

## NOTES FROM CLERKS' FORUM – 28<sup>th</sup> June 2016

### Notes from February 2016 meeting

Fine – some matters arising (see below)

### Matters arising

(a) *Volunteers Policy* – NALC do not have a Volunteers Policy. ACTION: Amanda McCleery to contact ACT and CVS about their Volunteer Policies.

(b) *Websites & social media* – Amanda McCleery did contact Pennington parish council about the website it is developing and its use of Facebook. Parish councillor, Angela Scrogam ([angela.scrogam@sky.com](mailto:angela.scrogam@sky.com)), uses Facebook to highlight issues in the parish (eg. funding for play area, community plan being developed). She finds that more people “like” if a photo is attached. Lower Holker parish clerk, Lyn Prescott ([lowerholkerpc@hotmail.co.uk](mailto:lowerholkerpc@hotmail.co.uk)) posts road closures etc on Facebook and website ([www.lowerholkerparishcouncil.org.uk](http://www.lowerholkerparishcouncil.org.uk)) Different councils are using different web design software (eg. Microsoft Expressions at Lower Holker and Wordpress at Coniston). Dreamweaver software is too complicated. ACTION: Amanda McCleery to ask Julie Wright (Windermere town council) for name of the software it uses to share with clerks. CALC can help with website design, building and trouble-shooting (especially Wordpress); its hourly rates (+ travel expenses) will be competitive with commercial companies. ACTION: Contact CALC Training Officer, Sonia Hutchinson, at [office@calc.org.uk](mailto:office@calc.org.uk) if interested.

(c) *List of locum clerks* – there is a list of locum clerks kept by CALC Penrith ([office@calc.org.uk](mailto:office@calc.org.uk)) and the local clerks are: Kevin Price (multiple councils – [kevtherev7@hotmail.com](mailto:kevtherev7@hotmail.com)); Janette Carroll (Coniston and Torver parish councils – [parish@coniston.info](mailto:parish@coniston.info)) and Julie Wright (Windermere town council – [clerk@windermere-tc.gov.uk](mailto:clerk@windermere-tc.gov.uk))

### New Model Financial Regulations

Issued by NALC and available on the CALC website. Each parish council needs to adopt these new regulations. They have been slightly amended to reflect changes in procurement and public contracts.

### Audit

*For those parish councils with income/expenditure below £25,000:* new documents will be sent out by Smaller Authorities' Audit Appointments (SAAA) for parishes to publish on their websites eg. exemption certificate. These councils will be exempt from external audit unless problems with 2016/17 accounts or some exceptional grant funding or other income takes them above £25,000 threshold.

Smaller Authorities' Proper Practices Board has published 2016 Governance and Accountability Practitioners' Guide to support the preparation of statutory annual accounting and governance statements for annual returns after 1<sup>st</sup> April 2016.

All parishes present had opted for SAAA arrangements, ie. that SAAA will identify external auditors for smaller authorities (like BDO in the past).

### **NALC Legal Topic Notes (LTNs)**

[www.nalc.gov.uk](http://www.nalc.gov.uk) Login and LTNs under

Publications/LTNs

(i) *Disciplinary & Grievance Guidance* (LTN 22) – reflects minor changes to ACAS Code of Practice and includes ACAS guidance on conducting workplace investigations. Revised model disciplinary and grievance policies.

(ii) *Copyright* (LTN 39 March 2016) – steps to obtain copyright protection; what is a breach?; using copyrighted materials; impact on the work of parish councils; council publications and websites; copyrighted music/sound recordings. Current consultation on performance rights. ACTION: Anne-Marie Cade to forward to Amanda McCleery to send out to all clerks (*emailed out on 12.7.16*).

(iii) *Byelaws* (LTN 14E April 2016) – updated to reflect minor changes and new DCLG contact address for byelaw queries.

(iv) *Responsibilities of Council as Landowners* (LTN 41) – simplified and updated to take account of audit changes.

(v) *Copy of Planning Documents* (LTN 60) – changes identify interaction of planning law and copyright by setting out the circumstances in which a local council can copy and make publicly available plans (submitted as part of a planning application). LTN gives the wording that must be attached to any copies of plans provided to public or made available on parish council website. Many parishes present simply put direct links to the website of relevant planning authority.

### **Auto-Enrolment Pensions**

Pensions Regulator has published duties checker step-by-step guide to enable employers (eg. parish councils) to be confident that complying with duties under auto-enrolment. Each council should have received a letter about its staging date. The government pension provider (NEST?) is free but there are other providers. Each parish council should set up a pension, even if the current clerk does not want one. ACTION: Any questions, then contact CALC Training Officer, Sonia Hutchinson, on: [office@calc.org.uk](mailto:office@calc.org.uk)

### **Section 137 Expenditure**

The amount is £7.42 per elector in 2016/17 under s.137 (4) (a) of 1972 Local Government Act.

### **CALC Website**

Some of this has already been revamped and updated. CALC Chief Officer, Samantha Bagshaw, wants to put template policies from parish councils and case studies of best practice on the website as well. ACTION: Contact Samantha on [office@calc.org.uk](mailto:office@calc.org.uk) with any examples.

**Transparency Fund** – funding is again available, in 2016/17, to help parish councils to meet the Transparency Code. Eligible costs include the purchase of a scanner or laptop and software or setting up a website. Councils can ask for funding to cover the time spent uploading information to its website (backdated to 1<sup>st</sup> April 2015). If a parish council applied for funding in 2015/16 (eg. for equipment), it is eligible to apply again for ongoing costs of hosting its website. The application form and guidance are on the CALC website.

**Co-option of New Councillors** Amanda McCleery read, from CALC June 2016 Circular, the steps necessary to co-opt if a parish council finds itself not quorate after the May elections. The article stressed that a parish council is not obliged to vote for someone unsuitable (because no one else has come forward); instead it should try again to find someone suitable. Clerks discussed the need for criteria (eg. non-political; Nolan principles) to help with selection. ACTION: Amanda McCleery to ask Anne-Marie Cade (Arnside parish council) for its criteria to share with clerks.

**District Association Paperwork** A while ago clerks asked that all paperwork should be sent to them to distribute to their councillors. The meeting agreed that this should continue so the onus is on clerks to forward District Association emails so councillors know dates and venues of meetings.

**Community Transport** Amanda McCleery explained that there had been presentations on the various schemes within community transport from CCC Community Officer, Carol Last (eg. Rural Wheels, community minibus etc) and on setting up and running an independent voluntary car scheme in Holme (parish councils have the power under 1976 Local Government and Rating Act) by Peter Smith. These presentations were made to 15<sup>th</sup> June 2016 meeting of South Westmorland LAP. ACTION: Amanda McCleery to forward minutes to clerks (emailed out on 25.7.16).

**Trade Union for Clerks** Through being a member of Society for Local Council Clerks automatic rights to join the trade union and it is free.

**Local Council Award Scheme** It is frustrating that being CiLCA doesn't count as part of 12 points of continuing professional development (CPD) each year for Foundation Stage of award. It still isn't clear what the real benefits of achieving the award are and it seems more geared to larger councils with full time clerks. ACTION: Amanda McCleery to ask CALC Sonia Hutchinson for clarity on how many CPD points for each course. Amanda McCleery to ask CALC to feedback to NALC that need something more geared to rural parishes and part time clerks, plus understanding the real, tangible benefits.

**Review of LDNPA Local Plan** Parishes unhappy to be asked by LDNPA (Juliet Hoggar) for information on: the difficulty of selling B&Bs (as feel information is out there in the public domain already via estate agents) and empty barns in their parish (as feel

opportunistic, intrusive and pro-development). Sedbergh parish shared that there are numerous policies on barns in YDNPA Local Plan.

**Paying Parish Councillors as Electricians, Dry Stone Wallers etc** Several examples from parishes present (eg. Lower Holker & Coniston – plumbers; Colton – waller; Sedbergh – electrician). Work is below £500 and is done quickly and professionally. It is clear in the minutes and proper invoices are submitted. ACTION: Amanda McCleery to ask CALC for advice on this.

**Resurfacing of car parks** There is a contract finder website. In Sedbergh the cost is over £25,000 with one contract for design and another for the resurfacing itself. Councils can pay architects to manage the tender process. There are procurement guidelines. Useful contacts are: [alison.henderson@cumbria.gov.uk](mailto:alison.henderson@cumbria.gov.uk) (on the procurement team) and [f.flannigan@southlakeland.gov.uk](mailto:f.flannigan@southlakeland.gov.uk) (on the car parks team).

**England Coast Path** Natural England (NE) is planning the section between Silecroft (in West Cumbria) round to Silverdale (in Lancashire). ACTION: Lyn Prescott (Lower Holker) to send Amanda McCleery contact details: [www.gov.uk/government/collections/england-coast-path-silecroft-to-silverdale](http://www.gov.uk/government/collections/england-coast-path-silecroft-to-silverdale) Amanda McCleery to contact NE team about updating parishes (eg. at a future District Association meeting).

**Boundary Commission's Recommendations for SLDC Wards** Proposals seem based on numbers alone (ie. having the same number of electors in each ward for electoral equality) rather than what is workable (with the large areas, mountain ranges in some areas eg. Broughton and Coniston will be a huge ward) or reflects community identity (eg. half of Windermere town has been given to Ambleside ward). It seems driven by a desire for 3 councillor-wards with annual elections but this will be expensive and it is not clear how work will be split between 3 councillors. ACTION: Parishes need to respond robustly by 18<sup>th</sup> July deadline.

**Next meeting** Tuesday 18<sup>th</sup> October from 6.30pm to 8.30pm at Derby Arms, Witherslack