

THE COUNCILLOR'S HANDBOOK

A Guide for Jamaican Councillors

Produced by
Communications Unit
Office of the Prime Minister
The Department of Local Government
2009

TABLE OF CONTENTS

Acknowledgements	3
Introduction	4
Message from the Prime Minister.....	5
Message from the Minister of State.....	6
History	7
Legislative and Policy Framework	8
Chapter 1	• Being a Councillor 9
	• Commencing the Journey 10
Chapter 2	• Beginning the Job 14
	• What information do you initially need 15
Chapter 3	• Your Job Description 16
	• Job Tenure 18
	• Objective of the Job 18
	• Nature of the Job 18
	• The Councillor's Operative Job Framework 18
Chapter 4	• How to be an Effective Councillor 19
Chapter 5	• Councillor's Mandate 24
	• Your Roles & Responsibilities 24
	• General & Specific Roles 26
	• Personal Attributes & Leadership Skills 27
Chapter 6	• Councillors' Code of Ethics 28
	• Performance Evaluation 28
Chapter 7	• Role of Council 29
	• Council Members 29
	• Reporting Relationships 30
Chapter 8	• Councillor Remuneration 33
Chapter 9	• Community Development 34
Chapter 10	• Role of Council Administration 37
Chapter 11	• Council Procedures 39
Chapter 12	• Finance 44
Chapter 13	• Conflict of Interest & Disqualification 49
Chapter 14	• Council Records 50
Chapter 15	• Council Dispute Resolution Mechanisms 51
Chapter 16	• Conclusion 51
	• Directory of Councils & Agencies 52

ACKNOWLEDGEMENTS

Special thanks to the following committees for their time and diligence in assisting with the contents, compilation, editing and veracity of the information contained in this pocket book.

Committee Members 2007: Department of Local Government

- Mrs. Ann-Marie Mittoo* - Director, Communications - **chairperson**
Mr. Keith Miller - Consultant, Local Government Reform Unit
Ms. Jennifer Evans - Local Government Reform Unit
Mr. Christopher Powell - Local Government Reform Unit.
Mr. Robert Hill - Local Government Reform Unit
Mrs. Marsha Henry- Martin - Director, Urban & Regional Planning & Dev. Unit
Mrs. Sophia Knight Williams - Legal Unit
Mr. Gary Mowatt - Director, Local Govt. Admin. Unit
Mrs. Yvonne McCormack - Councillor Portmore Municipal Council

Committee Members 2008:

- Councillor Lee Clarke* - Deputy Mayor, KSAC – **chairman**
Mrs. Dorothy Delgado - Former Secretary /Manager St. Ann
Mrs. Joyce Young - Former Councillor KSAC
Mrs. Merline Daley - Former Councillor KSAC
Mr. Beresford Steele - Former Councillor St. Thomas Parish Council
Mr. Earl Hyde - Chairman Old Harbour Parish Development Committee
Mrs. Ann-Marie Mittoo - Director, Communications – **editor**

INTRODUCTION

Congratulations on being elected to Council!! For many of you, this is your first experience as an elected municipal official. By running for public office, you have clearly expressed your dedication and commitment to serving your community, and your desire to promote, improve, and encourage its development. This dedication to your community mirrors the 'purposes of a local authority' stated in The Parish Council Act. As much as it may be challenging at times, you can be sure that your time as Councillor will be a very rewarding experience.

Local Authorities today are operating in an 'era of accountability'. More and more, citizens expect their Local Authorities to be accountable for the decisions they make and the actions they take. Successful Local Authorities are the ones that work with their citizens, making decisions in a transparent and open manner, ensuring citizens a meaningful role in the decision-making process, and using the tools available to them to effectively respond to citizens' demands.

Within this framework, this Councillor's Pocket Guide Handbook, produced by the The Department of Local Government, presents an overview of the roles and responsibilities, both as elected officials of Council and the Local Authority as a whole.

It serves to provide Councillors with the basic information on their roles as Councillors, and aims to assist Councillors in attaining a clear understanding of the Local Government environment, processes and areas of focus in the present Reform process.

Notwithstanding the foregoing, the official Councillor's Handbook in its entirety should be viewed as a guide by Councillors.

MESSAGE FROM THE PRIME MINISTER



As elected local representatives for the people, Councillors are vested with the responsibility of providing critical local services to the people and their communities. For too many years the people have sounded cries for better representation from their elected representatives; oftentimes overcome with frustration, as their pleas appear to 'fall on deaf ears'.

While the blame for poor representation must fall squarely at the 'feet' of some Councillors, many have been hampered by a lack of resources, autonomy and power. These are just some of the concerns that the process of Local Government Reform is seeking to address. It will accord to local representatives and local authorities greater resources and power, as well as offer capacity building and training, to enable them to execute their responsibilities efficiently and effectively. We must avoid the myopic view that the reform process is simply a devolution of power; it is a strengthening and deepening of the democratic process and the laying of a firm foundation for good governance.

There is an oft-quoted phrase, "to whom much is given, much is expected"; and with greater power, will come greater expectations and accountability for performance. I issue a call to all our Councillors to provide the best representation to the people – they deserve it!

This Handbook has been produced as a basic introduction and guide to your role as an elected member. I know that at times newly-elected Councillors may feel overwhelmed by the range of functions they are expected to fulfill, particularly when working with colleagues who have many years under their belt as a local representative. This Handbook is intended to provide the kind of information that will assist your transition into the role as an elected representative. The established Councillors may also wish to use the guide as a reference too, to update themselves on current local government issues.

As we strengthen the capabilities of our elected representatives, we draw much closer to a new and improved local government, which is the avenue to proper and effective management of local community affairs.

I trust that you will find the information in this Handbook useful and instructive.

Bruce Golding, MP
Prime Minister

MESSAGE FROM THE MINISTER OF STATE



As Minister of State with responsibility for Local Government in the Office of the Prime Minister, I take this opportunity to congratulate you on being elected to your Local Authority as a COUNCILLOR. Local Government Jamaica welcomes you as an elected representative of local government in Jamaica. You are therefore now a part the democratic local governance system of Jamaica. The role of being a representative for the people in your community is a privilege and carries significant responsibility.

Your dual roles in the sphere of governance and representation are both about leadership. You are the 'eyes' and 'ears' of your community and representing the best interests of that community. It is about being forward looking and balanced.

While you are partners in 'governance' with your central government colleagues, you are also closer to the local community and are expected to advocate for their particular interests. In all cases, you will be looking forward and contributing fairly and intelligently to the processes on which local government is founded.

We at the Department of Local Government acknowledge that this is a critical time for the local government sector as we are in the throes of Local Government reform. The Government of Jamaica is deeply committed to the strengthening of local governance, enhancing local democracy through participation of civil society in the governance process and empowering communities to take control of their own destiny. To this end, concrete steps have been taken, particularly over the past two years in respect of local government reform, to initiate the establishment of the National Advisory Council (NAC) that comprises representatives from the major political parties and private and public sector groups.

The NAC recently completed its Final Report building on the Interim Report's findings and recommendations regarding advancing the process of local government reform, based on an extensive process of consultations with a wide range of stakeholders and interest groups in the Jamaican society. This report has been presented to Parliament for consideration by a Joint Select Committee.

MESSAGE FROM THE MINISTER OF STATE

We must now move this process from the stage of discussions and agreements that are desirable for governance, to the initiation of concrete action towards achieving these objectives. The role of leading and representing your community requires an understanding of the history of local government, the principles of local governance and local government reform, legislation – as well as your own commitment to make a difference.

This handbook provides a framework for your expectations, with basic information on your role and responsibilities as a Councillor. It is expected that it will help you attain a clear understanding of the local government environment and processes and areas of focus in local development, towards improving your understanding of your position.

I am confident that all Councillors will discharge his/her responsibilities with the highest degree of honesty and integrity, in assisting Local Authorities to be at the cutting edge of quality and sustainable services. I wish you a successful, meaningful and fulfilling term of office.

Robert Montague, MP
Minister of State

HISTORY OF PARISH COUNCILS

Under the Vestry System, which predates the 1887 Parish Councils Act, Councils had the responsibility to:

- *Maintain public order*
- *Support the church,*
- *Provide poor relief and*
- *Maintain the roads in the respective parishes*

1865 saw the dissolution of Councils and by 1867 the number of parishes were reduced from 24 to 14. By 1887 new parochial boards were elected with Councils assuming the following additional responsibilities:

- *Fire protection*
- *Street lights*
- *Markets*
- *Public cleansing*

The Parish Councils Act does not specify the duty of Councillors but speaks to the duty of Councils.

LEGISLATIVE & POLICY FRAMEWORK

In Jamaica, the local government legislative framework is contained in:

- The Parish Councils Act (1901)
- The Kingston & St. Andrew Corporation (KSAC) Act (1923)
- The Municipalities Act (2003)

These statutes govern the:

- Constitution of the Councils (how the Council is composed)
- Election of Councillors - procedures, inclusive of those on polling day and subsequent to polling day, administrative provisions as to Council elections, offences in connection with elections
- Declarations by Councillors (oath of office)
- First meeting of Council, inclusive of election of Chairman & Vice-Chairman
- Provisions for the appointment of Committees of Council for the efficient and effective functioning of Council
- Vacancies in Council, what creates them and procedures for dealing therewith
- Powers of Council to undertake certain acts, including powers to make by-laws, certain regulations, prepare local schemes
- Sets out the power and authority of the Minister

(Note that the Municipality Act provides for direct election of Mayor by the citizens, whereas the Chairman of the Council is "elected" by his fellow Councillors).

Other Acts which are critical to the effective functioning of the Council:

- The Parochial Rates and Finance Act
- The Financial Administration and Audit Act
- Town and County Act
- Building Act
- The Parochial Roads Act;
- The Parochial Markets Law
- The Public Health Act

CHAPTER 1

BEING A COUNCILLOR

“Councillors are the real key to reconnecting a Council to its citizens and to the renewal of local democracy. Your unique role as Councillor demands that you balance different local needs because you have to answer to local people at the ballot box!!” (Lucy Groot - Frontline Councillor, 2007)

Being a Councillor represents a big investment by you as a citizen representing several communities. There is a lot to learn and you need to learn quickly if you are to be effective in your new role. As a new Councillor, you can quickly become buried under the weight of paperwork that this new job entails. The Local Government Reform & Administration Units will provide a range of administrative and information services and training and development opportunities to help you to be more effective as a Councillor. Hence the Units have collaborated to produce this guide to the essentials to keep you on top of the task right from the start!!

Local Government is the heart of Local Democracy. It works with communities through Councils for communities, but it will not work without the dedication of you and other Councillors across the country. Becoming a Local Government Councillor can be the most direct and rewarding way to contribute to your local community. Being a Councillor can be an exciting, challenging and rewarding role, but it is one that requires time, commitment and the capacity to see and embrace the ‘bigger picture’ on behalf of the communities you serve.

As a Councillor, you are part of a team that has the opportunity to shape the strategic direction of your Council locale and determine the policies for the services delivered to your community. It therefore becomes obvious that you will ‘wear many hats’ and have many roles and responsibilities as a Councillor.

It is hoped that this chapter will particularly assist you to identify these numerous roles and responsibilities and execute them to the best of your ability.

Chapter 1.1

COMMENCING THE JOURNEY

The journey commences with your decision to stand for election as a Councillor. You may have made this decision because you want to...

- Speak on behalf of your local community, representing their needs and concerns
- Pursue your political beliefs and aspirations, and
- Offer your personal and professional skills to assist the work of the Council.

In order to stand for election, you must be qualified to do so, in accordance with the following information:

CRITERIA: ELIGIBILITY & RIGHTS

(i) What makes you legally qualified to be a Councillor?

The laws relating to electing and holding office in Local Government are the Parish Council Act (1901), the Municipalities Act (2003) and the Kingston and St. Andrew Corporation Act.

The law states that no individual shall be qualified to be elected or, take office, or have the right to vote as a member of the Parish Council in any Parish:

IF

1. the individual is less than 18 years old or is not able to read and write English; or
2. the individual is not registered in the Parish she/he is seeking representation; or
3. the individual is bankrupt and has not been discharged by the Courts or creditors of these debts; or
4. the individual is subject to the Civil Service Establishment Act; or
5. the individual is promoting his/her financial interest in business deals with any Parish Council; or
6. the individual is a member of the House of Representatives

SPECIFICALLY

7. Kingston and St. Andrew Corporation Act requires that the person must have established residence for twelve months immediately before the day of the election. (Section 12 (2) of the KSAC Act). Persons appointed as Councillors to the Portmore Municipality must also report to the St. Catherine Parish Council and attend its Committee meetings.

Casual Vacancies in Parish Councils — By-Election

When there is a casual vacancy in any division, there shall be a By-Election to fill the vacancy, within three months of the vacancy:

- The three months begin when it is entered into the Council's minutes or the supreme court declares the seat vacant
OR in the case of the KSAC
- Within the three months after the notice is given in writing to the Mayor or Town Clerk by two persons legally entitled to vote at the last election within that Division.

The Chairman of the KSAC/Parish Council in consultation with the Chief Electoral Officer shall set the date for such By-Election.

(ii) Rights of the Candidate (for Councillor) in Local Government

A Candidate for Election:

1. is entitled to the official list of electors who are eligible to vote in the upcoming election.
2. is entitled to a certified list of all the names of candidates nominated.
3. can withdraw from the election at anytime; and not less than 96 hours before the polls open on Election Day - as long as the laws are followed.

The Candidate is entitled to receive:

- A list of Poll Workers;
- Copies of the Notice of Grant of Poll;
- A separate list of Electors at each Polling Station; and
- A list of all persons transporting ballot boxes from Polling Stations to the Counting Centre.

The Candidate has a right:

- to object to, or question, the information received from the Returning Officer within 5 days after receiving such information.
- to be present and if necessary, with representatives, at the Polling Station; but for no more than 5 continuous minutes.
- to obey the Secrecy of the Poll as required under the Act.
- to be present at the counting of votes.

(iii) Who is Entitled to Vote?

At the Local Government or Parochial Council level Jamaica is divided into two hundred and twenty seven (227) Electoral/Parish Council Divisions. These are further divided into over 6,000 polling divisions/stations.

By law there should be a Local Government Election in every third year, not earlier than a day in March or later than a day in June, as the Governor General may order.

The requirements for voting in a Local Government Election are similar to that of the General Elections.

To be eligible to vote:-

- The voter's name must appear on the Official List for a Polling Division in his/her constituency
- The voter must be a citizen of the Commonwealth and must meet the voting age
- ^a The voter must also have lived in Jamaica continuously for a period of at least twelve (12) months before the Elections.

Note should be taken that no person is allowed to vote more than once in any Local Government Election

(iv) Rights of the Citizens in Local Government

Under Section 11 of the Parish Councils Act:

- Every person shall be entitled to vote at an Election of a Councillor to serve on a Parish Council for any Electoral Division;

IF

- his or her name appears on the official list, prepared in accordance with the Representation of the People Act, for some Polling Divisions

UNLESS

- his or her name was wrongly included in such list; or
- he or she is disqualified from voting by reason of any provisions of the Act; or
- subsequent to his or her name appearing on the official list, he or she ceases to be a Commonwealth citizen or to be ordinarily resident in Jamaica; or
- on Election Day, he or she is an inmate of any Mental Hospital; or
- is undergoing any sentence of imprisonment.

In order to establish the identity of any person by whom a ballot is demanded, the Presiding Officer may, if he deems it necessary, make the following enquiries of such persons:

- his or her date of birth;
- his or her place of birth;
- the mother's maiden name; and
- the mother's place of birth.

The Presiding Officer shall compare the answers given by such persons, with the information appearing on the record referred to in Section 32 (1) (k) of the Representation of the People Act pertaining to the elector in whose name the ballot is demanded.

(v) The Powers of the Minister of Local Government**The Minister has the power to:**

1. confer the title of Mayor and Deputy Mayor to the Chairman and Vice-Chairman of the Parish Council;
2. approve the expenditure for the remuneration of the Secretary and other officers of the Council;
3. have the final say regarding repayment of expenses for a Councillor's travel and other related expenses;
4. approve the leasing of land by the Parish Council for any public purpose, for a period of no longer than 21 years ;
5. approve the acquisition of land for the purpose of a cemetery or for any other public purpose by the Parish Council;
6. approve the money to purchase land to be taken out of the Treasury;
7. acknowledge the submission of any Act from the Parish Council and authorize it, before it is published in the Gazette;
8. modify any local scheme proposed by a Parish Council;
9. approve the sale of surplus land owned by the Parish Council;
10. approve the limits of towns, when made by the Parish Council;
11. dissolve the Council if he believes the Council is not competent to perform, persistently defaults in performance of its duties, exceeds or abuses its powers;
12. amend or revoke any by-laws, rules or regulations made by a Parish Council, in the interest of national policy
13. make regulations affecting Parish Councils;
14. audit the books of any Parish Council; and
15. acknowledge the submission of the Summary of the Accounts of each Parish, as made by the Auditor General, at the end of each Financial Year
16. Define limits of Towns or Villages — Section 114-115
17. Dissolve the Parish Council or Municipality — Section 116
18. To make certain Regulations — Section 121-126A
19. Determine liability of Councillors for certain expenditure — Section 118
20. To order a Parochial Audit — Section 127-133

See **Parish Councils Act Section 90 (1) to 133** for information on such matters as:

Meetings; Terms of Office for Chairman and Vice Chairman; Quorum; Appointment of Committees; Payments for Councillors; Disqualification; Liabilities for unauthorized Expenditure; Power to Expel Councillor; Contractual Arrangements; Offences & Penalties.

ALSO

See **Chapter 7 for 'Council Functions'** and information on proceedings of Local Authorities, such as Responsibilities/Role of Committees & Discharge of Functions.

Chapter 2

BEGINNING THE JOB!!

Having stood for election and having been elected, you must next take your 'Oath of Office.'

The Oath of Office

Section 91 of the Parish Councils Act states *“No Councillor shall sit or vote at any meeting of such Council until he/she has made and subscribed to the following declaration.”*

A Councillors' tenure in office commences with the following official declaration...

The Oath



This Oath

- **must** be taken after a Local Government Election;
- **in** the presence of the Principal Returning Officer;
- **and** at subsequent occasions at meetings of the Parish Council
- **before** the Chairman or the Presiding Councillor.

See Clause 92, Parish Councils Act, 1901, for procedures for first meeting after general election of Councillors and election of Chairman.

Chapter 2.1

WHAT INFORMATION DO YOU INITIALLY NEED?

In the first few weeks new Councillors will need to know:

- The rules under which the Local Authority operates, i.e, the Parish Council Act (1901), the Municipalities Act and the Kingston & St. Andrew Corporation Act and associated legislation and regulations;
- What your roles and responsibilities are;
- How to find your way around the structures and processes of the Local Authority to effectively undertake your role; and
- Where to go to obtain assistance and further information.

You will also need basic information about such things as:

- Meeting times and venues;
- Your formal obligations;
- Council meeting procedures;
- The organizational structure of the Local Authority;
- How the Local Authority operates – the link between the political directorate and the administrative arm;
- What the Local Authority does and how it does it, for example, its strategic directions, the services provided and the facilities available; and where to go to get more information.
- Your relationship with other agencies, e.g., Public Health, NSWMA, MLSS, NWA, NWC, ODPEM and NGOs etc.

A new Mayor or Chairperson will also need to know about his/her specific leadership and civic responsibilities relating to his/her role.

You've been elected! Congratulations!! You've also taken your Oath of Office!! This may turn out to be the easy part, as the "JOB" now begins!!!

Chapter 3

YOUR JOB DESCRIPTION

You have taken a job that has a 'huge' job description. Your job is governed by rules and regulations that you must adhere to. Done well, it could be the most rewarding thing you will ever do! You will be involved with individuals and groups with a range of problems and priorities.

Different people will have different perceptions about you: some will think being a Councillor is a full-time job for which you are being handsomely paid; others will hold you responsible for things which happened (or didn't happen!) before you were elected. However, you must now do the "JOB".

Job Role

The role of the Councillor is to fulfil four main functions:

1. To understand and represent the needs of the citizens in your division
2. To contribute to the wider strategic representation and decision-making activities that affect your citizenry as a whole
3. To participate fully on any committee, working group, partnership as established by the Council
4. To act as a lead member for any of the Council's activities as may be required by the Council.

It should be noted that this job description only covers a Councillor's role, however, some Councillors will have additional responsibilities and relevant job descriptions for additional roles.

Responsibilities

In order to perform the above role a Councillor will need to fulfill the following responsibilities:

1. Maintain knowledge and act in accordance with relevant legislation and the protocols regarding decision making, code of conduct, member/officer relationships;
2. Attend and fully participate in Council meetings and any other meetings held by the Council;
3. Formulate policy, maintain up-to-date knowledge of the needs and issues affecting the Local Authority and participate in appropriate consultation exercises of the Local Authority;
4. Actively participate in and maintain up-to-date knowledge of the issues affecting Committees of Council, working groups, partnerships, etc., and exercise delegated powers in connection with such work;

5. Represent constituents by meeting with them to develop community work plans and actively holding and participating in community meetings to execute these plans;
6. Effectively balance individual needs of citizens with the needs of the entire community;
7. Act as an advocate for constituents in resolving particular concerns or problems;
8. Ensure that the Local Authority, Executive and relevant Committees are kept informed regarding issues affecting the work of the Councillor;
9. Undertake training that is appropriate to performing the role of Councillor.

Skills & Competencies Required

Community Leadership

Ability to diligently engage with the community to learn, understand and act upon issues of local concern. Ability to mediate fairly and constructively and encourage trust by representing all sections of the community.

Scrutiny and Challenge

Ability to seek and scrutinize opportunities and provide effective feedback. Ability to analyse information quickly and present arguments in a concise, meaningful and easily understood manner.

Communication Skills

Ability to listen keenly, use appropriate language and checks to ensure understanding. Ability to communicate regularly with individuals and groups in the community.

Working in Partnership

Ability to build positive relationships by making others feel valued, trusted and included, and work in a collaborative manner to achieve goals. Ability to maintain calm and focus, recognizing when to delegate and provide support and how to take a long-term view in developing partnerships.

Political Understanding

Ability to act ethically, consistently and with integrity in communicating values and representing group views on decisions and actions. Ability to work across group boundaries without compromising values and ethics.

In addition to the core skills and competencies, a Councillor will also need to develop the following supporting skills:

IT Literacy	Negotiation Skills
Facilitation Skills	Communication Skills
Statistical & Numerical Skills	Business Writing Skills

JOB TENURE

According to Section 14(1) of the KSAC Act and Section 8(1) of the Parish Councils Act, the general election of Councillors to serve on respective Councils shall be held every three (3) years. Both Acts also state that the ***term of office for a Councillor shall be from the date of his/her election until the general election of members.*** Note that, unlike Parliament, Parish Councils are not required to be dissolved prior to the holding of the general elections.

OBJECTIVE OF THE JOB

The main objective of your job as a Councillor is to:

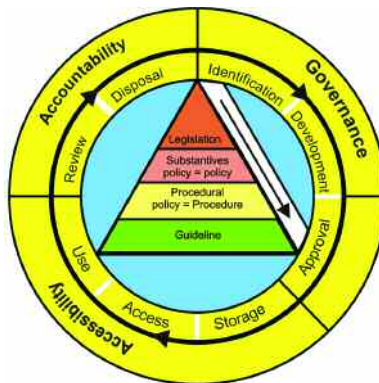
'Work with local communities to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives.'

THE NATURE OF THE JOB

As a Councillor, you have a very important job to do. Local Government is the closest government to the people and provides them with the most basic of services related to planning, administration, roads and works, finance, poor relief, garbage collection, sewage control, transportation, markets, fire and police protection, to name a few. To do the job well, Councillors need dedication to the community and a vision for the future.

The following diagram, '**THE COUNCILLOR'S OPERATIVE JOB FRAMEWORK**' provides you with a synopsis of the job. Use it as a constant reminder.

THE COUNCILLOR'S OPERATIVE JOB FRAMEWORK



Governance — Observe the Governance Principles & Practices that Clarify Goals, Ownership of

Processes, Participation, Goodwill, Roles, Relationships

Accountability — Be accountable, show integrity

Accessibility — Be accessible to Council & citizens

Chapter 4

HOW TO BE AN EFFECTIVE COUNCILLOR

Represent the People

As a Councillor, you are a representative of your constituents. This means speaking up for individuals and groups in your area, whether they voted for you or not! You will not always agree with them because you have to consider the wider needs of the community as well as individual concerns. Talk to fellow Councillors about how they keep in touch with their constituents. Do what you say you do and ensure that the people you represent see your actions in copies of letters you write on their behalf and the replies you receive. Think about how you will deal with people. Approach your representation by first:

- Evaluating the policies and programmes of the Council
- Considering the needs of the people you represent
- Making recommendations that can improve these policies and programmes.

Be a Community/Civic Leader

Another important part of the job has to do with working with other groups and organizations to develop a bigger picture of what actions would best serve the communities/division. For example, you will need to build linkage with the police, the health service, the light and water providers, benefits agencies and other local groups. Good relations with these bodies will make it easier for you to speak to them on behalf of your constituents. In your attempt to promote democracy and empowerment, you must from time to time ask yourself such questions as:

- What are the best ways I can get input into Council plans and processes from citizens, communities and interest groups?
- How can I demonstrate that I am available to and concerned about my community and/or constituency?
- How can I make sure the community is involved in implementing the plans and programmes of the Council?

ONE OF YOUR MAIN RESPONSIBILITIES AS A COUNCILLOR IS TO WORK WITH CITIZENS AND CIVIC GROUPS TO OVERCOME THE CHALLENGES OF THE CITIZENS YOU REPRESENT!

Represent the COUNCIL...WELL

As Councillors, you constitute the political directorate of the Council and you are collectively responsible for ensuring that all of the Council's legal and other designated duties are properly and effectively discharged. When meeting in Council, Councillors exercise the legal powers and authority which have been conferred on the Council by various statutes/laws. When you represent the Council you need to, at a minimum, individually and collectively ensure that YOU:

- Properly execute the mandated responsibilities of the Council you represent
- Take responsibility for management of the affairs of the Parish, ensuring that available resources are utilized in the most cost-effective ways to address the needs of the citizens/communities
- Provide political leadership towards forging consensus among Parish stakeholders regarding local policy options and developmental objectives
- Effectively represent the citizens and communities of the Division
- Forge strong linkages between the Council and the local communities.

You must at all times put forward the views of the Council, and importantly, report back to the Council on progress made on all matters concerning the Council.

MANAGE YOUR TIME!

When you first walk into your new role it's important to be aware that the most important resource is both your time and how you are able to use it. This short section is designed to assist you to get a decent return on the time you invest and to help you make sure that you do not forget about the rest of your life! - Time for family life? - Time for me?

A) Take Stock!

Being a Councillor is time-consuming and hard work! It involves being able to read and absorb vast quantities of information, reading reports and correspondence and lots of contact with the public. Understand the current pressures on your time. Councillors have to work full time. It is therefore important that you properly organize your time, particularly regarding the Council's mandated activities such as Council meetings and your constituency meetings. Be familiar with the Parish Councils Act Sections 90 – 133 that address the matter of meetings. Liaise with the Local Government Administration Unit regarding such processes as time-off/absence.

Yes, it's a democracy but your absence from meetings will still have an impact! So try to understand the processes early to alleviate the pressures. You are legally entitled to some time off. Think, too, about the time you set aside to deal with constituents' problems. Be reminded of universal rules in time management:

1. Keep a diary
2. There is never enough time!
3. Your use of time should reflect your priorities and requires an ability to manage competing pressures you may have
4. **MANAGE YOUR TIME AND MANAGE YOUR STRESS!!!**

B) Take a look at the territory

Councils exist on meetings; there are committee meetings, group preparation meetings, pre-meetings, agenda meetings, working group meetings, party-related meetings and external business meetings. Also, talk to someone who has been with the Council for a while and ask them to help you understand the likely commitment.

C) Define what kind of returns you expect to get on your time

Simply being in meetings doesn't necessarily achieve anything. But you will have to do a fair bit of that. It is important for a new member to be seen in meetings. If there are votes to be held you will be expected to take part.

Try to define how else you'll measure the difference you can make. If you know what skills you bring to the table you will be in a better position to do this. It may be that you are good at asking questions which focus attention on key issues. This can prevent meetings lasting longer than necessary.

D) Learn from the experts

Don't underestimate the skills you will need to chair meetings effectively. Some people are good at chairing meetings. Watch them and learn. Look at how they bring people in who want to speak. Examine the way they close down debate without being rude. Look at their body language when they want to signal that time is running out. Listen to the way they cue others (with nods for example) to encourage contributions. Learn and use! You'll be better as a result. Know the terms of reference for Committees, what they are legally empowered to do, and their restrictions.

E) Teamwork

How well you and your fellow Councillors can put aside differences to work to achieve common goals can make a profound difference to the outputs of the Council, its image in the community and your level of satisfaction.

CREATE A 'CAN DO' ATTITUDE; LEARN THE SECRET OF LISTENING; KNOW THE DIFFERENCE BETWEEN REACTIVE AND PROACTIVE SERVICE... AND THE MAGIC OF SELF RESPECT!!!

GET THINGS DONE

Know where you are going – you need vision and you need to set out your objectives

Carry people with you – work with others to achieve things.

More unite than divide – use issues to unite communities and parties.

Know the difference between the urgent and the important – be realistic about what you can do!

WORK CORDIALLY WITH OFFICERS OF THE COUNCIL

Politicians focus on outcomes – what will happen. Officers broadly make those things happen. It's a partnership. Both parties are important!

- a. **Understand their pressures:** In most Councils there is little or no spare capacity. Everyone is working flat out. People have their jobs to do and other pressures on their time. If you want something done someone will have to rearrange their priorities to help you. Officers will do that if they understand your perspective. You cannot direct or attempt to direct an employee of the Council in relation to the discharge of the employee's duties.
- b. **Know what can and can't be done:** Resources are tight and Councils do a lot of business. If you want to get something done try to make it fit with existing priorities.
- c. **Be polite, authoritative and earn respect!** As a Councillor, you are a public figure. Behave in such a manner that people will look up to you. They will be more willing to help you if you do.
- d. **Talk to successful members.** They will be able to show you the ropes.
- e. **Learn to share the credit** – You can achieve very little on your own!
- f. **Normal rules apply:** It can be easy to forget the niceties of everyday life in the hustle and bustle of Council business, but saying 'please', 'sorry' and 'thank you' can make a big difference to your working relationships.
- g. **Help Officers see life from your point of view.** Politics can be frustrating. Managing the competing pressures on your actions, given the various groups you represent, can be very hard. Not all Officers know what it's like. Few will know what you face momentarily. Share. Help them to appreciate your perspective.
- h. **'Elephants remember!'** It is not difficult to make enemies in politics. So if you embarrass Officers, publicly berate them, bad-mouth them, it may come back to haunt you. Remember, most Officers careers are longer than the political equivalent. Don't build a reputation for being a Councillor who should be avoided.

TALK TO THE MEDIA

As a new Councillor, you may be asked to speak to the media on behalf of the Council about local issues. You should therefore be on your guard for journalists who will come to you because you are a new Councillor, in the hope that you will make some unguarded comment. Your Council should have guidelines on who talks and what to say to the Media. Check this out first. Think about how you will perform and practise to do so when the time comes!

- a. **Have something to say.** Carefully consider what you want to say and do not focus on what it is they are going to ask you.
- b. **Do not clash with the Council's policies.** Seek policy direction as you speak for the Council.
- c. **Understand the interview process.** Be as clear as you can about where you stand.
- d. **Be careful about being quoted!**
- e. **Be upfront.** The media can be a useful tool in achieving the objective of being seen as an active Councillor

YOUR FIRST DAY IN COUNCIL

So it's your first day in Council...what should your approach be?

Your first day's approach will be dependent on the type of meeting or meetings you are scheduled to attend in your official capacity as Councillor. As a Councillor, you will be required to attend several meetings of Council, namely, monthly Council meetings held on the second Thursday in each month, special meetings, town meetings, emergency meetings.

Your first day in Council would be when you are attending your first Council meeting.

Prior to this meeting, you should have received an orientation to the Council that would inform you about its operations: its role, role of the committees of Council, your remuneration, dates for meetings

On your first day you proceed to the area designated for you to collect pertinent information such as minutes, reports, and other relevant documents. If you cannot locate the minutes for your first Council meeting then you should find copies in the Council Chambers.

During your orientation you would have been informed about expectations regarding your conduct in Council Meetings. Prior to your first meeting you should also have attended the training seminar for Elected Officials that will introduce you to your new role and provide details on the expectations of your job as a Councillor. You will particularly receive information on how to plan and conduct meetings which will focus on the clarification of your role, the rules and procedures related to effective meetings, and the By-Laws that govern these meetings.

So prepare yourself for your first Council meeting by reading the materials you received in these training sessions.

Do not hesitate to seek advice from your senior peer Councillors and from the Chief Administrative Officer of the Council on how to operate.

Chapter 5

COUNCILLOR'S MANDATE:

YOUR FIRST 90 DAYS...

The following information should assist you to make a smooth transition from your first day in Council to the first 90 Days of your Office tenure.

1. Attend the Orientation session of your Council.
2. Ensure you receive information on all training that is available for Councillors.
3. Attend the Introductory Training workshop for newly elected Councillors.
4. Attend the Planning & Conducting meetings Workshop for Mayors, Deputy Mayors and Committee Chairpersons
5. Review the Code of Ethics and Your Job Description.
6. Learn about Council Meeting procedures.
7. Review personnel policies such as compensation and leave arrangements
8. Meet the Staff of the Council to which you are elected.
9. Acquire a map of Jamaica and a Constituency map with the divisions in your jurisdiction.
10. Become familiar with the Parish Councils Act, the Municipalities Act and the Kingston & St. Andrew Corporation Act and By-Laws
11. Review the meeting minutes of your Council from the previous three to six months
12. Review the Council's policy and operational manuals: strategic plans, parish development plans, financial plans.
13. Hold discussions with your colleagues and key staff members about the process and methods that can be used to effectively work with your Council and the communities it serves
14. Identify strategies to commence the development of your Community Development Plans.

YOUR ROLES & RESPONSIBILITIES

Your role as a Councillor is not an easy one! It will demand, among all the other things named in this chapter, your expertise and knowledge about the local government system, and in particular, the operational system of the Local Authorities to which you are elected.

You therefore require an **in-depth understanding of your job situation**, *i.e., high level of expectations of the communities you serve, competing interests among the different groups of citizens living in the Council's locale, limited human and financial resources and tight time frames for delivery of services - all difficult challenges you will face during your tenure of office.*

Three important aspects of your mandate are:

- Acting as representatives of the citizens/communities you serve
- Setting policy and providing leadership roles in your Council
- Acting as custodians or guardians of public finances

Your mandate must guide you in the conduct of your duties!!!

Critical to all of this is the requirement that you must work **to improve the lives of all the citizens in the Council's locale – the Parish**. The improvement of the people's lives must be achieved through the provision of basic services, development and growth of the economy, recognizing and harnessing the skills potential of people living in the Parish, mobilizing the people to make their own contributions to improve their living conditions and job creation.

To do this effectively, you need to have a thorough understanding and knowledge of the main issues in your constituency and Parish. You are the link between the public and the Local Authority and you owe your primary loyalty to the public.

As a Councillor, you become part of a team that has the opportunity to shape the strategic direction of the constituency and Parish Council to which you have been elected, helping to determine the policies for the services delivered to communities.

Your role as a local government Councillor is a demanding one! It requires knowledge of local government systems, an interest in people and a willingness to invest time and energy in serving the needs and interests of the local community.

An important aspect of your work as a Councillor is to provide leadership for your community. In doing so, it is important that you seek to strike a balance between your duty to represent the special interests of citizens and the objectives of the broader community!!

You wear 'many hats' in your role as Councillor:

- **Policymaker** – you will be involved in establishing goals and determining strategies
- **Decisionmaker** – this is who you are and what you stand for!
- **Communicator** – you will give and receive information/ideas with understanding
- **Negotiator** – you will need negotiating skills in just about everything you do
- **Institution Builder** – you will support and help to build the Local Authority
- **Leader** – you will incorporate all of the above roles in this role, to positively change the lives of your constituents and the communities you serve.

GENERAL ROLES:

- As a Councillor, you are expected to accurately represent the policies and decisions of the Local Authority in performing its functions.
- Participate in the activities of the Council in accordance with the Parish Council Act, the KSAC Act and the Municipalities Act
- Participate in the optimum allocation of the Council's resources for the benefit of the development of the Parish
- Play a key role in the creation and review of the Council's policies and objectives and criteria relating to the exercise of the Council's regulatory functions
- Support the Mayor and Council in promoting developmental activities of the Parish
- Develop positive working relationships with counterparts in neighboring Local Authorities, identifying opportunities for community/economic development and joint ventures
- Accurately represent the policies and decisions of the Council in the performance of your duties

REMEMBER: *once elected, you also need to work with other Councillors in the interest of the Parish, while remaining accountable to your electorate and stakeholders.*

SPECIFIC ROLES:***In your capacity as an individual Councillor you must:***

- a. facilitate communication by the Local Authority with the community
- b. participate in the activities of the Local Authorities
- c. undertake duties and responsibilities as authorized by the Local Authority
- d. provide leadership and guidance to CONSTITUENTS
- e. facilitate communication between your CONSTITUENTS and the Council by being
 - f. accessible to them and assisting them to resolve problems
- g. develop positive working relationships with other Councillors and Officials to ensure an effective governance process

The Councillors of a Local Authority collectively must:

- a. develop and monitor the implementation of strategic plans and budgets
- b. determine and monitor the application of policies, plans and programmes and the efficient and effective provision of services and facilities
- c. efficiently and effectively manage the of assets/resources of the Division
- d. the fair and equitable treatment of employees of the Local Authority
- e. facilitate and encourage the planning and development of the municipal area in the best interest of the community
- f. determine and review the Local Authority's resource allocation and expenditure activities
- g. monitor the manner in which services are provided by the Local Authority

In performing any function under the Parish Council Act or any other relevant Act, a Councillor must not:

- a. direct or attempt to direct an employee of the Local Authority in relation to the discharge of the employee's duties; or
- b. perform any function of the Mayor without the approval of the Mayor

PERSONAL ATTRIBUTES: Skills, Knowledge and Personal Qualities

To be successful in your Councillor role you require a broad range of skills, knowledge and personal qualities. Councillors are required to think both strategically and laterally at times in order to effectively carry out their many roles and responsibilities. When liaising with and representing the interests of local constituents, Councillors are required to display good communication, consultation, negotiation, problem-solving and a range of other interpersonal and leadership skills to effectively represent their interests.

Councillors are public figures who need to be seen as articulate, caring, knowledgeable, approachable, and enthusiastic and organized, among other things. These are also the qualities of 'effective leaders'. As a result, the following are a summary of skills, knowledge and personal qualities you will need to possess or acquire quickly:

PERSONAL & LEADERSHIP SKILLS

TO SEE HOW YOU RATE YOURSELF AGAINST SOME OF THESE KEY SKILLS AND QUALITIES TRY THE 'SELF-ASSESSMENT TOOL' IN APPENDIX G.

Leadership Qualities	Communication & Relationship	Ethics & Accountability	Personal Effectiveness	Business Skills	Specialized Knowledge
Energy/Optimism	Public Speaking	Ethical Behaviour	Time Management	Policy & Decision Making	Local Knowledge
Motivation	Networking		Stress Management	Meeting Skills	Local Government Legislative Framework
Resilience	Advocacy	Accountability	Managing Emotions	Business Planning	Planning Framework
Teamwork	Active listening			Business Writing	
Strategic Thinking	Negotiation			Reading	
Confidence	Community engagement			Using Technology	
Assertiveness	Work with the media			Managing Budgets	

Chapter 6

COUNCILLOR'S CODE OF ETHICS

Councillors are accountable to the people who elected them and the Code of Conduct sets the framework that governs their behaviour. Councillors are required to set good examples for their constituents, hence the Code of Conduct requires Councillors to *'perform the functions of office in good faith, honestly and in a transparent manner.'*

Councillors must at all times observe the Code of Conduct to ensure high standards in the way they undertake their duties. This duty to observe the Code primarily applies to situations where Councillors are undertaking official duties or acting as representative of the Council. A copy of the Code of Conduct is attached as *Appendix F – Code of Ethics for Jamaican Councillors*.

In summary, Councillors should:

- **Not** do anything which will bring the Council or their office into disrepute
- **Not** misuse their official position to their own advantage or to the advantage or disadvantage of others
- **Promote** equality by not discriminating against others
- **Treat** others with respect
- **Respect** confidential information
- **Listen** to the advice of technical officers, especially where the matter relates to possible illegal decisions or expenditure
- **Not** misuse Council resources or authorize their misuse, in particular for unauthorized party political purposes

PERFORMANCE EVALUATION

While you are on the job performance will not be evaluated through a formal process, **you will be evaluated by the people who elected you, through the ballot!!**

To ensure that you receive a positive job evaluation you must deliver quality performance by adhering to your job description, be in constant communication with your constituents, develop your community work plans and deliver quality service in an ethical manner.

Chapter 7

ROLE OF COUNCIL

COUNCIL MEMBERS

Being elected to the Council of a Parish is a challenging, yet rewarding experience. As an elected official, you have the opportunity to significantly influence the future of your community. People will look to you to represent their best interests and make informed decisions that will benefit the Parish as a whole.

If you are a Councillor in a Parish that elects Councillors on a divisional basis, it is important to remember to consider the needs of your entire Parish, not only the needs of the division you represent. As difficult as it may be at times, you must base any decisions you make on what is best for the entire Parish.

Council members have both individual obligations and broader obligations as part of the Council. As part of your Council duties, you must:

- consider the well-being and interests of the Parish as a whole and bring to Council's attention anything that would promote the well-being or the interests of the Parish;
 - participate in developing and evaluating the policies and programmes of the Parish;
 - participate in meetings of the Council, Council committees, and other bodies to which you are appointed;
 - keep in confidence a matter that is discussed at a meeting closed to the public until it is discussed at a meeting conducted in public; and
 - perform any other duty or function imposed by Council or legislation.
- How these duties are to be carried out is explained throughout this Reference Guide

Council's effectiveness depends on you providing input as a representative of your area, while thinking and voting on behalf of the entire Parish

The Chairman of the Council has a critical role. The Mayor provides leadership to the Council and is often the “face” of the community when responding to Parish issues, articulating Parish concerns, responding to media inquiries or attending major community events. **Note: the Mayor is the Chairman of the Council.**

In addition to the duties of a member of Council, the Mayor must:

- provide leadership and direction to the Council;
- preside when in attendance at all Council meetings, except where the Council's procedure by-law provides otherwise (See Part 6), by taking the Chair and calling the members to order;
- receive and submit in the proper manner, all motions presented by the members;
- represent and support the Council;
- represent the Council at all civic functions and carry out civic duties
- ensure transparency in the daily operations of the Council
- act as a catalyst for change and development
- perform any other duty or function as assigned by Council; and
- vote on matters put to a vote of Council.

REPORTING RELATIONSHIPS

- **Councillors report to the Citizens**
- **The Secretary/Manager reports to the Council**
- **The Staff (including department heads) reports to the Secretary/Manager**

Remember, it is extremely important that you work as a team with the rest of Council. As a member of the team serving your Parish, your input is exceptionally valuable. When an issue is being considered, make sure to express your views during the debate. This will make your term a successful one and help you to achieve your goal of good governance, and ensure Council can make sound decisions.

ROLE OF COUNCIL

Council's primary role is to ensure services are provided to citizens and taxpayers. This involves making decisions about which programmes and services are to be delivered (policymaking) and ensuring that the Council's administration provides the programmes and services in the most efficient way possible (programme monitoring).

Participating actively and in ways that respect the needs and contributions of others enhances team effectiveness.

Policy making is how the Council gives direction to its activities. A policy is a plan of action to guide Council decisions.

More specifically, policymaking:

- is a process by which a local government translates their political vision into programs and actions to attain goals, and deliver outcomes or changes in the community;
- involves the identification of different alternatives, such as programmes or expenditure priorities, and choosing among them on the basis of the impact they will have Council should review and amend policies as required, to ensure they continue to meet the goals/ outcomes established by Council.

Many Councils have developed and maintained a policy manual to assist them in making consistent decisions. A policy manual outlines the steps to be followed in different activities of Council.

Examples of information generally found in a policy manual include the expenditure approval process, tendering policy, and the employee evaluation process. In addition, you can review minutes of previous Council meetings to identify other decisions to be included in the manual. Any additions to the manual should be approved by Council.

If there is no policy manual in your Council, work towards putting one in place. The easiest way to start is to identify decisions made at Council meetings that should be included in the manual.

Programme monitoring is the regular review of programmes and services offered by the Council comparing the results against Council's desired objective. It is important to evaluate programmes to ensure they are achieving the desired goals/outcomes, and are implemented within time, budget and with efficiency.

Questions that Council might contemplate during the review of service delivery programmes and policies include:

- Does the programme/service remain viable and realistic?
- Is it being delivered on time and within budget?
- Are there new approaches to delivering the same program/service?
- Can it be delivered in conjunction with other Council partners to increase efficiency or broaden delivery of a desirable program/ service?
- Are applicable regulations being adhered to?

Some Powers of the Council

- Power to make regulations
- Power to make by-laws
- Power to approve the annual budget of the Council
- Power to approve adjustments to the budget
- Power to approve the applications for the Development of Subdivisions and Buildings
- Power to approve licences for Barbers and Hairdressers
- Power to approve licences for Places of Amusement
- Power to approve licences for Butchers
- Power to approve the construction, repair and deviation of new and existing parochial roads
- Power to establish abattoirs and markets
- Power to define town limits for general or specific purposes

ROLE OF COUNCIL COMMITTEES

Most Councils establish Council committees to help Council carry out its responsibilities. Appointing committees recognizes that due to time and resource pressures, the complex and heavy workload cannot all be handled by the full Council. It is also an effective way of bringing additional expertise and new perspectives to the table.

It is a must that every Councillor attend and participate in Committee meetings, owing to the fact that it is the ONLY recorded medium through which a Councillor can speak to the concerns and issues pertaining to his/her division.

Councils are required by law to establish a Finance Committee to manage the finances of the Council. Council has considerable flexibility in establishing committees; appointments to committees are made by the Chairperson of Council who is the Mayor. The Mayor is considered a member of all committees unless Council expressly provides otherwise in its organizational by-law. Committees may be comprised entirely of members of the Council, or a combination of members and other persons.

The Council can benefit from additional expertise when citizen representatives are invited to serve on committees.

Generally there are four types of committees:

- **Standing Committees**

Standing committees are delegated certain powers and duties to facilitate the administration of the Council. The committees formulate recommendations on policies and procedures to bring forward to Council for consideration. Examples of Standing Committees include: Financial Management, Human Resource/Establishment, Infrastructure/Roads & Works, Trust & Estates Management, Public Health, Civic Affairs, Municipal and Commercial Services, Physical Planning & Environment.

- **Statutory Committees**

The Poor Relief Committee is a Statutory Committee appointed under the provisions of the Poor Relief Act. This Committee comprises a specific number of Councillors, representative of the Board of Supervision and co-opted members.

- **Ad Hoc Committees**

Ad Hoc Committees are created as special purpose bodies to investigate and report on particular matters. Once the committee has fulfilled its purpose (i.e. reporting to Council), its mandate ceases and it is dissolved. Examples of Ad Hoc Committees include: an Arena Committee (to research a new facility) or a Centennial Committee (to plan a centennial celebration for the community).

- **External Committees**

Council will appoint representatives to other committees, which are deemed 'external', and where the Council has a vested interest in the committee's mandate. Examples of External Committees include the Library Board and the Regional Health Board.

Chapter 8

COUNCILLOR REMUNERATION

Council remuneration is almost always a sensitive topic and typically generates much public interest. Section 96A - 97 of The Parish Councils Act provides information on arrangements for Councillors to receive payment of salary and reimbursement for expenses incurred in the execution of their duties.

A Parish **Councillor** shall be entitled to receive payments, at rates which shall be determined by the Council; **after consultation with the Minster**, and by way of

- reimbursement of expenses on travel+ling and subsistence;
- reasonably incurred by him/her;
- for the purpose of enabling him/her to perform any approved duty as a Councillor

Council remuneration may include:

- **Compensation for attending to Council business** – Council may pay a fixed monthly or annual amount, a per diem, per meeting rate, or a combination of rates, as per government directives.
- **Recovery for expenses incurred while attending to Council business** – Council may pay a fixed rate that will be paid for certain expenses, such as mileage rate, or require members to submit actual receipts for the expenses claimed and establish limits on claimable expenses even with receipts.
- **Remember that Council remuneration is public information.** The Council has the responsibility to include a detailed account of each payment made to each Councillor in the annual financial statement. It is important to note that although annual reporting is a requirement, public perception may be improved if the information is provided on a more regular basis (i.e., monthly).
- A Councillor may also be eligible to receive a retiring allowance in accordance with The Retiring Allowance (Parish Councillors) Act 2005. This is a contributory pension Scheme. Subject to this Act there may also be an award to widows.

The annual financial statement of the Council must detail the amount of compensation, expenses and other payments made to members of Council or any committee.

Chapter 9

COMMUNITY DEVELOPMENT

Local government provides for community well-being and enables democratic local decision making and action on behalf of communities. Councils are made up of members of the public elected in Local Government elections held every three years. Each Council must decide how to structure or organize itself to work on behalf of its community.

The more citizens participate in local government, the more likely Council's decisions and actions will achieve the short- and long-term objectives of the community. It is therefore imperative that Councils prepare Long- term Council Community Plans (LTCCP)/Corporate Plan that will outline the Councils plans and objectives over an extended period of time, for example, ten (10) years. **This plan should outline the services that will be undertaken for the benefit of residents and ratepayers of the Parish, along with the cost and method of paying for each service and should present a clear picture of where the Council is heading in the future. The Council's Annual Plan should be part of this long-term Corporate plan.**

This process will give citizens a chance to have a say on the future of their local community.

The challenge for Councils is to balance the needs and expectations of ratepayers for services with the ability to raise income, from both rates and other sources, to cover the costs of the services.

i.e. A major consultation & feedback process accompanies the development of the LTCCP.

Community Engagement/Consultation & Feedback

Councillors need to engage with all local stakeholders to ensure sound governance and to maintain current understanding of issues and concerns facing their communities. Through community engagement local Council decisions will incorporate the views and perspectives of stakeholders in the implementation of policy, programmes and services.

What is Consultation?

Consultation refers to the way Council seeks the views of stakeholders and customers in order to develop the Long-term Council Community Plan.

What is Feedback?

Responses received from Consultations.

- Councillors should aim to utilize the following engagement principles:
- **Inclusiveness** – connecting with those hardest to reach... reaching out
- **Mutual respect** – listening, understanding and acting on different experiences
- **Integrity**

To commence the engagement process the Councillors should consider options such as:

- How best to consult all stakeholders and customers
- Which methodologies will achieve the best results
- Who will manage the consultation process
- How will the process be communicated
- What processes will be used to decide on actions Council will take, based on feedback

The Consultation Process

As a guide, Councillors are encouraged to consider the following process:

Step 1: Develop consultative strategies

Step 2: Select target customers and stakeholders

Step 3: Conduct agreed consultative activities

Step 4: Analyse feedback and comments

Step 5: Communicate feedback results

Step 6: Amend the Plan to reflect feedback

The Councillors' Role in Community Development

Liaising and consulting with ratepayers and other stakeholders is an integral part of being an effective Councillor. It is imperative that you strive to create and maintain a favourable physical and cultural environment where the communities in your jurisdiction can grow and prosper.

Developing communities is what your job is all about. How well you do this is the standard by which your success as a local government leader will be judged!!

A good community development effort is usually based on good long-term planning – a **development plan**, so that basic amenities such as street and utility improvements, economic development, health care and environmental projects, to name a few, can be handled in ways that complement each other.

A Development Plan will:

- Keep you and your Council focused
- Create an image of a focused, action-oriented Council, which leads to increased
- Provide your Council with a guide by which to measure progress

Creating Your Work Plan: Community Development Plan

You must prepare a work plan that incorporates your Community Development Plans for communities in your jurisdiction. This plan should be a vision of what the stakeholders want their communities to achieve

Your work plan will be an action plan aimed at implementing activities detailed for action through consensus in the Council's LTCP discussed in 4.5. Once you have envisioned a plan and set goals, initiate programmes and projects that will help achieve your objectives. Drafting a community Development Plan is an excellent way to involve and interest the public in Local Governance.

How to develop your Work Plan

1. **Goal setting** - Start with a vision for your community that will be acceptable to the majority of citizens. People are more likely to agree on a broad goal, such as 'creating a safe neighbourhood for everyone.'
2. **Share this vision with citizens** using the consultative process (4.5.1.1) and seek to adopt the agreed goals at the next Council meeting through the process of resolutions. Formally adopting a Development Plan will give the plan more weight and authority within the community. **LET THEM KNOW WHAT YOU ARE DOING!!!**
3. **Consider establishing a sub-committee** in your Division to handle the planning of the activities to be implemented.
4. **Consider holding public hearings or informal public forums** to discuss and to brainstorm different ways of achieving the desired goal.
5. **Delegate specific jobs to members or volunteers in the community** as well as to fellow Council members. Ensure that a time frame has been allotted for each activity.
6. **Ensure that a realistic budget** with identified resources (human, financial, equipment, facilities) is given careful consideration.
7. **Implement the plan** and use regular evaluations along the way.
8. **Solicit feedback** through continuous community engagement, via public hearings, fora, surveys or other monitoring mechanisms.
9. **Prepare regular progress reports** for submission to Council.

Your work plan should be a sub-plan of the Councils Long term Community Plan or Corporate Plan.

Bear in mind that major problems like crime and unemployment will not disappear overnight. A community development plan is a long term process, and often the results of your work will not be apparent for several years. And finally, remember that compromise will always be part of creating a town plan. Achieving consensus is crucial to your plan's success and reaching consensus will always mean compromise!!

As leaders in the community, Councillors should be strong advocates for community engagement which can be achieved through:

- the development of a sound **work plan** which identifies community issues
- incorporation of diverse views in the **planning process**, and
- **assessment** of new methods and ideas to solve problems.

Chapter 10

ROLE OF COUNCIL ADMINISTRATION

A vital part of the smooth operation of local government is the interaction between Council and the administration. You will depend on the administration to provide you with information to make sound decisions. Understanding the role of your administration will help you carry out your role as a Councillor.

The Council's administration exists to take care of the everyday work of running the Council. If citizens ask you for information on the Council's programmes, and services, you should not hesitate to ask your Secretary/Manager, the Chief Administrator Officer to provide clarification on administrative procedures.

Council administration has a responsibility to ensure the delivery of the Council's programs and services, based on the policies set by the Council.

ADMINISTRATIVE ORGANIZATION

The administrative organization of your Council and reporting relationships of senior staff is a Council's prerogative and generally reflects the Council's size, services and priorities. Established posts have to be approved by the Ministry of Finance. All Councils have the Secretary/Manager report directly to them, with the administrative staff members reporting to the Secretary/Manager. Departmental heads also report directly to the Secretary/Manager.

All Councils should have an organizational chart illustrating their administrative structure. [See Appendix H for Sample Organizational Chart of Council]. The chart will show the reporting relationship between the Secretary/Manager, other department heads, and Council staff. Ask the Secretary/Manager for a copy of your Council's organizational chart and review it to ensure it best meets your Council's needs.

THE SECRETARY/MANAGER (Chief Administrative Officer)

As the administrative head of the Council, the Secretary/Manager (Town Clerk, in the case of the Kingston and St. Andrew Corporation - KSAC) is responsible for overall administration, financial management and human resource management. More specific responsibilities include ensuring that the Council's programmes and policies are implemented, advising and informing Council on the operation of the Council, preparing the financial plan and establishing financial controls, and performing any other duties assigned by Council.

All Secretary/Managers are responsible for the administration, financial management, and human resources, management of the municipality.

The Secretary/Manager is the chief administrative officer of the Council, as stated in Section 16 of the Financial Administration & Audit Act. He/she plays a key role in the overall functioning of the municipality/Council/local authority. Leaving the day-to-day operation of the Council to the Secretary/Manager allows Councillors to concentrate on policy making and program monitoring.

Section 6 of the Parish Councils Act provides for the position of Secretary/Manager. Every Council has a position description for the Secretary/Manager that clearly defines the duties and responsibilities of the Secretary/Manager. An effective job description defines the responsibilities of the job, as well as the results the Secretary/Manager will be expected to deliver. Other statutes also set out roles/responsibilities of the Secretary/Manager.

Council should also have a formal process in place to complete the Secretary/Manager's performance review. Performance reviews should be conducted regularly (about once per year) and are an opportunity for Council to provide feedback to the Secretary/Manager on performance strengths and on areas requiring improvement. It is also an excellent opportunity for Council and the Secretary/Manager to set objectives for the coming year.

DESIGNATED OFFICERS

Designated officer positions (for example, Superintendent Roads & Works, (Engineer, in the case of the KSAC), or Building Officer) are establishment posts and are subject to the Secretary/Manager's supervision. A designated officer may also further delegate to an employee of the Council any of the powers, duties, or functions given to him or her.

STAFF DEVELOPMENT

Ensuring staff is adequately trained is important, so that they can carry out their duties and stay familiar with new developments in their field. Councils should have staff development programmes in place to ensure employees are adequately trained.

Check to ensure your Council has staff development opportunities available and encourage staff to participate to further develop their skills. Making staff development opportunities available demonstrates that you value the contribution of employees, which in turn helps reduce staff turnover. A variety of educational opportunities are available for both new and experienced Council administrators.

**A
Secretary/Manager
may delegate any
of his or her
powers, duties or
functions to a
designated officer
or other employee
of the Council.**

Your human resources are as important as your financial resources. Council should encourage staff development and training.

Chapter 11

COUNCIL PROCEDURES

Council procedures must be consistent to ensure Council business is conducted in an orderly and efficient fashion. Consistent procedures also ensure that Council decisions are made in an accountable way and are clear to Council members, Council administration and the public alike. This is easily achieved with a comprehensive and effective procedures by-law.

The procedures by-law is one of the most critical Council documents, and is a mandatory requirement for Councils.

PROCEDURES BY-LAW

A procedures by-law establishes rules of procedure for Council's activities, enabling Council and the public alike to understand how business will be conducted.

More specifically, the procedures by-law establishes the:

- time frame for when meeting agendas must be distributed to Council;
- regular meetings of Council, and the day, time and place of such meetings;
- the type and amount of notice for regular meetings of Council;
- the procedure to be followed and the type and amount of notice required to change a regular meeting;
- rules of conduct at Council meetings;
- rules respecting public participation, (e.g. citizens, stakeholder groups, and media) at Council meetings;
- procedure for appointing a member of Council to chair meetings of Council in the absence of the Chairman of Council and Vice Chairman;
- the type and amount of notice for special meetings of Council; and
- the time within which a special meeting of Council must be called by the head of Council, if requested.

REVIEW OF THE PROCEDURES BY-LAW

A review of the procedures by-law may be done more frequently than once a term, at Council's discretion. If changes to the procedures established in the by-law are needed, an amendment to the procedures by-law is required.

COUNCIL MEETINGS

By now, you will have had your first Council meeting. The first meeting gave you an idea of what to expect during the next few years, an opportunity to meet fellow Councillors, and a chance for Council to establish committees and appoint committee members.

AGENDA

The procedures by-law will provide for the preparation of an agenda for each meeting of Council (by the Secretary/Manager or other designated officer). A properly prepared agenda will list the items to be considered, and the order in which they are to be considered. This ensures that:

- the public is made aware of Council's business;
 - Council business is dealt with in an orderly and expedient manner;
 - discussions of Council business are focused and streamlined;
 - meeting time is used efficiently by the head of Council, who has the responsibility for chairing the meeting; and
 - all important items of business are dealt with.
- Prior to each meeting of Council, each member should receive an agenda together with all the pertinent information, including minutes of meetings. You should review this information prior to the meeting. Remember that the public needs the agenda in advance as well.

Council members should be prepared in advance for Council meetings, and have a full understanding of the issues to be discussed.

REGULAR AND SPECIAL MEETINGS OF COUNCIL

The general rule is that all Council meetings are open to the public. Councils are accountable to the public for the decisions they make, and so the principle of open and public meetings is fundamental. Only in very specific situations should meetings be closed to the public. An atmosphere of openness and willingness to share information goes a long way to developing a positive working environment in the municipality and a good relationship with the public.

There are two types of Council meetings, Regular and Special:

- **Regular meetings are held at a regular time and location**, as set out in Council's procedure by-law.
- **Special meetings are held in instances when important Council business may arise between regular meetings** of Council. Such meetings may be called if the head of Council believes one is required, and must be called if the head of Council receives a written request from at least five (5) members of Council, dependent on the size of the Council. Notice of a special meeting to Council and the public must be given in accordance with the procedure by-law.

The general rule is that all Council meetings must be open to the public. Remember to encourage public participation by announcing meeting dates and circulating the agenda in advance.

Also, be aware that Council and Council committees must hold meeting in person, that is, each member being physically present in the time and place appointed. The facility (e.g. speakerphone) must enable all the meeting participants to speak to or hear each other, and the public to listen.

Council meetings require a quorum. A quorum of Council is comprised of the majority of the number of Council members (i.e. 7-member Council = 4 members for quorum).

MAKING DECISIONS — Resolutions and By-laws

Council decisions are made in one of two ways: by passing a by-law or by passing a resolution in a meeting open to the public. *Administrative functions* of a Council are generally performed by resolution and the *legislative functions* of a Council through by-law.

The Parish Councils Act provides that Council can only exercise their powers by resolution or by by-law.

Resolutions are a formal statement of decisions or expressions

of Council and they are adopted when Council decides on a course of action. Motions are used to adopt monthly financial statements, accounts for payment, authorize a purchase or adopt meeting minutes. Debating a resolution is important because Council members have the opportunity to deliberate and consider other points of view, to make the most reasonable decision. Keep in mind that final decisions must be recorded.

A resolution of Council is only valid if it is passed at an open Council meeting. This implies that members of Council must have the opportunity to introduce a motion, obtain a seconder, debate the question, and have the decision recorded when a vote is taken. Any member of Council (including the head of Council) may present a motion and participate in the debate.

The member should present a resolution to the chair at the time allotted on the agenda. The chair will read the resolution and conduct the debate in accordance with the procedure by-law. Reflecting its administrative nature, only one vote is required for a resolution.

By-laws are the laws of the Council. Generally, a by-law is required for a matter with continuing application or broad, long-term effect.

The Parish Councils Act provides that if a Council is expressly required or authorized to do something by by-law, it may do it **only by by-law**.

A by-law is passed by “reading” it three times, with a motion for each reading being passed by the majority vote of Council.

Passing a by-law has serious implications for the Council and for the general public, who are impacted by the by-law. For these reasons, prior to passing a by-law Council will want to consider the following:

- does Council have the authority to deal with the matter (is it within the power of local government to legislate)?
- what does the by-law propose to accomplish?
- is the by-law necessary and reasonable?
- how is it to be implemented and enforced (is Council prepared to enforce it consistently; can it be reasonably enforced)?
- what cost will be involved in administering the by-law (can existing staff reasonably be expected to absorb the additional responsibilities, or will additional staff be required)?
- what will the impact be on the community? and
- will it impose restrictions or hardships on particular areas or groups of people, and how will Council deal with the public reaction?

If the Council cannot or does not enforce a by-law, then serious consideration should be given to whether to enact it.

Council decisions are a matter of public record. You have been elected to make decisions. Making decisions means that all Council members should vote on all resolutions and by-laws unless required to refrain from voting. You must withdraw from the meeting and not vote on matters in which you have a pecuniary (monetary) interest (see Conflict of Interest – Part 8). In this case, you must disclose the direct or indirect pecuniary interest, and refrain from voting, discussing or attempting to influence the matter. **Remember that it is your personal responsibility to ensure your behaviour does not create a conflict of interest!!**

VOTING

As an elected member of Council, you are expected to participate and make decisions on behalf of citizens. Exercising your vote at the Council table is therefore critical. All members of Council, including the head of Council, are entitled to a vote, and should vote unless they have a conflict of interest.

Any members may request a recorded vote before the vote is taken. The meeting minutes must then show the names of the members present and how they voted. When there is a tie vote on a motion, the Chairman (who is entitled to two voting options — original and casting) has the option of making use of his/her casting vote. The tie can only be negative if the Chairman declines to use his/her casting vote.

MINUTES

Council meeting minutes are the public record of the meeting of Council's decisions. It is therefore extremely important for the minutes to be accurately recorded.

The Secretary/Manager is responsible to ensure that the minutes of every Council meeting are made without note or comment. Members should not ask to have certain comments or observations “recorded in the minutes”.

The recording of minutes is limited to:

- noting attendance,
- resolutions,
- recorded votes,
- reports of committees, and
- a brief note on presentations made by delegations

Draft minutes should be available for members of the Council within a few days of the meeting. Once the minutes are approved by Council at the next Council meeting they are considered public and available to anyone who requests them.

The chairperson and the Secretary/Manager should sign the minutes after they are approved by a motion at the following meeting

PUBLIC HEARINGS AND MEETINGS

The input of the public in the decision-making process is very important. By enabling and encouraging public input, Council is more in step with citizen expectations and priorities, and can develop effective responses to meet them.

Council must hold public meetings to share information and to receive feedback from their citizens. Councils should hold open houses once or twice a year to update citizens on Council business.

The input of the public in Council's decisions is extremely valuable.

Public hearings and meetings are ways of enhancing citizens' participation, and ensuring transparency and accountability of Council to the public.

Transparent, accountable, decision-making is critical to a Council's credibility with its electorate.

Chapter 12

FINANCE

Budgeting, controlling, monitoring, and reporting are all part of the annual financial cycle and you will spend a lot of time making decisions on each of these areas. When making these decisions, it is important to remember that you are responsible, as an elected member of the Council, to safeguard taxpayers' money and to make the best use of financial resources.

THE FINANCIAL PLAN - Budgeting

Each year, through the financial plan, Council establishes the priorities by setting aside money for each programme or service. The financial plan must be adopted by December 1st so it is important to start the process as soon as possible. It includes:

- **Estimated operating budget:** Anticipated revenues and estimated operating expenditures for each program and service (roads, drainage, beautification projects, salaries, etc.)
- **Estimated capital budget:** Expenditures the Council will make on fixed assets (buildings, vehicles, water and sewer facilities, land, etc.) in the current year, including how the expenditures will be financed (taxation, reserves, borrowing, etc.)
- **Estimated 5-Year Capital Plan:** Expenditures the Council anticipates making on capital in the five years following the current budgetary year, including how the expenditures will be financed (reserves, borrowing, etc.)

The financial plan is the road map the Council will follow.

Legal authority for the budget preparation exercise is found in:

- **The Parochial Rates and Finance Act (1900) Section (6)**
- **The Parochial Rates and Finance Rules (1981)**
- **Councils are also governed by the Financial Administration and Audit Act (FAA Act) and Public Bodies Management and Accountability Act**

Careful budgetary planning ensures better services and makes the best use of Council dollars.

The Parochial Rates and Finance Rules (1981) set out the procedures to be followed in the preparation of the budget, which is to be presented in the approved format.

There are several things to consider when developing the Council's annual budget:

Priority Setting:

- Identify Council's priorities by considering the current situation of your community, what you want for its future, and how you will get there.
- Adopt the priorities by setting short-term and long-term goals.
- Support the priorities through the budget.
- Make provisions for emergencies (e.g., disasters)

Expenditures:

In reviewing and setting the expenditures for the year, consider the following critical budget decisions:

- Do proposed expenditures achieve Council's priorities?
 - Is the money being spent to achieve Council's goals and objectives?
- Does Council know if current spending matches their priorities?
- Are services affordable and delivered efficiently?
 - Is the most value being achieved from tax dollars?
 - Are ratepayers getting value for their money?
 - Are there alternative ways to deliver services?
- Are services at this level sustainable in the foreseeable future?
 - Can the type and level of services be maintained, in view of the economic and population trends in your municipality, without unreasonable tax increases?
 - Are there other ways of doing business that could be considered?

It is important to remember that reducing expenditures has the same effect as increasing revenue sources.

Revenues:

Consider the range of revenue sources other than taxation available to Council:

- Fees and charges (user fees, rental fees, licences etc.) should be reviewed to ensure they reflect current costs.
- Penalties and fines (interest on overdue accounts, enforcement fines).
- Transfers from reserve accounts or nominal surplus.
- Conditional grants: Funding from the Central government that may be utilized by Council. (General Assistance grants)

Borrowing (as proposed in the new prototype of Council)

Borrowing is also a source of funding for Councils. The acquisition of capital assets, either by purchase or by construction, often requires a major investment decision to be made by Council. Capital borrowing is one way to pay for capital expenditures.

Council will be authorized to borrow, on the credit of the Council, funds that are not repayable in the current year, providing:

- The loan is within the parameters of the Council's debt capability;
- The loan is authorized by by-law;
- The loan has been approved by the Ministry of Finance;

- The loan is set out as a debt obligation in the operating or the capital budget. (the debit is a first charge on the recurrent budget)

THE PUBLIC HEARING FOR YOUR FINANCIAL PLAN

Prior to adopting of the financial plan, Council is required to hold a public hearing. The purpose of the public hearing on the financial plan is to advise citizens about the financial situation of the Council and the plans for provision of goods and services in the coming year, and to allow opportunity for the public to have input in budget decisions.

Benefits of the public hearing on the financial plan include:

- opportunity for public participation and input to the Council's short- and long-term goals;
- public understanding of the relationship between services and taxes, and the difficult decisions that must be made by Council in determining an appropriate balance between the two;
- public understanding that requests for services, grants etc. need to be presented to Council before the annual budget hearing, to ensure requests may be properly considered within the larger context;
- an opportunity for Council to present the Council's financial position, and development of the Council's short- and long-term goals and priorities.

Council is accountable to the public for their spending decisions. The public hearing provides an opportunity for the public to ask questions about the plan, and also gives Council the opportunity to respond to those questions.

Be sure to encourage your taxpayers to attend the financial plan public hearing each year. Your public notices should be user-friendly. Newsletters, public posters and one-on-one contacts are all excellent ways to advertise the hearing, in addition to the required local newspaper advertisement.

Councils should take steps to make it easy for the public to attend the financial plan public hearing. These include:

- scheduling the hearing in the evening;
- holding the public hearing as part of, or immediately following, a regular Council meeting;
- holding the public hearing at a location that will accommodate attendance (e.g., a community hall);
- making material available ahead of time; and
- making the presentation interesting and understandable by using visual aids and by preparing an information package, or featuring a guest speaker.

PRESENTING THE FINANCIAL PLAN TO THE PUBLIC

Because the financial plan may be detailed and potentially confusing, Councils should consider developing an information package. Councils should have copies of the information plan available for public review in advance of the public hearing, and also at the hearing.

An information package about the financial plan should:

- describe the public hearing process (guidelines and format); present the short-and long-term objectives and goals;
- describe the current financial situation (estimated revenues and expenditures);
- present the operating and capital budget proposals;
- review tax impacts, through graphs and charts;
- discuss budget reduction options.

CONTROLLING THE FINANCES

A Council is a corporation and, like any other corporation, requires strong internal controls, including:

- A finance committee to review reports and accounts for payment.
- A formal policy regarding expenditure authority, including delegation of authority. (e.g., policy may delegate authority to the Superintendent of Roads & Works to authorize expenditures up to certain limits for specific equipment repairs).
- A purchase order system so that the accounts for payment can always be reconciled to the purchase record.
- A tendering policy in line with the procurement guidelines governing public bodies.
- A policy for collection of sundry accounts receivable.

Prepare an information package and make it available to the public before the hearing.

MONITORING THE FINANCES

Council is responsible for effective monitoring of the finances of the Council. Council can do this by:

- Keeping up to date on the current status of the financial position of the Council by reviewing and discussing the financial reports. Your Secretary/Manager should prepare and present monthly financial statements to Council. Council is responsible to review and evaluate these statements as a whole or through a finance committee. Section 96 (1) of the Parish Council Act mandates this to the Finance Committee, the report from which is presented to the Council.
- The Parish Council Act, Section 96 (i) states that: A Parish Council shall appoint from among their number a finance committee consisting of not less than one-half the number of Councillors of the Council, for regulating and controlling the finance of the Council, and shall fix the term of office of the members of the committee and the powers and duties of the committee.

- Reviewing your monthly financial statement, so you have an opportunity to take immediate action on challenges (over-expenditures). For example, if you notice that you have spent more than you budgeted for fuel because of price increases, you may have to reduce expenditures in other areas to make up for the fuel over-expenditure.

COUNCIL AUDITS

One of the most important tools for monitoring the finances is the annual Council audit. The Parish Act requires that the Auditor General's Department audits the financial affairs of the Council on an annual basis. It is also critical for Council to have an efficient Internal Audit team which is knowledgeable of financial regulations, general Council laws and proceedings.

Council needs to make sure they appoint a qualified auditor!

Council may also wish to appoint an audit committee to define the scope of the audits. To include finances, adherence to procedures, etc.

Upon completion of the audit, Council should meet with the audit or (either as a whole, or a committee of Council, or the head of Council) to review the financial position of the Council or to discuss any irregularities. This provides an opportunity for members to discuss the concerns with the auditor present, rather than simply reading the report. **Remember to pay special attention to the supplementary report from the auditor**, which will outline any inconsistencies or deficiencies in the administration of the Council; and ensure recommendations and/or irregularities identified in the report are addressed.

Council is accountable to the public for their spending decisions. The public hearing provides an opportunity for the public to ask questions about the plan, and also gives Council the opportunity to respond to those questions.

When Council receives the audited financial statement they should advertise that the statement is available in the Council's office for public inspection. A copy should also be published in the Gazette.

For more information, review The Parish Council Act, Sections 127 — 130.

Chapter 13

CONFLICT OF INTEREST & DISQUALIFICATION

Membership of Council is a position of public trust. To protect this trust, legislation is in place to deal with situations where a member of Council's personal interests appear to conflict with his public duty.

THE PARISH COUNCILS ACT & CONFLICT OF INTEREST

Under *The Parish Councils Act (PCA)* [See Sections 99, 100, 101], matters subject to conflict of interest are pecuniary interests; i.e., those relating to money.

As a member of Council, you must make decisions based on the good of the Council, not for the good of your personal interests.

The Parish Councils Act explains what to do if a Council member has a financial interest in a matter being discussed at a Council meeting. Failure to follow these procedures is very serious and can result in disqualification from office.

Under the *Corruption Prevention Act* every Councillor is required to file a statement disclosing assets and interests not later than the last day of March each year. The statement must be filed annually.

If you acquire or dispose of any asset or interest after filing the original statement of assets and interests, you must file another statement disclosing the new acquisition or disposal with your Secretary/Manager within 30 days. This will ensure that there is always a current statement on file.

Remember that it is your responsibility to keep the list of assets and interests current and up to date.

DISQUALIFICATION

In addition to conflict of interest situations, there are other situations that can lead to **disqualification** from Council, for example, if a member:

- fails for a period of six months to attend a meeting of the said Council...his seat at the said Council shall thereupon become vacant. The minutes of the Council shall be conclusive evidence as to the attendance of Councillors for the purposes of this section.
- was not eligible as a candidate when nominated or elected;
- is liable to the Council for an unauthorized expenditure, or votes in favour of paying an unauthorized expenditure;

- was not eligible as a candidate when nominated or elected;
- is liable to the Council for an unauthorized expenditure, or votes in favour of paying an unauthorized expenditure;
- is convicted of an offence and has not paid a fine imposed on conviction within 120 days after the fine was imposed;
- is convicted of an offence, punishable by imprisonment for a term exceeding twelve months and sentenced in any part of the Commonwealth or other various offences of the Criminal Code of Jamaica, his seat shall become vacant;

A member of Council who is disqualified vacates his seat when the vacancy is entered in the minutes of council or when the Supreme Court declares the seat vacant. A member who becomes disqualified and/or loses his or her seat on Council is not eligible to be nominated or elected to Council in a by-election to replace the member. That person would be eligible for nomination and re-election at the next general election. [See *the Parish Councils Act Sections 98 to 107 – Vacation of Seats*]

Chapter 14

COUNCIL RECORDS

THE ACCESS TO INFORMATION ACT (2002)

The Access to Information Act (2002) (ATIA) attempts to strike a balance between the public's right to know and the individual's right to privacy, as those rights relate to information held by public bodies in Jamaica.

The ATIA further provides for access to Council records while at the same time protecting the privacy of personal information.

Council does not have any discretion to withhold information that must be disclosed under the ATIA.

The head of Council is responsible for all Council decisions and actions regarding ATIA. This responsibility can be delegated to a senior staff person. The fundamental principles underlying the Access to Information Act are: a) governmental accountability b) transparency and c) public participation in national decision making.

Council should designate a person, as the ATIA Officer for the Council. The duties of this Officer are outlined in the Access to Information Act (2002)

Chapter 15

COUNCIL DISPUTE RESOLUTION MECHANISMS

All Councils have, at some point, received complaints from, or been involved in conflict with a ratepayer or resident. Every complainant believes his/her problem to be unique, and has different expectations about how it should be resolved. As an elected body, Council should treat each complaint seriously and give it full consideration.

The types of complaints received by Councils are wide ranging, and can be complex

LOCAL RESOLUTION TO PUBLIC COMPLAINTS

Most often, Council or staff can easily resolve the complaint or dispute through discussion with the complainant.

Several local dispute resolution options are available to the Council:

- discussion among administrative staff, Council and the complainant;
- establishment of a committee of Council to hear and make recommendations to resolve complaints.

Councils could also consider using an impartial third party, including a citizen representative, or going to formal mediation, through a mediation services agency.

Councils are strongly encouraged to make every effort to resolve complaints at the local level.

These options are not exclusive and all of them may be useful in a particular circumstance.

Chapter 16

CONCLUSION

This Reference Guide is a starting point, not the final word. Your term of office will be an adventure. Like all adventures, it will include exciting and often challenging experiences. However, you will have the satisfaction of serving your community to provide the best possible governance. Best wishes for your success!

DIRECTORY

YOUR LOCAL AUTHORITY

Local Authority	Address	Telephone#
Kingston & St Andrew Corporation (KSAC)	24 Church Street Kingston	922-8647-8
Portmore Municipal Council	82-85 Portmore Pines Plaza, Greater Portmore, St. Catherine	740-74401
St Catherine Parish Council	Emancipation Square Spanish Town P.O., St. Catherine	984-3111-2
Clarendon Parish Council	Sevens Road May Pen, Clarendon	986-2234
Manchester Parish Council	32 Hargreaves Ave. Mandeville P.O. Manchester	962-2278-9
St. Elizabeth Parish Council	58 High Street, Black River P.O., St. Elizabeth	965-2256
Westmoreland Parish Council	96 Great Georges Street, Savanna-La-Mar	955-2656/2643
Hanover Parish Council	Church Street Lucea, Hanover	956-2173/2236/9824
St. James Parish Council	19 Union Street, Montego Bay, St. James	952-5500-2
Trelawny Parish Council	Water Square Falmouth, Trelawny	954-3339/4713
St. Ann Parish Council	Main Street St. Ann's Bay, St. Ann	972-2655
St. Mary Parish Council	Hodgson Street Port Maria, St. Mary	994-2644/9671
Portland Parish Council	1 Gideon Avenue, Port Antonio, Portland	993-2238/276
St. Thomas Parish Council	11 Church Street, Morant Bay, St. Thomas	982-2562

AGENCIES

Board of Supervision
16a Half Way Tree Road
Kingston 10
920-3406

Golden Age Home
3 St. Joseph's Avenue
Vineyard Town
Kingston 3
928-4312/1017

National Solid Waste Management Authority
61 Half Way Tree Road
Kingston 10
926-5170/8559

Jamaica Fire Brigade
14 Port Royal Street
Kingston
922-0007/0027