council in the area of Cherwell District Council. It has 12 councillors. The parish is not warded. The population of the village is around 3,000 people.
- 1.2 In common with many town and parish councils, Adderbury Parish Council councillors do not sit in political groupings. The current Council's term of office began in May 2016 and will end in 2020. The elections were uncontested in 2016 although there has since been a contested by-election.
- 1.3 The Parish Council has a clerk as its only member of staff. The clerk works part-time for Adderbury – she is contracted for 15 hours per week – and also clerks for two other parish councils. The chair of the Council has been chair for seventeen years and was re-appointed to the chair at this year's Annual Meeting.
- 1.4 Relationships within the Parish Council have become strained over recent times, with difficult working relationships in particular between certain members and between the clerk and certain members. This culminated in a grievance taken by the clerk against certain members. These relationship difficulties seem to have their origins in differences over the direction the Council should take and the way it is run as well as personality clashes. Although there have been some disagreements about specific policy issues which have exacerbated matters, essentially they are rooted in differences about how the Council should run. This has led broadly to the Council being 'split down the middle' between those who support the chair and those who wish to see a change and has meant that the reappointment of the chair has been by a narrow margin and occasionally on the chair's casting vote.
- 1.5 According to the majority of people we spoke to these differences are sometimes made very forcefully in meetings and in email correspondence. This has led to meetings being difficult to manage, becoming protracted and descending into strong disagreements as passions run high. This has made working relationships unmanageable.
- 1.6 This has at times resulted in complaints being made to the monitoring officer at Cherwell District Council about alleged member misconduct in particular, and has also meant that the Parish Council has become frustrated in the way business is conducted. Cherwell District Council approached us initially in November 2016 to discuss whether we could assist them in supporting the Parish Council and seeking to help them move forward more constructively and effectively and we were formally commissioned to carry out this review in December 2016, starting work in January 2017.
- 1.7 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.

- 1.8 The review team consisted of three people – Paul Hoey and Natalie Ainscough, who are co-directors of Hoey Ainscough Associates Ltd, and Alan Tasker, a consultant with Wilkin Chapman LLP working on behalf of Hoey Ainscough Associates for this review.
- 1.9 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.
- 1.10 Alan Tasker has over 19 years' experience of local government administration, specialising in ethical standards, constitutional issues and elections. He was the monitoring officer of East Lindsey District Council and head of administration and elections. After taking early retirement in 2005 he has conducted numerous local standards investigations and has trained both councillors and standards committees in a number of authorities. He was also employed as the clerk to Mablethorpe Town Council in Lincolnshire.
- 1.11 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.
- 1.12 During the course of our review, a Parish Poll was called about a particularly contentious issue which had been dividing the Council. Our report was slightly delayed awaiting the outcome of this and the 2017 Annual Meeting as they would have a bearing on the future direction of the Council. We are also aware that a member of the public is seeking a judicial review of the Parish Council on a particular issue. Our report will not comment on that particular aspect.

## **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 five phases. These five phases were:

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

2.3 The meeting for phase one was held on 9 January 2017. The questionnaire for phase two was subsequently developed and open for responses through to the end of March. In total, we had 17 responses to the questionnaire.

2.4 We then spent the day at the offices of Cherwell District Council in Banbury speaking to individuals from Adderbury as phase three of the work on 5 April and Alan Tasker spent a day 'shadowing' the clerk in March. This was followed up by a presentation to the Parish Council for phase four on 20 June.

2.5 Phases two and three provided much of the evidence on which our findings and recommendations are based. A summary of the key outcomes of those phases is attached at **Appendix B**. This highlights where there were areas of consensus and where there were areas of disagreement. 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 Adderbury Parish Council, together with the then-monitoring officer of Cherwell District Council, Kevin Lane and his deputy James Doble (who has since become monitoring officer), on the evening of 20 June 2017 as phase four 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 Parish Council as phase five. 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 two and three.

3.4 In our view, the key issues are:-

- a) a breakdown in working relations between a number of individuals on the Council and the chair in particular and to a lesser extent the clerk, characterised by mistrust, suspicion, disrespectful behaviour and an inability to have any constructive dialogue at some meetings;
- b) the need to review the Council's scheme of delegation to encourage better collective working and collective decision-making;
- c) the need to review the Council's approach to development of strategy and long-term planning; and
- d) the need to improve understanding of the roles and responsibilities of councillors and the clerk.

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. Behaviour**

3.6 The principal reason that we were asked by Cherwell District Council 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 and allegations of mismanagement of the Council, and a grievance taken by the clerk against certain members.

3.7 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.

3.8 Our experience from working with the councillors and observing the Parish Council is that there is a high level of animosity between a number of councillors which is holding the Parish Council back. While the clerk is generally well-regarded some of that animosity has spilt over into questioning the capabilities of the clerk which has seemed in the past to have gone beyond legitimate questioning and the clerk has to some extent been caught in crossfire between the mutual distrust between a group of members and the chair and her supporters. The way that these disagreements are articulated on both sides goes way beyond legitimate disagreements about policy or procedures and has descended at times 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 are 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 unevidenced 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.

- 3.9 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. 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.
- 3.10 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 then it would be better if they left the Council as it cannot change while such poison exists within the organisation.
- 3.11 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 the Council seems to have lost sight of those values.
- 3.12 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.
- 3.13 Of course we recognise that a more rational and trusting atmosphere will work most effectively when all feel they have confidence in the Council, its chair and its clerk. There are legitimate policy differences within the Council and concerns about the way the Council operates but the way in which they have been raised has made addressing them impossible. So there needs to be an agreement on all sides to deal with matters in a calmer and more rational way while the recommendations set out below to improve the Council are adopted and implemented. We do believe the Council can improve the way it operates but we have seen no evidence of wilful or corrupt behaviour, and while there have been at times a failure to follow the rules and procedures and advice may not always have been clear or consistent these more often reflect inherent issues within the parish sector as a whole rather than systemic issues at Adderbury though we will address certain specific issues below.

3.14 All councillors we spoke to and met had the best interests of Adderbury at heart and, while their view of what was best for Adderbury differed between individuals, that simply reflects a legitimate democratic plurality. Councillors must learn 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 debate 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 below can be resolved.

3.15 There also seemed to be a lot of time spent discussing procedural issues and seeking to challenge advice given or received by the clerk. While it is right for members to raise concerns too much time can be taken up with dealing with constitutional issues rather than substantive business. Where councillors have concerns about the way a decision has been made or a procedure followed they should discuss this with the clerk in advance and the clerk should be allowed to give a ruling with reasons as to whether or not the concern is legitimate. Where the concern is legitimate such a ruling should include the steps needed either to rectify the matter or the changes needed to prevent the matter re-occurring. There should also be an agreement that, if advice is needed from Cherwell or the Oxfordshire Association on a matter this should be done through the clerk rather than individual members as this ensures there is a clear route and that advice, where appropriate, is definitive and available to all.

3.16 A minority of individuals we spoke to denied that there was ever disrespectful language used in meetings but the majority of people felt very strongly that meetings were difficult and the tone of debate reflected very badly on the Council. While we ourselves did not observe meetings first-hand the weight of evidence inclines us to believe that to be true. We think some councillors would be surprised at how they came across and how meetings were conducted if they could observe them. Some of the meetings have been recorded 'privately' (with the permission of the Council) but we think it would aid transparency and help people reflect on their behaviour if the Council itself started recording or filming and broadcasting the meetings so that the wider community could see how the Council behaves. The Council did agree to this in principle in April as we understand but has not progressed the matter since. There are issues the Council would need to agree on around how long such recordings would be kept and for what purpose they were used and they may need to work with the District Council to draw up a protocol on recording or filming of meetings but we think that would be an important first step in helping with self-reflection.

3.17 We also believe that it is the responsibility of all members 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.

3.18 We therefore think the Parish Council needs to agree the following actions as an immediate first step:

## **RECOMMENDATIONS**

- R1 All councillors should give an individual signed 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.**
- R2 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 as to whether or not the concern is legitimate. Where the concern is legitimate such a ruling should include the steps needed either to rectify the matter or the changes needed to prevent the matter re-occurring.**
- R3 Where advice is needed from Cherwell District Council or the Oxfordshire Association this should always be done through the clerk.**
- R4 The Parish Council should agree a process for recording or filming of future meetings.**
- R5 The Parish Council should collectively agree what language is and is not appropriate in meetings, 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.**

## **B. Policies and procedures**

3.19 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.

3.20 Overall, we found that the broad suite of policies and procedures at the Parish Council were in place, up to date and easily available through the Council website. The policies tend to be based on national policies prepared by the National Association of Local Councils (NALC) so conform with good practice. This was based both upon our own review of the workings of the office and views expressed to us by members of the Council during interviews. We are also aware that the Council is looking at some additional policies, such as how to deal with persistent complainants. We would recommend they continue to use national policies as a building block as being fit for purpose and we would give the Council a clean bill of health with regard to its policies and procedures.



- 3.21 There was one procedural issue, however, which we did raise as a concern. This was the appointment of the chair via the use of the chair's own casting vote. We understand that the clerk sought advice from the Oxfordshire Association of Local Councils on this point and they in turn based their advice on NALC guidance that this was a lawful practice. We also understand it is very common practice in many parish councils.
- 3.22 The NALC view is based on interpretation of statute but we take a view based upon wider case law. Paragraph 11 of schedule 12 of the Local Government Act 1972 says that the chairman if present must preside at a meeting. The same Act also says that a chairman, if present at a meeting has a casting vote if needed. Interpretation of this statute therefore supports the NALC view. However, our view, which is set out in Knowles on Local Authority Meetings section 7.20 draws on the wider doctrine that "it is well established that a person presiding at an election is disqualified from being a candidate." R v Owens (1858) which we understand still to be the best legal precedent. We believe that the only practical ways of reconciling the statute and the doctrine of not presiding at your own election is either for the chair, if standing for re-election, to resign prior to the meeting so that it is presided over by the deputy (presuming they are not also standing for election) or else not to be present at the meeting (and therefore the deputy chairing that stage of the process).
- 3.23 However, we believe that the Council sought advice on this and acted in good faith and, given that this related to the 2016/17 municipal year we do not believe that our view invalidates the appointment of the chair but we simply ask the Council to reconsider the issue next year.
- 3.24 We also believe the Council needs greater clarity with regard to delegation of decision-making.
- 3.25 There are three types of delegations: decisions reserved to Full Council; decisions delegated to committees; and decisions delegated to officers. There is no power to delegate a decision to an individual councillor though in practice some matters could be delegated to an officer, in consultation with, for example, the chair of a committee, for administrative ease.
- 3.26 The Council has no committee system in place. For effective day-to-day working there is appropriate delegation to the clerk. However, all other decisions are made by Full Council. In practice this means Council meetings can become unnecessarily protracted and some matters could better be dealt with by a committee. We believe the lack of a committee system may reflect mutual mistrust among members in that people do not want to let go of control of issues. However, for effective running this has to be got around and people need to learn to trust each other. We are not advocating a specific structure but we believe the Council does need to discuss its scheme of delegation and ensure that it is operating as effectively as possible. This is likely to entail setting up some committees.

- 3.27 We also want to make a few final technical points in this section. Planning comments are delegated to the clerk in consultation with the Parish Council according to the Council procedures. We believe this should say 'with parish councillors' rather than having to consult with the Full Council through a meeting and it should be clear that the actual response is the clerk's, taking account of any relevant views.
- 3.28 We also questioned the purpose of recording proposer and seconder for items recorded in the 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." With the exception of including proposer and seconder, their minutes were in the main consistent with that approach and that approach makes it easier for the clerk in terms of time management but the Council may want to consider whether the need for seconder and proposer is relevant for the minutes.
- 3.29 Finally we also raised the issue of whether written reports which informed decision-making should be made available on the website. Whilst this would have a resource implication the Council may wish to consider it as a further aid to transparency.

## **Recommendations**

- R6 The Council needs to revisit the process for electing a new chair at its next Annual Meeting.**
- R7 The Council needs to review its scheme of delegation to ensure it is working as efficiently as possible.**
- R8 The rules around delegation on planning comments need to be clarified and the Council should consider issues relating to the minutes and publication of papers.**

## **C. Meetings**

- 3.30 The key issue has been how difficult some meetings have been 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.
- 3.31 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 that Council meetings have become increasingly difficult to manage and need to be run much more efficiently so that business can be transacted.

3.32 Everybody is dissatisfied with the way the meetings take place. 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.

3.33 As set out above we therefore recommend that the Parish Council should draw up a proper protocol about how members 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 personal quarrels.

3.34 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 and that the meeting is conducted in an orderly and civil way. The chair should know when to seek advice from officers but should not let officers run the meeting. The 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 the current chair but rather reflect that members 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, a recording of a meeting we listened to showed that far too much time was allowed 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. 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.

3.35 To ensure that debate can be managed efficiently, we believe the Parish Council needs to enforce a '3 minute' rule at its meetings – that is people's interventions in meetings should be strictly limited to 3 minutes and, when the 3 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. 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.

- 3.36 There also needs to be a greater understanding of how motions to move to next business can be used to ensure business is got through effectively where discussions are proving difficult to manage.
- 3.37 Another issue raised with us was the process for agenda setting. The setting of the agenda is the responsibility of the 'proper officer' (the clerk) as they need to ensure the Council is fulfilling its statutory duties and discussing appropriate matters at the appropriate time, although realistically they need to work with the chair on its development. That said, the agenda is not the sole domain of the proper officer and members are entitled to ask for items to be added to the agenda with appropriate notice, provided they are relevant to the powers, responsibilities and functions of the Council meeting, although where there is a dispute the final decision should be taken by the clerk setting out reasons. The Council therefore needs to ensure it has a recognised procedure for councillors to have items included on the agenda and councillors need to be clear what matters they can legitimately ask to be put on the agenda, including a proper process for putting notice of motions onto the agenda in line with Standing Orders.

## Recommendations

- R9 All members need to be familiar with Standing Orders. The Council needs to ensure meetings are run more effectively and efficiently by methods such as enforcing a '3 minute' speaking rule and effective use of motions to move to next business. A chair needs to be seen as impartial and to be supported by members in applying rules effectively and equitably.**
- R10 The Council needs to ensure all officers and members understand the process for setting agendas and putting notices of motion to the Council.**

## D. Ambition and strategy

- 3.38 While Adderbury Parish Council has delivered on a number of projects for the community over recent years, we did not see any evidence of long-term strategy for the Council. Its internal disputes and in-fighting has meant that the Council has no real sense of long-term purpose.
- 3.39 We therefore believe the Council needs to put in place a strategic vision which looks at what it wants to achieve over the next 5-10 years, with realistic aims, financial planning and milestones. This needs then to be matched up with the resources needed to deliver that vision.
- 3.40 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 that plan for the people of Adderbury. Given ongoing personal differences within the Council this may have to be facilitated with

external support and the Council may wish to discuss this with the Oxfordshire Association of Local Councils.

3.41 As part of this we consider that the Council should strengthen its relationship with the community by developing a shared vision and strategy for delivering priorities. 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 it particularly important given current circumstances that Adderbury is seen to have consulted widely on its priorities and to have engaged as fully as possible with the community about its work. The Parish Poll clearly demonstrated that the community were keen to be engaged in deciding on significant local issues and the Council should therefore 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.

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

## **Recommendations**

**R11 The Council should develop a strategic plan, to be agreed by the Council collectively.**

**R12 The Council 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 Adderbury and is able to participate more fully in local decision-making.**

3.43 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 Adderbury 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, Adderbury 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 Oxfordshire and Northamptonshire area who have been recipients of the Local Council Reward Scheme – information on this is available from NALC and the County Associations.

## **Recommendation**

**R13 The Council chair and clerk should look to learn from and share best practice with outstanding local councils**

## **E. Role of members**

3.44 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. Given the challenges and difficulties Adderbury Parish Council has faced we believe it is even more important that they have a comprehensive training package for members which should be developed in consultation with Cherwell District Council and the local County Association.

3.45 In particular it 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. Some of this training has been done already but it needs to become an ongoing package for new councillors.

3.46 We would also expect members 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 members must undergo as soon as possible after they take up office. They should also consider what training they would require of members before they are allocated permanent seats on any committees to ensure members understand fully their role and responsibilities on a particular committee in future.

3.47 As well as formal training, more work needs to be done to help understand what is expected of a councillor. 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 as individuals. We believe the Council should be agreeing proper role descriptions and expectations for members.

3.48 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 member'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.

**R14 The Council should develop a comprehensive and ongoing training and development strategy.**

**R15 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.**

#### **F. Officer support**

- 3.49 While members 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.
- 3.50 We believe the current clerk is well qualified in her role and gives the council sound support within the parameters of her role. However, what she can do is necessarily limited given she is only employed on a part-time basis.
- 3.51 This is entirely appropriate for this size of Council but all councillors need to recognise that this means the clerk's time is inevitably very limited so must be used to maximum effect. The clerk from our observations actually works beyond her contracted hours although she does not record her additional time as far as we could see. Again, this is almost inevitable particularly in the run-up to and immediate aftermath of Council meetings but the Parish Council should ensure that she is not over-burdened, that the workload is sustainable and that they ensure they fulfil their duty of care to her. That is why all councillors must recognise that there needs to be a more effective management of email traffic and correspondence and there are limitations on what the Council can realistically achieve.
- 3.52 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 members 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.
- 3.53 Any policy would probably need two aspects – an agreed period at a meeting where governance issues 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, 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.

- 3.54 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 members 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.
- 3.55 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.
- 3.56 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.
- 3.57 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 is seen to be professional. As a matter of best practice, while we believe there is a performance appraisal system in place its purpose needs to be clear – that is, that it measures performance against targets with a view both to helping the clerk develop and ensuring she is rewarded appropriately. Having a schedule of work would help with that process.

## **Recommendations**

- R16 The Council should review its policy as to how concerns and queries are dealt with and responded to without absorbing the limited administrative resources available to the Council.**
- R17 The Council and the clerk should agree a work schedule to ensure that the clerk's limited availability is focussed and that there are realistic expectations on her time.**
- R18 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.**

## **G. Monitoring of this plan**

- 3.58 While these recommendations are a matter for Adderbury 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



Cherwell District Council needs to be able to monitor progress. Whilst Cherwell District Council does give valuable support to Adderbury, this support comes at a price in terms of time and resources and it is important that in due course Adderbury's demands on officer time at Cherwell are substantially reduced.

- R19 Where Adderbury Parish Council needs to use external support to comply with these recommendations, they should consult with Cherwell District Council before agreeing such support to ensure they have considered all the options and are obtaining expert advice at value for money.**
- R20 Adderbury Parish Council should report on its progress in implementing this action plan to the monitoring officer of Cherwell District Council in 6 months and again in 12 months after the date of this report.**

## Appendix A

### Summary list of recommendations

- R1** All councillors should give an individual signed 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.
- R2** 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 as to whether or not the concern is legitimate. Where the concern is legitimate such a ruling should include the steps needed either to rectify the matter or the changes needed to prevent the matter re-occurring.
- R3** Where advice is needed from Cherwell District Council or the Oxfordshire Association this should always be done through the clerk.
- R4** The Parish Council should agree a process for recording or filming of future meetings.
- R5** The Parish Council should collectively agree what language is and is not appropriate in meetings, 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.
- R6** The Council needs to revisit the process for electing a new chair at its next Annual Meeting.
- R7** The Council needs to review its scheme of delegation to ensure it is working as efficiently as possible.
- R8** The rules around delegation on planning comments need to be clarified and the Council should consider issues relating to the minutes and publication of papers.
- R9** All members need to be familiar with Standing Orders. The Council needs to ensure meetings are run more effectively and efficiently by methods such as enforcing a '3 minute' speaking rule and effective use of motions to move to next business. A chair needs to be seen as impartial and to be supported by members in applying rules effectively and equitably.
- R10** The Council needs to ensure all officers and members understand the process for setting agendas and putting notices of motion to the Council.

- R11** The Council should develop a strategic plan, to be agreed by the Council collectively.
- R12** The Council 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 Adderbury and is able to participate more fully in local decision-making.
- R13** The Council chair and clerk should look to learn from and share best practice with outstanding local councils
- R14** The Council should develop a comprehensive and ongoing training and development strategy.
- R15** 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.
- R16** The Council should review its policy as to how concerns and queries are dealt with and responded to without absorbing the limited administrative resources available to the Council.
- R17** The Council and the clerk should agree a work schedule to ensure that the clerk's limited availability is focussed and that there are realistic expectations on her time.
- R18** 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.
- R19** Where Adderbury Parish Council needs to use external support to comply with these recommendations, they should consult with Cherwell District Council before agreeing such support to ensure they have considered all the options and are obtaining expert advice at value for money.
- R20** Adderbury Parish Council should report on its progress in implementing this action plan to the monitoring officer of Cherwell District Council in 6 months and again in 12 months after the date of this report.

## Appendix B

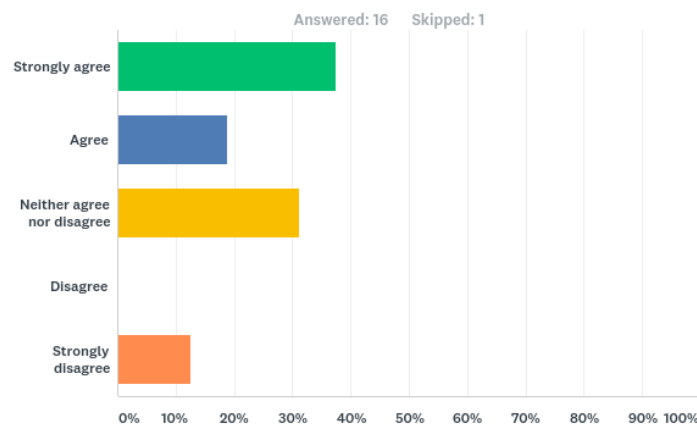
The questionnaire used at Phase Two consisted of a series of 'closed' questions, together with a few 'open' questions and an opportunity to add any additional comments.

The information from the questionnaires, together with information gathered from the more in-depth face-to-face interviews at Phase 3 helped inform our report and recommendations.

This appendix sets out the findings of Phases 2 and 3. It sets out the 'raw data' from the questionnaire together with relevant quotes we received from individuals. While all questionnaire responses and interview contents are confidential the quotes were all made by individuals and we take them as examples of the evidence we used to reach our findings. We do not necessarily endorse the views but they represent individual perceptions.

The first three questions were simply personal details, hence our analysis starts at question 4.

### Q4 I am proud to be a councillor/officer at Adderbury Parish Council



Relevant quotes:

"I offered my services, seeing it as an opportunity to give something back to the community."

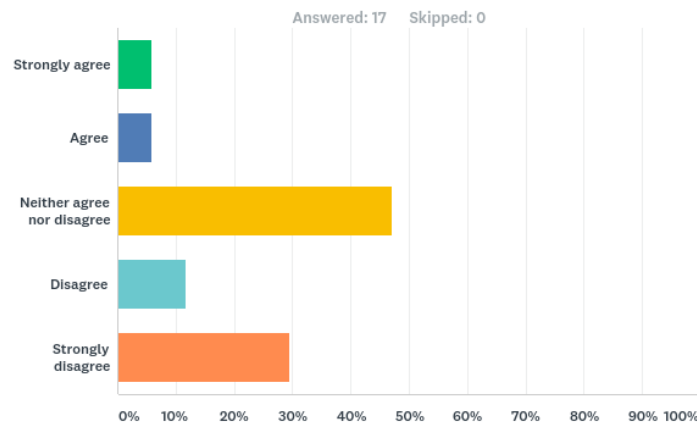
"I was ashamed to be part of a dysfunctional, undemocratic and shoddy organisation."

"I have been a Parish Councillor for many years and I am proud of my service to this community."

"All I have encountered is obstructive, petty behaviour by some members but I am still proud to be a Councillor."

"I have been a Councillor for several years and have always been proud to represent the Parish and do my best to provide a good service to the electorate."

## Q5 I enjoy my time at Adderbury Parish Council



### Relevant quotes:

“To attend a PC meeting and seek to contribute to it is to run the gauntlet of hostility from other PC members.”

“I have been embarrassed by the rudeness of some PC members routinely directed at some parishioners.”

“I tend to feel anxious before a meeting and dirty afterwards.”

“The meetings I attended were extremely unpleasant affairs.”

“Enjoy part of the time but it is a constant battle.”

“It helps my sense of purpose but is stressful at times.”

“I felt a bit stressed and was not enjoying my time”.

“The behaviour of certain Councillors and members of the public make every meeting difficult to endure.”

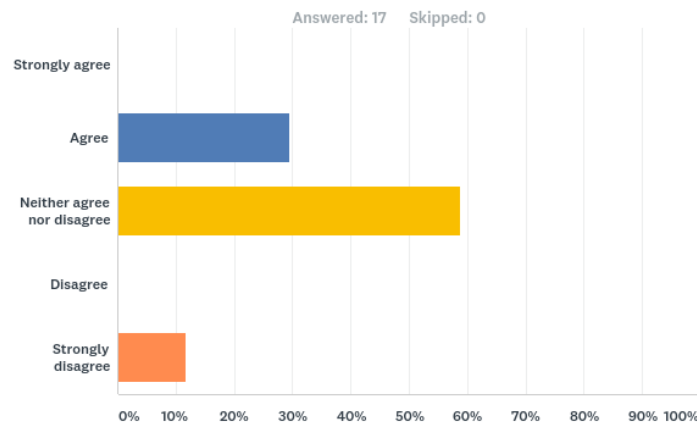
“I was often embarrassed by the attitude and behaviour of individuals at parish council meetings.”

“I actually dread having to go to parish council meetings.”

“I find parish council meetings very embarrassing. “

“There is a tendency from some Councillors to provoke, annoy, make as many problems as they can, waste time which should be better employed dealing with actual rather than perceived problems.”

## Q6 I feel valued by the Council



### Relevant quotes:

“There is a complete split in the Parish Council and no one can really feel valued.”

“On important issues, I am likely to be seen as trying to block or slow down progress at parish council meetings. I believe that councillors have the responsibility to consider all aspects before arriving at decisions and there is merit in playing devil's advocate.”

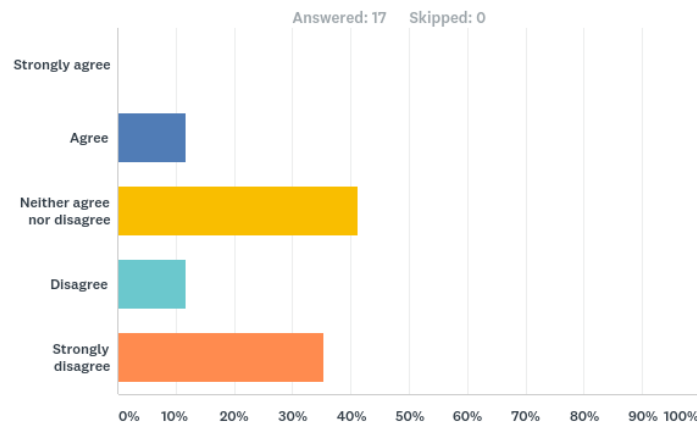
“I feel valued by some of the Councillors, but not all of them.”

“There is good support from the Chairperson and clerk.”

“I feel I am valued by the majority of Councillors and the Clerk.”

“I know that several outspoken and generally dissatisfied residents do not appreciate my forthrightness in responding to their largely biased and narrow-minded views.”

## Q7 Councillors treat each other with respect and courtesy



### Relevant quotes:

“If the discussions are not contentious then respect and courtesy is there.”

“People seem to be courteous, but there are some, through their actions, who do not show respect. Manners, I think, can sometimes be a mask.”

“I think it has become increasingly difficult to show signs of respect to parish councillors who use underhand methods to secure their view.”

“Intemperate comments (usually by email but sometimes in person) are too common.”

“When a difference of opinions appears the respect/courtesy cards can be strained.”

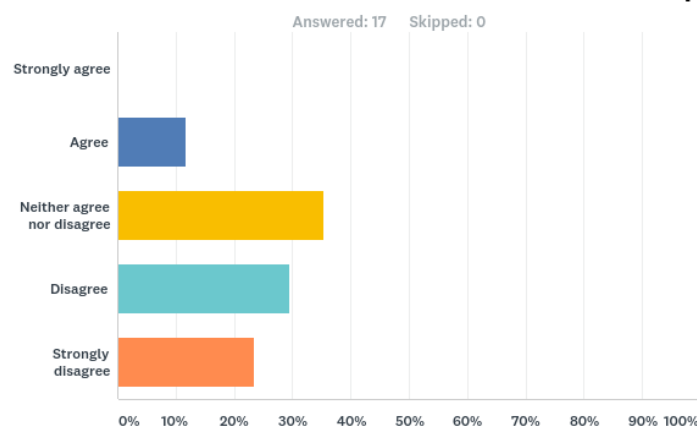
“Not from some councillors that had their own interests.”

“Some Councillors are rude and disrespectful.”

“There is no respect or courtesy at all between councillors.”

“In the past one could disagree with others’ viewpoints, but amicably, not now.”

## Q8 Councillors and officers treat each other with mutual respect and courtesy

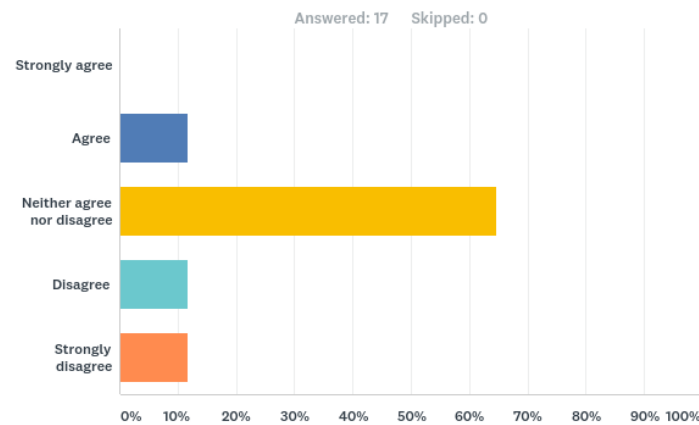


### Relevant quotes:

“This has improved, but there is room for more.”

“I do not feel there is mutual respect or courtesy.”

## Q9 Councillors provide a clear sense of direction for the Council and this is well communicated



Relevant quotes:

“The council is generally a reactive council.”

“There is no clear sense of direction.”

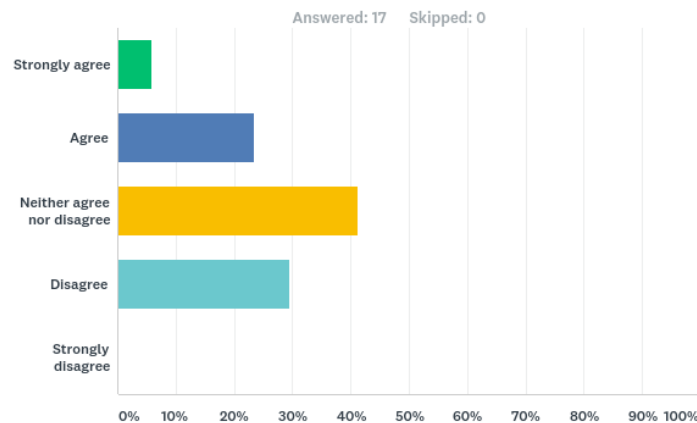
“I never feel that there is a clear sense of direction.”

“The main problem lies with strategic planning and decision-making.”

“The council appears to be completely split down the middle on most decisions.”



## Q10 Councillors do all they can to improve Adderbury



### Relevant quotes:

"I am sure all PC members think they do their best for Adderbury, but it seems to me that the amount of effort given relates to the degree of self-interest a PC member has in any particular outcome."

"One person's view of improvement may not be another's."

"There are well-meaning people on the council who do try to improve the village and even those people whose practices I disapprove of appear to be sincere in their desire to improve matters."

"There are stark differences between those who want the community involved in the decision process and those who think it's the council's right to decide."

"Some wish to impose in an undemocratic fashion their vision of what an improved village looks like and will ignore all evidence from the community if it does not fit with their view."

"Too much time is wasted trying to undermine the Clerk and Chairman rather than spending it trying to improve Adderbury."

"There is a very NIMBY attitude from some to developments and improvements to Adderbury."

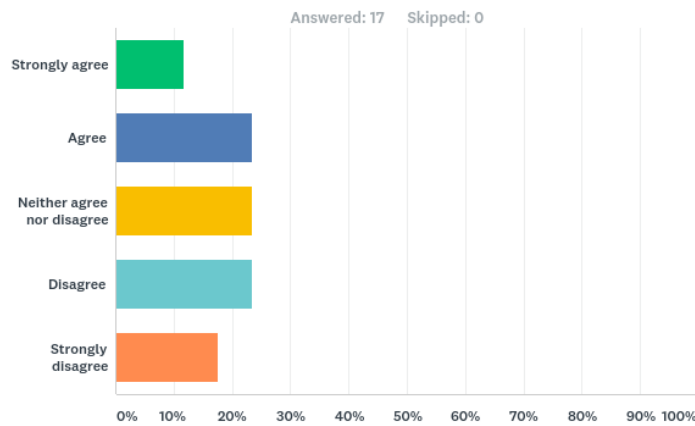
"Yes councillors do act with the good intentions of the village in mind."

"Some have a view of what they think is right for the village and are opposed to anything else."

"Councillors do all they can to control change: they are risk averse and show little initiative or cohesion in problem-solving strategic community issues."

"Some of the councillors definitely have their own agendas but whether or not these are to improve Adderbury remains to be seen."

## Q11 The Council is well managed



### Relevant quotes:

“This is a dysfunctional parish council due to strong, divisive and negative leadership.”

“Overloaded agendas at most parish meetings with insufficient time to have full debates.”

“Standing Orders and various other documents have conflicts that urgently need to be addressed.”

“It's mechanically efficient, but very controlled.”

“Documents are very often not presented until the very last minute at meetings.”

“The standing orders are routinely ignored in meetings.”

“There should be more delegation to working groups outside of monthly meetings.”

“It's difficult to manage the work of the PC with constant battles and attempts to undermine.”

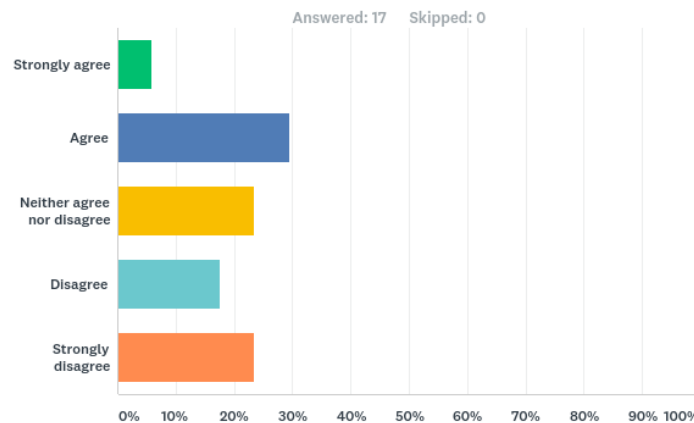
“The Council is well run under trying circumstances.”

“Discussions are carefully controlled, with little opportunity for open debate.”

“There is little opportunity for less confident speakers to explain their positions.”

“A very good job is done, under sometimes severe provocation.”

## Q12 Council meetings are well run



### Relevant quotes:

“There is often very limited time allowed to discuss an agenda item.”

“Often overrun because of an overloaded agenda and insufficient time for discussion.”

“There is frequently confusion amongst councillors on what was voted on and what has been agreed.”

“The meetings are too rigid and controlled”.

“Dissent is given short shrift.”

“There is a sense of momentum which discourages digression and verbosity, and a large number of matters are considered at one sitting.”

“I find it difficult to speak at PC meetings because there are some Councillors who disagree with whatever I say.”

“The Chairman is very good at running the meetings, even with people being incredibly rude to her.”

“The agenda items are addressed and decisions made. Although meetings do take rather longer than scheduled.”

“All proper procedure is followed by the Chairman and by the Clerk.”

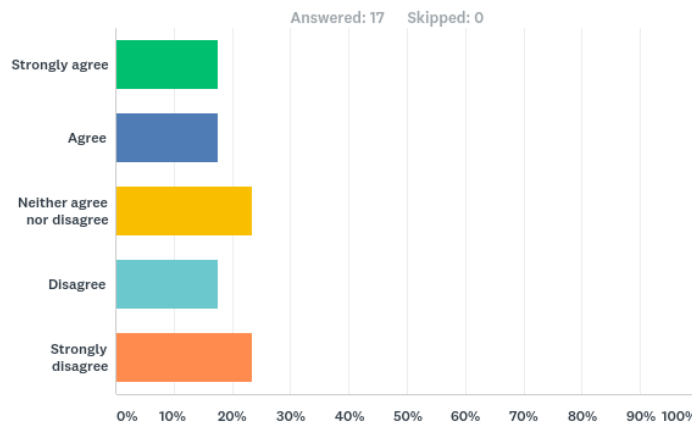
“The opportunity for members of the public to raise issues at council is largely taken up by two individuals who constantly raise what they consider to be contentious issues, but are often outside the remit of the parish council.”

“The atmosphere at meetings often degenerates into terse confrontational argument.”

“Some councillors argue about minutiae in the Minutes of the previous meeting, or raise irritating points of order that do not benefit any real progress being made in the Agenda.”

“More like a “free for all” than a civilised parish council meeting, with members of the public shouting out things from the floor and speaking out when not asked.”

### Q13 The Council operates in an open and transparent way



#### Relevant quotes:

“On some contentious matters there has been a lack of transparency and, possibly, deliberate opacity.”

“I feel that on several occasions items are discussed at the time the public are asked to leave when in reality they was no need for this.”

“It isn't unusual to be asked to make a decision without due preparation and thought.”

“It sometimes appears that the council feels itself to be under siege from the village and tries to give away as little as possible.”

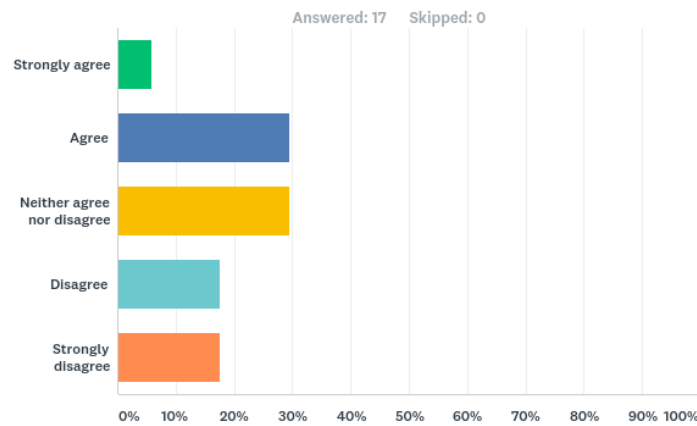
“The Parish Council is open and transparent on all matters on which it is able to share information.”

“All decisions are open to the public and accurately recorded.”

“The information given at Council is generally open and transparent, but there is a reluctance to engage openly in the more controversial issues.”

“There are inferences during some meetings that talks have taken place outside of parish meetings which some councillors did not know about.”

## Q14 The Council is in tune with the local community and their needs



### Relevant quotes:

“The PC is not interested in what the community wants unless those wants coincide with what the inner circle of the PC want.”

“The council frequently ignore community wishes and pay only lip service.”

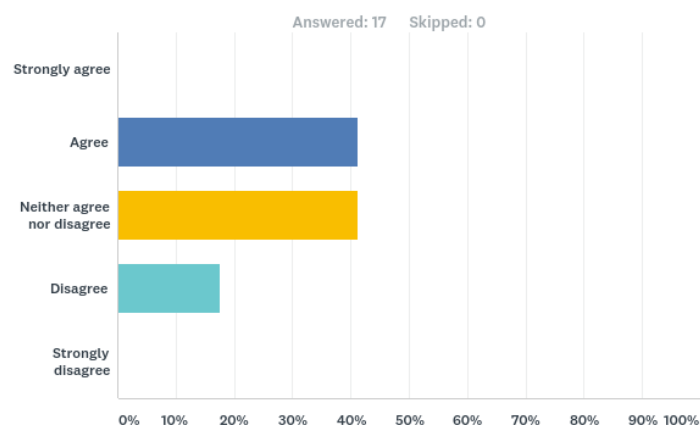
“The Parish Council tries to be in tune with the local community and its needs, but when there are Councillors who have their own agenda, are awkward and obstructive and have a NIMBY attitude, it is difficult to achieve this.”

“It depends who you talk to.”

“There is a dwindling public presence at every meeting, so the public realistically have little interest or issues of concern with the PC”.

“Councillors show during debate that they are fully aware of community needs, but that they do not hold a cohesive view of any way forward on larger issues.”

## Q15 Councillors and officers are clear what is expected of them in their roles at the Council



### Relevant quotes:

“Generally this is true particularly for those that have been on training course.”

“I think advice and guidance sources do make it clear what is expected.”

“Certainly not true at an early stage - there is no induction process.”

“There are the Councillors who only like to complete the tasks which they feel are important and the minor issues, they don't want to get involved with. So everyone knows what is expected, they just pick and choose what suits them.”

“It is the more challenging situations that test individual expectations and knowledge of the protocols.”

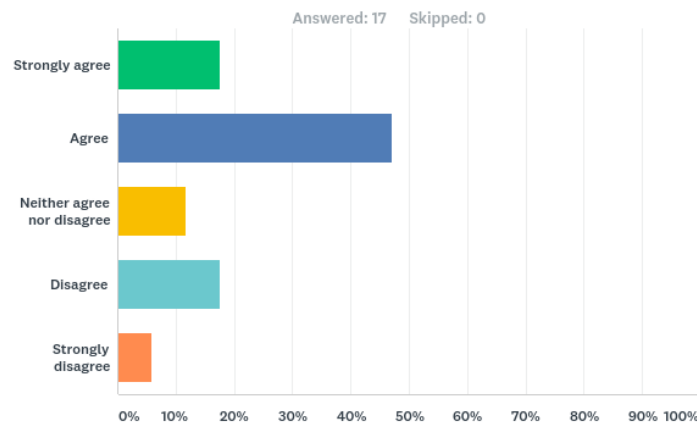
“Some do not seem to understand what is expected and often take their own action as if they are speaking for the parish council when they are not.”

“Some don't accept standing orders and ignore the code of conduct.”

“Councillors have been thoroughly briefed multiple times on their role, and underlying rules and procedures. However, some individuals have consistently taken their own line on such instruction.”

“Certain Councillors refuse to attend training courses.”

### Q16 Councillors and officers are aware of the Council policies and procedures and where they can view them



#### Relevant quotes:

“The Clerk always sends new Councillors all the required documents. All docs/ procedures are clearly on the APC website.”

“Yes. Although if there are any questions about policies or procedures, then a brief question to the clerk will point to the direction of the document or relevant resource.”

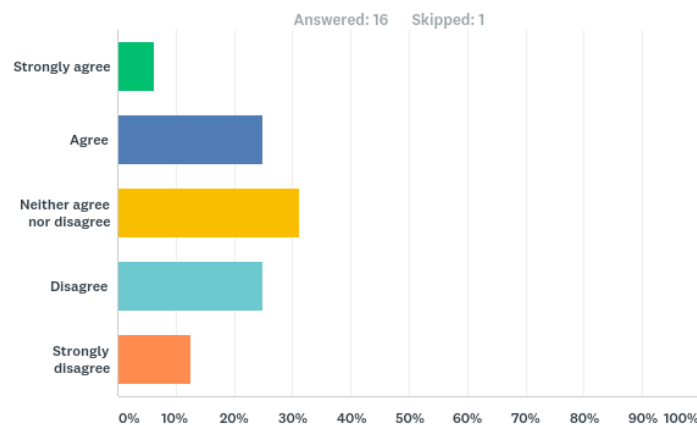
“All policies and procedures have been approved by the PC and are on the website.”

“The documents need to be reviewed and checked for conflicts and errors between documents.”

“Policies are out of date.”

“Policies have not been reviewed and some may be illegal.”

### Q17 Council policies and procedures are always followed



#### Relevant quotes:

“They are not always followed and it is not always clear what existed and where to find it.”

“Misleading statements have been made on important issues.”

“Standing orders are frequently ignored in meetings.”

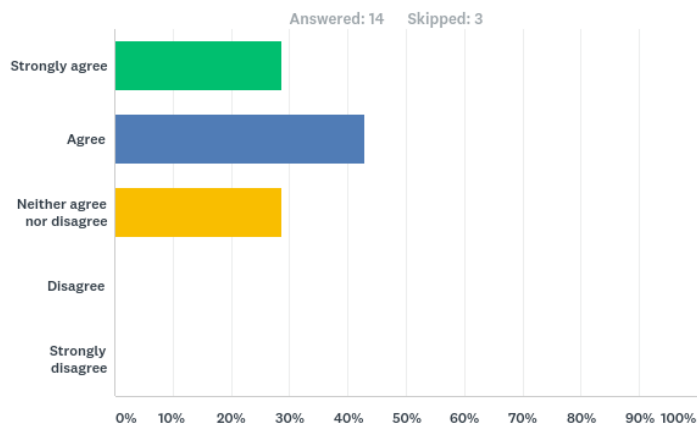
“Yes, I believe that they are. However, some of the procedures do not suit some Councillors.”

“I agree for the majority of Councillors.”

“Although frequently challenged by some members.”

“I do not think that policies and procedures are always followed.”

### Q18 I have the opportunity to contribute to Council decisions



Relevant quotes:

“Often in the face of antipathy of other PC members.”

“I participate in debates but generally know that if I do not support the majority view then my viewpoint is unlikely to be accepted.”

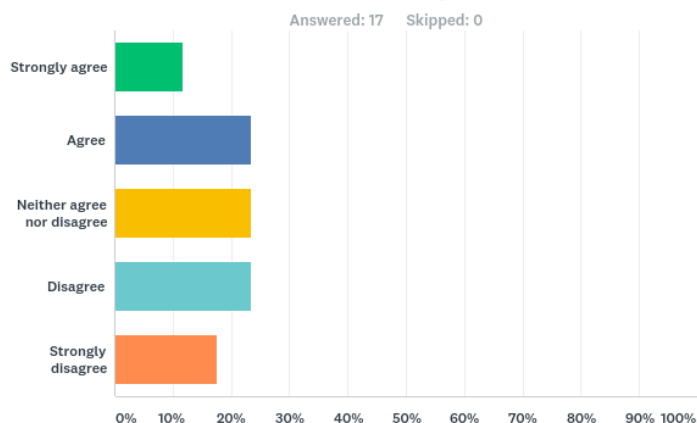
“Contributions, yes, listened to, yes and then probably ignored.”

“The existence of a majority voting bloc means that some councillors are effectively redundant.”

“Always given the opportunity by the Chair.”

“My views are not given any particular weight, especially where they are at odds with individual feelings or expectations.”

### Q19 I am satisfied that concerns raised by councillors/officers are dealt with effectively



Relevant quotes:

“The handling of complaints causes me great concern.”

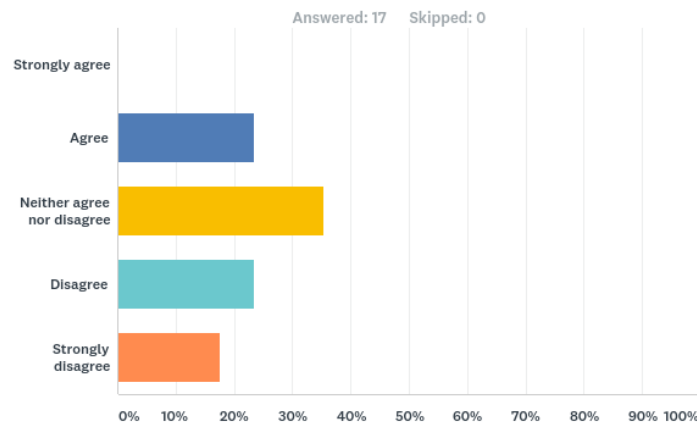
“Awkward questions are not always dealt with fully.”

“Yes, the majority of councillors are supportive and deal with any issues effectively”.

“It depends on who raised the concern and what the matter it related to.”



## Q20 I trust others within the Council



Relevant quotes:

“There is no trust between PC members.”

“When there are 2 factions trust is likely to be low.”

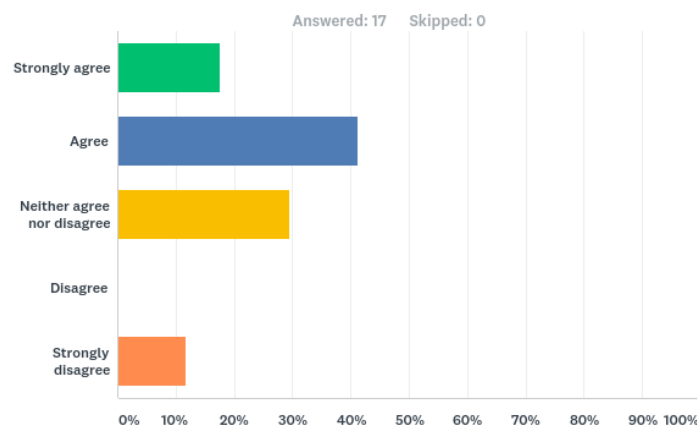
“I feel I can no longer trust a substantial part of the council.”

“I trust some Councillors but not all of them following the issues I have had.”

“I am sorry to say that there are some Councillors who I do not trust.”

“I trust at least half of the parish councillors to have an independent and open mind when discussing issues”.

## Q21 Information I receive from the Council is accurate and reliable



Relevant quotes:

“I think there has been some 'management' of the information relayed to PC members.”

“When the clerk forwards written information received from external parties, I have no doubts on the accuracy.”

“The Clerk distributes all information in a timely manner.”

“From what I have received, I would judge it to be fairly accurate.”

“I'm never absolutely sure. I have lost trust in some of the mechanisms.”