

IMPORTANT INFORMATION FOR QUALITY COUNCILS AND ASPIRING QUALITY COUNCILS

FROM Tamsin Hewett, Improvement & Development Manager, NALC

CHANGES TO THE QUALITY COUNCIL ACCREDITATION/RE-ACCREDITATION SCHEME

From: Tamsin Hewett [mailto:mailto:tamsin.hewett@nalc.gov.uk]

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Importance: High

To:

County Associations of Local Councils (for action)

National Council members (for information)

For onward distribution to:

County Accreditation Panel members

County Accreditation Panel secretaries

Town and Parish Councils

Dear all,

As you may be aware NALC has recently been taking some views from within the sector on whether a review of the Quality Parish Scheme would be timely. We held a series of workshops last year aimed at informing the future development of the scheme and more recently held two further meetings of county associations to discuss both QPS and the Open Public Services agenda.

These sessions revealed that there are some conflicting views across the sector on how the QPS scheme should develop. One thing on which there was consensus, however, was the need to continue to develop and promote minimum standards for governance and community engagement for Local Councils. This is reflected in both our strategic plan 2010 – 2015, which reaffirms NALC's commitment to the Quality Parish Scheme, and also in the

government's aspirations for promoting the role of the most local forms of democracy via the Open Public Services White Paper.

As a result of these discussions we have advised the QPS steering group, which is formed of national stakeholders from our sector, the LGA and central government, to review the Quality Parish Scheme with a view to re-launching an updated standards scheme in 2013. The review will be based upon a wide-ranging consultation, taking views from across the town and parish sector, as well as engaging with principal authorities on their views of the scheme as it stands and of how it might develop in the future.

We will be in touch in due course to ask you both for your views and to ask you to encourage your councils, both those with quality status and those without, County Accreditation Panel members, and any others who you feel might have an interest, to contribute to the review of the scheme. Your insight and experience will be of vital importance in ensuring that this consultation is comprehensive and constructive so I do hope that you will be able to both contribute and promote the consultation.

In the meantime I am writing to make you aware of the transitional arrangements which are being proposed by the steering group in order to make things as simple as possible for CAPs and councils whilst the review is taking place, as follows:

Reaccrediting councils

The steering group is keen to ensure that reaccrediting councils are not placed in the position of compiling a submission during the 3 month grace period following the end of their accreditation period only to find that changes to the tests as a result of the review mean that the submission requirements have changed. **The steering group has therefore agreed to freeze the Quality Parish status of those councils whose current accreditation is due to end from 1st September 2012.** Once the scheme is re-launched those councils who would have lapsed during the period of the freeze will be given at least 3 months in which to reaccredit.

Councils seeking Quality status for the first time or who have begun compiling reaccreditation submissions

The steering group is also keen to ensure that councils seeking accreditation for the first time are not placed in the position of compiling a submission only to find that changes to the tests as a result of the review mean that the submission requirements have changed. However, we also recognise that

there may be councils who have put substantial effort into compiling a submission for accreditation or reaccreditation to meet the current standards, but who have not yet submitted. **The steering group has therefore agreed to accept submissions for accreditation or reaccreditation until 1st October 2012** in order to give those councils time to complete and submit any nearly completed submissions.

Please note that these freeze dates are for the initial submission of portfolios for accreditation or reaccreditation – the steering group is aware that County Accreditation Panels meet at different times of the year in different counties, and there may therefore be some regions where there are portfolios submitted before the freeze dates which need to be considered after the freeze dates. I would like to reassure you that the team at NALC will be available to log the outcome of CAP meetings and send out accreditation certificates throughout the review process.

Changes to Tests

In addition, the steering group has considered and agreed interim amendments to 2 tests (tests 1 and 7) in accordance with issues raised by CAPs and changes in the law. The amendments to test 1 only affect CAPS in counties which underwent unitary reorganisation in 2009, and as a result have an altered electoral cycle. We will be writing to counties affected by this separately. Because of the review of the scheme the interim amendments to these tests will only apply to councils submitting applications for accreditation or reaccreditation before the deadlines above.

Test 7 needs to be changed because of the change in the law relating to codes of conduct which came into force on 1 July 2012. Under the Localism Act 2011 previous regulations governing codes of conduct for town and parish councils were repealed, including the Secretary of State's power to issue a model code of conduct. As the current test 7 requires quality councils to evidence that they have formally adopted this model code of conduct it is now impossible to meet this test.

Test 7 is therefore being revised as follows:

Test 7 – code of conduct

The model code of conduct for members of parish councils as prescribed by the Secretary of State under the provisions of s. 50(1) of the Local Government Act 2000 ceased to have effect on 1 July 2012. The Localism Act 2011 requires parish councils to adopt a

new code of conduct which confirms the conduct expected of their members.

S.28 the 2011 Act requires a parish council to:-

i) adopt a code of conduct that is consistent with the principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership and includes provisions which the council considers appropriate in respect of the registration and disclosure of 'pecuniary interests' and 'interests other than pecuniary interests'

and

ii) to publicise its adoption, revision or replacement of a code of conduct in such manner as it considers is likely to bring the adoption, revision or replacement of the code of conduct to the attention of persons who live in its area.

Councils will be required to demonstrate that they have adopted a new code of conduct. NALC has produced a template code of conduct which satisfies the provisions of the 2011 Act, however councils seeking quality status are not required to adopt or use NALC's template code of conduct.

Councils will also be required to demonstrate that their new (or subsequently revised) code of conduct is made available on their website (for free) via their publication scheme.

Evidence

A link to the page of the council website where the new code of conduct is displayed.

Please note that the revised test 7 should if possible be applied by CAPs to any submissions received after the 1st July 2012 as this is when the previous test 7 became redundant. We recognise that because this amended test 7 is coming out after the fact, due to the short time period given by the government when making these changes, this may not always be possible. Where Quality Status has already been granted Quality councils should be encouraged to meet the amended test 7 going forward in any case.

Further Actions

The priority now is ensuring that Councils and CAPS are aware both of the freeze deadlines and of the revision to test 7. **I would therefore ask that you make them aware of these changes by forwarding the information in this email as soon as you are able.** Please let me know if you would like any assistance in doing this or would like any information from us regarding which councils are due for reaccreditation after September. For your information we will also be asking other QPS stakeholders, such as SLCC, to make their members aware of these changes via their networks so that the information is disseminated as widely as possible.

Please don't hesitate to contact me if you have any queries or would like any further information.

Kind regards

Tamsin

Tamsin Hewett

Improvement & Development Manager