

MANAGEMENT BOARD | AGENDA

Date and time: 5 July 11.00 – 13.30

Location: 109 Great Russell Street, London, WC1B 3LD and Zoom.

Any member wishing to submit an apology for this meeting please contact NALC at committees@nalc.gov.uk or call on 020 7637 1865.

1. Apologies

2. Minutes of previous meeting – 29 March 2022 (11.00 – 11.05)

- | | |
|---|---------------|
| 2.1. To approve minutes of the meeting of Management Board held on 29 March 2022. | Appendix 2.1. |
|---|---------------|

3. Filling vacant positions (11.05 -11.10)

3.1. To recommend the following to National Assembly:

- Cllr Sue Lintern (Norfolk) and Cllr Mick Baker (Nottinghamshire) to Smaller Councils Committee
- Cllr Janet Wallace (Dorset) and Cllr Mike Tew (CAPALC) to Policy Committee
- Cllr Mervyn Head to be approached to fill directly elected post on Smaller Councils Committee

The vacancy on Finance and Scrutiny Committee will be reported to National Assembly with a request for expressions of interest.

4. National employment framework (11.10 – 11.40)

MB only

- To consider the attached paper and address questions posed.

5. Monitoring and managing performance and service delivery –Any verbal updates will made here. (11.40 – 12.15)

Quarterly report

5.1. Member services.

5.1.1. To receive a report on county association membership numbers and consider any follow up action.

5.2. Finance and administration

5.2.1. Verbal update from recent Finance and Scrutiny Committee.
Discussion of steer regarding affiliation fees for 2023/24.

5.3. Policy and communications

6. External affairs (12.15 – 12.30)

6.1. Civility project update (notes from recent meeting).

MB only

6.2. SLCC minutes of June meeting (notes from recent meeting).

Lunch break (12.30 – 13.00)

7. Governance update (13.00 – 13.45)

7.1. Task and finish group – governance minutes of May and June meetings.

7.2. Update from Smaller Councils Committee – report attached.

7.3. Arrangements for National Assembly/ Grand Re-union.

8. Date and time of next meeting

To note that the next meeting of the board be held on:

- 20 September 10.00 via Zoom
- 22 November 10.00 via Zoom

To note that the next informal Management Board meetings are:

- 8 August at 11.00 a.m. via Zoom
- 10 October at 11.00 a.m. via Zoom
- 12 December at 11.00 a.m. via Zoom
- Following feedback at the last of these meetings these will now be extended to 45 minutes.
- Arrangement for Parliamentary Reception

MANAGEMENT BOARD | APPENDIX 2.1 DRAFT MINUTES

Date: 29 March 2022

Time: 10:00 – 12:00

Venue: Zoom

Present:

Cllr Bob Blezzard, Cllr Peter Davey (vice-chair finance), Cllr Mike Drew (vice-chair member services), Cllr Graham Ford, Cllr David Francis, Cllr Paul Harvey, Cllr Richard Parry, Cllr Keith Stevens (NALC chair), Jonathan Owen, chief executive, Anders Hanson, project manager member services, Steve Walker, head of finance and administration, Justin Griggs head of policy and communications.

1. Minutes 11 January 2022 and notes of informal meeting 14 February 2022

These were received, subject to corrections and clarifications of the items on the risk register, officer attendance at the informal meetings and make-up of the governance task and finish group.

There was agreement that in future draft minutes should be distributed within one week of the meeting to management board for comment. The board would be given a week to respond, and the minutes would then be published on the website.

There were a range of views on how agenda and papers were best distributed, by PDF or by link to the website. This could be picked up in the governance task and finish group.

2. Filling vacant assembly positions on the board and committees.

There had been three expressions of interest for the vacant assembly positions on the board and committees, including three for the Management Board (Lillian Burns, Lorraine Rappe and Pat Ansell) and one for the Larger Councils Committee (Pat Ansell).

Cllr Burns had expressed an interest to ensure female representation on the board and from the northern region. She had requested that the rule which prevented National Assembly members being on both Policy Committee and Management Board be set aside to fill this vacancy. Management Board considered this request but was unable to support and thanked Lillian for her interest.

Accordingly, it was agreed to recommend that the National Assembly recommend Cllr Lorraine and Cllr Pat be appointed to the Management Board and Cllr Ansel to the Larger Councils Committee as well.

It was also agreed to highlight the continuing vacancies to National Assembly and seek volunteers.

Cllr Blezzard expressed his continued concern at the operation of the Hampshire Association of Local Councils.

3. National employment contract

The chief executive reported that the comments received on the earlier draft contract from Management Board and other stakeholders had been passed on and a revised draft was in preparation.

4. Support for county associations

The chief executive presented a report setting out steps that could be taken to support county officers and associations to help address NALC's strategic aim of effective national and county associations working together to deliver our vision. This included several initiatives which would require additional investment including a "grand reunion" to thank assembly members and partners for their support during the pandemic; a programme of regional engagement and team building with county officers.

Management Board broadly endorsed the proposals for further consideration with county associations and agreed to consider further at a future meeting.

5. NALC governance review

Draft terms of reference would be circulated for comment at assembly. Paul Harvey suggested that larger council committee best practice visits had been a good way to encourage people to get involved. Bob Blezzard indicated that consideration should be given to a formal role for regional groupings.

6. Member services update

Anders Hanson provided an update on member services in the absence of Jane Moore. This included progress with local council award scheme; peer challenges; on-line learning and the website review.

The board stressed the importance of moving forward quickly with the website review and asked for regular updates on timescales, specifications and delivery to the board's formal or informal meetings.

It also requested that consideration be given to making it easier to find committee papers on the current website.

The board welcomed the progress made on the on-line learning project and endorsed the proposals to develop the initiative.

7. Finance and administration update

The board considered: the minutes of the Finance and Scrutiny Committee held on 23 February; a summary financial report as of 31 December and an estimate of the cash reserves position for the first quarter of the 2022 financial review. These would be reported to National Assembly.

Whilst the association's financial position was sound, overall reserves were still short of the required sum to cover 12 – 18 weeks expenditure and the board endorsed the finance and scrutiny committee's commitment to addressing this gap. This was particularly important given current national/international uncertainties, inflation; and the timing of affiliation fee payments which it had been agreed should be the cornerstone of the association's income. The head of finance and administration reported that if all county associations did not pay the first tranche of councils' affiliation fees until the due date of end June, the association would have a cash-flow problem. Management Board repeated its encouragement to county associations to make early payment.

The board welcomed the material it had received which would also be communicated to the assembly as part of the association's commitment to transparency and improved financial reporting.

Cllr Parry offering the opinion that to minimise risk he usually used more than one fund, he asked why are the associations assets held in one fund? This will be considered by the Finance and Scrutiny Committee.

8. Policy and communications update

Justin Griggs reported on the recent lobby day indicating that he would be conducting a review to inform next year's approach.

He reported that as part of the association's commitment to "digital first" and tackling the climate emergency, the magazine LCR's content would be included in the new website. The board endorsed this approach.

The board welcomed the recent article on the potential of parish and town councils in the Financial Times. It agreed that a priority for policy and lobbying should be

ensuring that the levelling up agenda reflected the association's ambitions. Accordingly, it agreed to set aside resources to publicise the FT article and showcase the work of parish and town councils at the LGA and party conference including considering having a stand at the conservative party conference as the governing party.

9. External affairs

The board received confidential notes from meetings of JPAG, SAAA board and civility and respect project board.

Whilst it was noted that elements of these notes were properly confidential, others were not and could benefit from greater accessibility. This was particularly true of JPAG and Cllr Francis re-iterated his view that there should be fuller consultation and explanation of proposed changes.

10. Dates of future meetings

Informal meetings of the board

To note that the board will meet informally on the following dates at 11 am via zoom for 30 minutes.

- 11 April 2022
- 13 June 2022
- 8 August 2022
- 10 October 2022
- 12 December 2022

Date and times of next meetings

The next meeting of the board be held on 5 July face-to-face/hybrid.

The following meetings will be held at 10.00 am remotely on:

- 20 September 2022
- 22 November 2022

Information
**Quarterly
summary report**

**National Association
of Local Councils**

www.nalc.gov.uk

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109 Great Russell Street
London
WC1B 3LD

020 7637 1865
nalc@nalc.gov.uk
www.nalc.gov.uk

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INTRODUCTION

This report sets out progress delivering NALC's strategic plan including information on important internal issues, progress with our parliamentary and government affairs work, events, media coverage and publications and legal advice. The report will be largely work around the aims set out in the strategic plan and how we are working to achieve those aims. This report covers the period April – June.

CHIEF EXECUTIVE HIGHLIGHTS

I'm looking forward to meeting many of you again on 12 July as we begin to develop a mix of remote and face to face meetings.

- **Hybrid meetings** - NALC staff continue to develop a hybrid mix of working at home and coming into the office one day a week. We will review this over the summer. One meeting of all staff led to a small covid outbreak so we need to continue to be vigilant.
- **IT systems** - We have also been migrating our IT office systems to office 365 which has generally gone well and will enable us to continue this hybrid model more effectively. These developments will enable us to consider the future of our HQ building.
- **Levelling up** - The national political scene continues to be fast paced and I'm glad the levelling up and regeneration bill provides an opportunity to highlight the potential of parish groups. Can I remind you to work regionally to identify a lead contact for the levelling up directors.
- **Task and Finish Group** - The group has had some interesting debates especially around voting methods, and we will report on these in due course.

POLICY AND COMMUNICATIONS

- **Engaging with government/Parliament** NALC's chair, Cllr Keith Stevens, held an introductory meeting with Kemi Badenoch MP, minister for Levelling Up Communities. We published a [statement](#) on the government's response to the Committee on Standards in Public Life report on local government ethical standards. The All-Party Parliamentary Group (APPG) on local democracy [held their annual meeting to elect officers, review the last year and agree their work programme for the year ahead](#). Consultation responses included on climate change, land use and landscapes. Government officials attended meetings of the Larger Councils Committee and Super Councils network to receive feedback on funding simplification and the UK Shared Prosperity Fund. On 5 July, NALC's president, Baroness Scott of Needham Market and the APPG hosted a parliamentary reception.

- **Bills and legislation** – The Queen’s Speech on 10 May set out the government’s legislative programme including a Levelling Up and Regeneration Bill. The Policy Committee held an extra meeting to consider the Bill, [MP’s were briefed](#) on key issues and concerns and we gave oral evidence to the Public Bill Committee on 23 June.
- **Campaigns/big themes** – May’s local elections included 1100 local councils in 15 county association areas and we published new video resources as part of our [Make a Change campaign](#), a targeted Twitter advertising campaign and liaised with several media outlets on their local elections information. The Policy Committee’s task and finish group (TFG) on funding published a survey as part of their work to build an evidence base to lobby for access to dedicated government funding. New [research](#) backed our ongoing campaign for councils to have the ability to hold remote meetings.
- **Sharing good practice** – Entries to NALC’s Star Councils Awards 2022 are being assessed by our judging panels; the online ceremony will take place in October. We announced our Empowering Communities hybrid conference which will take place on 7 November in London. Climate change and neighbourhood planning were the themes of our sold-out online events.

Next quarter’s objectives:

- House of Commons Committee stage of the Levelling Up and Regeneration Bill.
- Analysis of local elections, dementia and funding surveys and meeting of funding TFG.
- Publish NALC chairs open letter, Points of Light and LCR magazine.
- Online events on housing and working between the tiers.
- NALC National Networks for LGBT+ councillors, coastal communities, young councillors and women councillors.
- Party political conferences.

MEMBER SERVICES

- **Team changes** – There have been many changes in the team over the last quarter. Charlotte Eisenhart, head of member services, returned from maternity leave in April. In the legal team Gurvynda Paddan-White returned from maternity leave at the end of April and to doing three days a week (Wednesday to Friday). Gary Barker has returned to working two days per week (Monday and Tuesday). Martin Fine continues to work circa one day per week.
- **Legal queries** – We received 37 written and telephone queries in April, May and June, and the legal team provided 73 informal advices.
- **Legal updates** – In this period the team updated and reissued Model Standing Order 18 to take account of the changes to the procurement thresholds. LTN 80 (Members’ conduct and the registration and disclosure of their interests (England)) was reissued further to the government’s response to the 2019 Committee on Standards in Public Life recommendations and for the purposes

of Wales only, LTN 5W and 8. A legal bulletin was distributed with updates for county officers in April and June. We will soon be reissuing LTN 8 to take account of upcoming legislative changes.

- **Local Council Award Scheme** – 63 councils were accredited in 2021 across local and national panels. The first round of national panel accreditations for 2022 received 10 applications. Round two is currently underway with 12 applications. The Triage process for these is complete and applications are being prepared ahead of the panel assessments in July.
- **Improvement and Development Board** – Received a NALC summary report on the Implications of Levelling Up in March, following the publication of the government's white paper. The Board is to agree the commencement of the recruitment process for a new Chair and receive updates on peer challenge and support in June.
- **Working with county officers** – Fortnightly Zoom meetings have continued. Meetings are a mix of guest speakers from partner organisations and updates from NALC staff and county officers.
- **Civility and Respect** – A programme of work was approved by the joint Civility Board which included: key documentation designed to strengthen governance relating to civility, bespoke training packages with a focus on developing skills to minimise the impacts of incivility; and various tools designed to increase the profile of the project and promote good behaviours, including the Civility and Respect Pledge. Jane as a governance workstream lead for the Civility & Respect project will be co-ordinating the production of several documents, with expected publication dates for some by the end of summer.

Next quarter's objectives:

- **Website review** – Having spent some time setting down in a document the aims and objectives of the website project we are arranging online demos and conversations with a number of website providers so we can narrow down the options and to get a better understanding of what they are able to supply and how they meet our aims for a new website.
- **Civility** – The planned launch month for the pledge is July, and this will include a suite of marketing to maximise exposure and take up. Development of the training workshops and governance documents will continue over the summer with planned delivery starting in August.

FINANCE AND ADMINISTRATION

- **Team changes** – Silvia Nicole has recently started Maternity leave. This leaves a maternity leave vacancy which we are recruiting for. In the meanwhile the team will cover the payments aspects of her role until such time as a replacement has been found.

- **Governance and remote meetings** – NALC governance continues to successfully operate both remotely but with a return to some hybrid meetings.
- **Building management 109** – We continue to ensure that 109 is well maintained during this period and to work to ensure the building is appropriately managed or adapted to ensure covid safety as restrictions have been removed.
- **Building management 109** – We have carried out a good deal of remedial work throughout the building, especially replastering, painting and decorating some areas that suffered from damp.
- **Electrical testing** – PAT testing on all electrical equipment used by staff has recently been completed this includes laptops and other items used in the home office.
- **Events** – We continue to deliver the administration support and process payments for numerous online events
- **Upgrading NALC systems** – As part of the upgrading of NALC systems, we have now moved all NALC systems to the cloud, predominantly using Microsoft 365. Working with our new IT support provider, Cloudy IT. We have reviewed data structures and created new libraries, teams and channels using SharePoint and Teams, to help facilitate collaborative working. We have archived some files and identified areas that need further consideration. A hardware audit was completed and NALC laptops have been enrolled to mobile device and application management service, that enables central management of the devices. All redundant hardware has been data wiped and is ready for donation or recycling as appropriate.
- **Employee Assistance Programme** – This programme has been re-launched recently covering all NALC staff and staff at county associations. We continue to review this programme and whether it is effective and useful to colleagues.
- **HR support** – On-going provision of HR support with support from Work-nest to NALC staff including contracts to new staff members, and management of other personnel matters including appraisals and recruitment.
- **NALC Staff handbook** - An updated staff handbook has been recently released to all staff. We have agreed a timetable to update the handbook annually with a release date of 1 April.

Next quarters objectives:

- **HR support** – Continuation to ensure that all HR policies are up to date and compliant with HR legislation.

- **HR self service system** – We are currently looking at HR systems to manage all key staff employment data and to ensure that staff can manage their own sickness and leave bookings.
- **Health and Safety** – The team will focus on ensuring that all staff have up-to-date desk assessments in the office and also the home office
- **Building management 109** – A programme of work is being carried out to ensure that we are compliant with all regulations.
- **Policies and procedures** - Ensuring all internal documents are up-to-date and easily accessible to NALC staff. Ensure that policies such as the NALC constitution, standing orders are up to date.
- **Governance review**- To assist consideration of existing policies and review documents.
- **IT/Telephony** – The next steps of this project include, staff training on use on 365, better use of individual and shared calendars, centralised management of signatures, moving our telephony systems from 3CX to MS teams, further archiving of files in line with retention schedules, exploring all staff being issued with mobile phones and ensuring that all staff have suitable IT equipment.
- **Cyber Security/Data Protection** – We will be commencing the process for Cyber Essentials accreditation, alongside a Data Protection audit which will include a review of privacy notices, data asset register, staff training, breach register, checks for new projects/systems, data processors/sharing arrangements, data retention and ongoing compliance monitoring.
- **Support** – Our service area provides support to continue to work with other service areas to provide reliable support to our colleagues
- **Year-end audit** – We are working with Milton Avis to complete the audit of 2021-22 accounts.
- **Budget** – Work has commenced on setting the budget for the next three years.

KEY PERFORMANCE INDICATORS (KPI)

If you would like to see the full set of data, they are available on request.

FURTHER INFORMATION

For more details and updates on NALC's activity, please read the chief executive's bulletin, which is circulated every Friday. If you are not subscribed to the bulletin, you can do so at www.nalc.gov.uk/newsletter.

NALC GOVERNANCE TASK AND FINISH GROUP 2022

MEMBERSHIP

Regional nominations

- Cllr Paul Harvey - chair
- Cllr Allan Blakemore – Durham, Cleveland and Northumberland (Steve Ragg)
- Cllr Peter Allison – Yorkshire and Humber (Sheena Spence)
- Cllr Tony Howard – FEMALC (Katerina Evans)
- Cllr Lillian Burns – North West (Jackie Weaver)
- Cllr Steve Cosser – SERCAF (Trevor Leggo)
- Cllr Will Jackson – West Midlands (Lynda Wilcox)
- Cllr Mike Drew – South West (Deborah White)
- Cllr Sue Baxter – vice-president

Expressions of interest directly from National Assembly members

- Cllr David Beechy – Shropshire
- Cllr John Plant – Derbyshire
- Cllr Mick Baker – East Midlands
- Cllr Ray Wickson – Shropshire

MEETING ONE – QUESTION ONE

Increasing engagement and participation with the sector bodies.

Background:

Recent NALC elections have not been heavily contested and change in membership slow. (see results of elections documents).

County associations also often have similar challenges getting people involved in their governance arrangements (members may want to comment/identify good practice).

Questions one and two:

How do we get more people from all backgrounds involved in their county and national association and how do we ensure wider engagement with sector and succession planning?

Notes from meeting one

- Many organisations face similar challenges of involvement and survive. This is true of NALC, CALCs and the sector generally.
- The TFG discussed potential to set quotas or targets for involvement by different people, but generally did not support. Though steps should be taken to encourage associations to consider balance and to be open to wider involvement. CALCs should consider a number of things when they appoint a rep to NALC for e.g. diversity, succession planning etc.
- There was some discussions around how to get people more involved in the sector. Make our work more glamorous and publicise the work of county associations and NALC more effectively to reach wider audiences. Share roles around, separate role of chair of associations from assembly rep to ensure knowledge if one leaves.
- Continuation of remote and hybrid committees will help especially engaging with counties a long way away.
- Be clearer about what skills and expertise are required and cascade across all levels – district associations where they exist, counties and NALC.

RECOMMENDATIONS Q1/2

- Support continuation of NALC approach to remote and hybrid meetings. Most to continue as remote with perhaps one face-to-face or hybrid meeting per “committee” per year.
- Publicise the work of county associations and NALC more effectively demonstrating their value and contribution.
- Identify skills and expertise and role specification for the various roles and cascade across tiers.
- Encourage county associations to think about who they appoint to the assembly role taking into account diversity, rotation, and succession planning.
- Possible use of assembly deputies, direct elections to committees and co-optees (from outside the assembly) to address shortages.

ELECTIONS AND VOTING METHODOLOGY

Q3 & 4

Background

- In 2021 NALC held its office holder and committee elections (assembly and directly elected) using a web platform provided by an independent external company to enable electronic voting. With some teething issues this worked well. This replaced the previous pre-pandemic on-the-day ballot.
- Many National Assembly members argued that this made it easier to adopt a single transferable vote (STV) approach which NALC should consider. Mike Drew provided a background paper.
- Q3 – Should we continue with electronic voting?
- Q4 – Should we move to STV voting?

Q3 & 4 VOTING METHODOLOGY – DISCUSSION AND RECOMMENDATIONS

- **Q3. Electoral voting process** - There was some discussions around the elections platform used last year, majority felt it went really well and there is merit in using an electronic voting system as it allows flexibility to any last minute changes, looks professional and flows better in meetings.
- The group recommended that NALC continue to use electronic voting for assembly as well as directly elected elections moving forward.
- **Q4. Single transferable vote** - There were strong views in favour and against this proposal.
- The group felt that this would need to be taken to National Assembly and AGM to make a further decision and may be considered a constitutional change.

Q5. SCOPE OF TASK AND FINISH GROUP

Q5. How radical do you want the group or its proposals to be?

Wholesale review or addressing some of the specific issues already identified (report to follow). Some county officers have argued for a move from solely election to appointment or selection on skills grounds to promote excellence

What others do:

- NCVO has a mixed Management Board directly elected by membership and selected co-optees <https://www.ncvo.org.uk/about-us/our-governance>
- The LGA's management board is directly elected by its general assembly <https://www.local.gov.uk/sites/default/files/documents/LGA%20Articles%20of%20Association%20-%20July%202021.pdf#page12>
- CPRE appears to appoint its trustees and board <https://volunteer.cpre.org.uk/opportunities/26062-trustee-national-cpre-2022-02-21>
- (NALC provides for co-optees which could help address these issues)

Q5 HOW RADICAL DO YOU WANT THE GROUP OR ITS PROPOSALS TO BE?

DISCUSSION AND RECOMMENDATIONS

- The TFG discussed at length what the group should focus on and how wide its proposals should go.
- In general the consensus was that there was no need to throw the baby out with the bathwater. Management Board worked well as did Finance and Scrutiny.
- The new national networks encourage greater involvement but need to be clear how they feed into NALC policy and ensure they have officer support (where appropriate).
- The definition of larger and smaller councils needed further consideration and the current survey of smaller councils may provide relevant intelligence
- RECOMMENDATION – That the TFG focus on the discrete issues previously identified rather than range more widely.

MEETING – 28 JUNE 11.00 – AGENDA

- Definition of smaller and larger councils
- Issues raised by committees
- Role of national networks
- Representations from Isle of Wight representative

For next meeting

- Issues raised in previous review
- Housekeeping/ committee administration matters

DEFINITION OF SMALLER AND LARGER COUNCILS

- This has been discussed at length in previous reviews and no conclusion reached.
- The current definition for larger council is a council with an electorate of above 6000 or annual budgeted spend or income above £600k. Larger councils can request direct access to NALC services. There are about 1000 such councils.
- The super councils network consists of councils with £1m precept income or £1.5m annual turnover. There are around 70. They can pay an additional fee to access LGA associate membership
- The current definition for a smaller council is any council with an electorate below 6000, probably around 7000 councils.
- Question 6 – Does the TFG wish to recommend any amendment?

VIEWS FROM MANAGEMENT BOARD

- a) Frequency of Management Board meetings and the need for greater councillor involvement in decisions, giving a steer on direction of travel. There should be a call for items for inclusion on the agenda
- b) Minutes should be reported to National Assembly for agreement
- c) The Management Board terms of reference should include oversight of relationships with trades unions.
- d) The board should have a role in hearing grievance appeals
- e) the need to promote diversity; the need to encourage more people to get involved in the work of their CALC and NALC;
- f) the importance of face-to-face meetings and conferences in encouraging engagement;
- g) directly elected positions have provided a route to get people involved in the assembly;
- h) the importance of existing assembly members promoting their work to colleagues

POLICY COMMITTEE VIEWS

- a) The preamble sentence was from a previous tidying up exercise and would be deleted.
- b) National Assembly would be undertaking a governance review which would provide an opportunity to consider issues raised such as councilors serving on multiple committees.
- c) Consideration should be given to speeding up the policy development process through consultations, giving earlier notice and more time to respond and increasing the number of responses.
- d) It was suggested that the overall terms of reference document for all committees and National Assembly should include some reference to making co-options (which are permitted via the constitution).

LARGER COUNCILS' COMMITTEE VIEWS

- a) It was suggested a new bullet under the last section be inserted to reflect the committee being a voice for larger councils within the organisation.
- b) The definitions of a larger council and for councils in the Super Councils Network (SCN) be reviewed during the governance review being undertaken by National Assembly.

SMALLER COUNCILS' COMMITTEE VIEWS (!1)

- a) The number of directly elected committee members should be increased from up to three to up to five.
- b) There was also a typing error in line b and county association should be plural.
- c) It was noted Policy Committee would take the lead on rural issues, but the Smaller Councils Committee would be kept up to date and asked for input where appropriate.
- d) Communication and engagement with smaller councils was important and needs to be improved.
- e) Engagement with smaller councils on the climate emergency is also critical

SMALLER COUNCILS' COMMITTEE VIEWS (2)

- a) Several National Networks had been established and the committee should consider a similar network for smaller councils and reducing meetings of the committee.
- b) The definition of a smaller council should be considered in the governance review.
- c) The inconsistency of county association communication with smaller councils was highlighted and area committees should have a standing item on smaller council issues.
- d) Part of the committee's job is to encourage smaller councils to put proper policies in place to improve governance.

ROLE OF NATIONAL NETWORKS

- What are your views of national networks?
- How should they develop?
- How do they feed into policy making and overall work of the association?
- Do they need to feature in standing orders or constitution etc
- [National Networks \(nalc.gov.uk\)](http://nalc.gov.uk)

REPRESENTATIONS FROM ISLE OF WIGHT

- See attached note

Cllr Lillian Burns

**Analysis of responses to the Smaller Councils Committee letter to
smaller councils and recommendations**

May 2022

FOREWORD

It is heartwarming that, despite all the pressures upon them, well over 100 small town and parish councils from all over England took the time and trouble to feed back to the Smaller Councils survey exercise by responding to the letter I sent them in March. I would like to say a big 'thank you' to them all on behalf of the National Association of Local Councils (NALC).

There is no official record of how many local councils meet the NALC criteria of a small council (those with an electorate of under 6,000) but it is estimated to be somewhere between two thirds and three quarters of the total. As there are over 10,000 town and parish councils altogether, this means there are no less than 6,700 and up to around 7,500. So, effectively, we had a response which represented around about 1.5% of eligible councils.

The feedback garnered will prove invaluable in forward planning and in prioritising lobbying campaigns and it will provide a most useful reference point – not only for smaller councils but for all local councils as so many of the issues raised were generic.

I would also like to thank committee member Councillor Lillian Burns whose idea it was to invite smaller parish councils to tell us directly what issues they would like to see the Smaller Councils Committee addressing. She also analysed the responses and produced this report.

Having been a member of a small parish council in Cornwall myself for 37 years, I understand only too readily the many frustrations that respondents to the survey expressed. My committee colleagues and I will now consider, along with NALC staff and members of the Society of Local Council Clerks, how we can best address the issues raised. Thank you again

Councillor Graham Ford.

Chairman, NALC Smaller Councils Committee

Chairman, NALC Finance & Scrutiny Committee

and member of the NALC Management Board

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INTRODUCTION

NALC's Smaller Councils Committee (SCC) decided at its meeting on March 2nd 2022 to circulate a request via the County Associations to all smaller councils asking them to let the SCC know what issues they would like them to tackle on their behalf. A letter from the committee chairman, Councillor Graham Ford, was distributed electronically on Friday March 11th inviting replies by April 30th. (Appendix 1). This deadline was later extended by a week to May 6th, although the last response came in a week later and was included in the analysis.

Respondents, who were not limited as to the number of issues they could raise, were asked to use the policycomms@nalc.gov.uk address. This repository was monitored by NALC officer Jessica Lancod-Frost who forwarded the feedback for analysis.

The tabulated responses are not attributed to either particular respondents or to particular principal authorities and many replies have been abridged, but no meanings have been changed.

This resulting report was produced, in the first instance, for discussion at the SCC meeting on May 24th, 2022 when the respondents' comments and the recommendations will be considered. (For the outcome of the debate that took place, refer to the minutes of the SCC meeting on the NALC website). However, it is hoped and assumed that the NALC Management Board and the wider NALC Assembly will also consider the findings as the majority of points raised were relevant to the majority of local councils. The main difference being that smaller councils clearly feel most acutely the issues raised.

Councillor Lillian Burns

NALC Smaller Councils committee member

and Vice Chair, NALC Policy Committee

ACKNOWLEDGEMENTS

The author would like to thank the Chair of NALC's Smaller Councils Committee, Councillor Graham Ford, and the Vice Chair, Cllr Josephine Parish, for their support. Also, a former SCC chair, Cllr David Francis, for providing templates for possible simplified policy documents and Stephen Rickitt, chief officer of Northumberland's County Association of Local Councils, for help with listing what a full range of such documents might look like and suggesting the type of resolution that might be used to adopt them. Thanks also go to the NALC officer who supported the project, Jessica Lancod-Frost, and to all the Town and Parish Councils who took part. Those who raised specific issues were:

Council	County Association
Acton Burnell, Frodesley, Pitchford, Ruckley & Langley Parish Council	Shropshire
Addington Parish Council	Kent
Aldborough and Thurgarton Parish Council	Norfolk
Aldington and Bonnington Parish Council	Kent
Appleford Parish Council	Oxfordshire
Ashcroft Parish Council	Somerset
Ashton, Cote, Shifford and Chimney Parish Council	Oxfordshire
Ashton Rowland Parish Council	Oxfordshire
Ashurst Parish Council	Sussex
Badworth Parish Council	Somerset
Balsall Parish Council	Warwickshire
Bamford with Thornhill Parish Council	Derbyshire
Beckermeth with Thornhill Parish Council	Cumbria
Bestwood Parish Council	Nottinghamshire
Bootle Parish Council	Cumbria
Brancaster Parish Council	Norfolk
Brandesburton Parish Council	Yorkshire
Breadsall Parish Council	Derbyshire
Brize Norton Parish Council	Oxfordshire
Brocton Parish Council	Staffordshire
Broughton Parish Council	Cumbria
Buckden Parish Council	Cambridgeshire & Peterborough
Buckland Parish Council	Buckinghamshire
Bures Parish Council	Suffolk
Burton upon Stather	Lincolnshire
Chapel and Hill Chorlton Parish Council	Staffordshire
Chelford Parish Council	Cheshire
Cheveley Parish Council	Cambridgeshire & Peterborough
Coleshill Parish Council	Buckinghamshire
Corfe Castle Parish Council	Dorset
Cranborne and Edmondsham Parish Council	Dorset
Cranleigh Parish Council	Surrey
Crowle and Ealand Town Council	Lincolnshire
Cuddleston and Denton Parish Council	Oxfordshire
Cumwhitton Parish Council	Cumbria

Dalston Parish Council	Cumbria
Dishforth Parish Council	Yorkshire
Ditchingham Parish Council	Norfolk
Dunkerton and Tunley Parish Council	Avon
Epping Upland Parish Council	Essex
Enstone Parish Council	Oxfordshire
Fivehead and Swell Parish Council	Somerset
Firle Parish Council	Sussex
Frome Valley Parish Council	Dorset
Gamlimgay Parish Council	Bedfordshire
Gamston with West Drayton and Eaton Parish Council	Nottinghamshire
Gosforth Parish Council	Cumbria
Great Waltham Parish Council	Essex
Grindon Parish Council	Staffordshire
Hadlow Down Parish Council	Sussex
Hadstock Parish Council	Essex
Hayton Parish Council	Nottinghamshire
Haslingfield Parish Council	Cambridgeshire & Peterborough
Havenstreet and Ashey	Isle of Wight
Hemingford Grey Parish Council	Cambridgeshire & Peterborough
Hemyock Parish Council	Devon
Heyford Park Parish Council	Oxfordshire
Hinton St. George Parish Council	Somerset
Holmes Chapel Parish Council	Cheshire
Holmpton Parish Council	Yorkshire
Kirkby Fleetham with Fencotes Parish Council	Yorkshire
Kirton in Lindsey Town Council	Lincolnshire
Landulph Parish Council	Cornwall
Langtoft Parish Council	Yorkshire
Langton Matravers Parish Council	Dorset
Leavening Parish Council	Yorkshire
Leckhampstead Parish Council	Buckinghamshire
Lewknor Parish Council	Oxfordshire
Litton Cheney Parish Council	Dorset
Loswithiel Town Council	Cornwall
Lower Peover Parish Council	Cheshire
Maiden Newton Parish Council	Dorset
Marsworth Parish Council	Buckinghamshire
Mawnan Parish Council	Cornwall
Mere Parish Council	Cheshire
Milton Parish Council	Oxfordshire
Monks Kirby Parish Council	Warwickshire
Much Hadham Parish Council	Hertfordshire

Much Wenlock Parish Council	Shropshire
Murton Parish Council	Cumbria
Nether Whiteacre Parish Council	Warwickshire
Newchurch Parish Council	Isle of Wight
North Leigh Parish Council	Oxfordshire
Northstowe Town Council	Cambridgeshire & Peterborough
Nunburnholme with Kilnwick Percy Parish Council	Yorkshire
Nuthurst Parish Council	Sussex
Orton Parish Council	Cumbria
Pevensey Parish Council	Sussex
Pitstone Parish Council	Bedfordshire
Puncknowle and Swire Parish Council	Dorset
St. Erth Parish Council	Cornwall
St. Mary in the Marsh Parish Council	Kent
Skeeby Parish Council	Yorkshire
Sketworth Parish Council	Cambridgeshire & Peterborough
Shere Parish Council	Surrey
Snitterfield Parish Council	Warwickshire
Stanstead St. Margaret's Parish Council	Hertfordshire
Stoke and Hurleston Parish Council	Cheshire
Stourton Caundle Parish Council	Dorset
Sunningwell Parish Council	Northamptonshire
Sutton by Dover	Kent
Tintwistle Parish Council	Derbyshire
Wadsworth Parish Council	Yorkshire
Wareham St. Martin Parish Council	Dorset
Wark Parish Council	Northumberland
Westerham Town Council,	Kent
Whitegate and Marton Parish Council	Cheshire
Wing Parish Council	Buckinghamshire
Withyham Parish Council	Sussex
Wivelsfield Parish Council	Sussex
Yarnfield and Cold Meece Parish Council	Staffordshire
Zennor Parish Council	Cornwall

In addition, former Smaller Councils Committee (SCC) chair, David Francis, submitted a paper, as did a long-standing member of the committee who stood down from it only recently, Councillor Malcolm Leeding, and NALC received half a dozen replies that simply endorsed their work and that of the SCC, which was very rewarding.

Councillor Lillian Burns

EXECUTIVE SUMMARY

Whilst few of the issues that emerged from this survey exercise were unique to Smaller Councils, it was very evident that, because of their size, they experience the issues they have raised to a much greater extent than larger councils and they have less options open to them as to actions they might take in relation to problems due to limited capacity and funding.

Although the percentage response was low (approx. 1.5%), the fact that it consisted of more than 100 replies is significant. One hundred responses to a survey are sufficient to indicate trends. There were in fact 112 replies from (small) town and parish councils plus two from former leading members of the Smaller Councils Committee and, although there were a number of County Association areas from which no responses were received, the countrywide coverage was good.

NALC received feedback from parishes as widely distributed as 30 miles north of Hadrian's Wall in Northumberland to easy striking distance of both The Lizard and Land's End in Cornwall and from the Cumbrian coast and the Blackdown Hills in Devon on the west side of the country to the approach to Lowestoft on the eastern tip of Norfolk and the Kent coast on the other side of the country. Not to mention the Isle of Wight. Some 26 County Association areas were represented, with the best showing coming from Oxfordshire (11 councils replied). The best performing region by far in response terms was the South East with a total of 30 replies.

It is important to note that it was left entirely to the councils themselves what topics they raised. Unsurprisingly, the greatest number raised planning issues and many called for help on planning.

The issues that mattered most were:

The performance of the principal authority on planning (20.5%) and the relationship with the principal authority (19.6%) and, if calls for better dissemination of information (on a range of subjects) were added together, that also represents 19.6%

The need for simplified governance guidance policies for smaller councils scored 15.2% – although there were also many more requests for other simplified documentation. Again, this was a significant issue.

Not having the freedom to hold remote/hybrid meetings was raised by 13% of respondents and the difficulty in attracting people to become councillors was raised by 12%.

There were a number of complaints about the lack of building control enforcement and the difficulties in dealing with banks and there were many calls for better training of clerks and councillors and a return of a standards regime.

NALC now needs to consider how it responds to the issues raised. Amongst other things, the recommendations suggest heightened lobbying on several issues, including remote/hybrid council meetings and greater engagement with government on planning matters, especially the Levelling Up and Regeneration Bill, (ideally through a dedicated planning consultant), the appointment of champions on certain issues and the production of a series of simplified guidance documents and information sheets. To help facilitate the actions proposed, it is also proposed that more officer time is allotted in future to smaller councils work than has been the case in the past.

This report and its recommendations are commended for consideration to the NALC Management Board and to the National Assembly.

SCC SURVEY - ISSUES RAISED & COMMENTS MADE

ISSUE	NO. OF TIMES RAISED	ABRIDGED COMMENTS
HOW GOVERNED		
<p>Not having the freedom to meet and vote remotely/in a hybrid way, despite the success of virtual working during lockdowns</p>	<p>15 (NB One respondent clerked 8 P.Cs in Cumbria but was only counted as 1)</p>	<p>We have some Councillors in full time employment who occasionally struggle to get to evening meetings who would find remote meetings very helpful. Also, during lockdowns, some residents logged in to meetings who would not attend in person</p> <p>Planning applications were dealt with successfully virtually during lockdowns and the arrangement suited Councillors and the Clerk. The law needs to change to make it acceptable to comment remotely</p> <p>Being able to offer virtual attendance for Councillors and residents will improve attendances of both and bring Parish Councils into the modern age</p> <p>Councillors and staff are unwilling to attend meetings while having symptoms of infection – but are capable of taking part virtually</p> <p>The Parish Council would like to continue holding some of their meetings on-line. We note that when a Cumbrian MP brought up this matter in parliament recently, Michael Gove said he thought it was a good idea, especially for areas of greater rurality</p> <p>We have written to Kemi Badenoch MP (Minister for Levelling Up Communities) and to our local MP asking for local councils to have the freedom to hold virtual meetings they deem appropriate. Doing so reduces impacts on the environment and venue hire costs and encourages more council members to participate, (we have several who are vulnerable), one of whom is currently unable to attend face-to-face meetings.</p> <p>Continue the campaign for remote meetings. The clerk does not live in the parish and has difficulty attending meetings in severe weather conditions</p> <p>For rural communities in Cumbria, the option to hold remote meetings would be especially welcome during the winter as roads can be hazardous</p> <p>Vigorous lobbying of the government must continue on the issue of virtual/hybrid working</p>

Uncertainty caused by reorganisation of principal councils into unitary authority structures, some of whom elected shadow authorities on May 5	2	Several areas of the country, including ours, are being re-organised into unitary authorities. Parish Councils are worried about how this will affect them and their ability to represent their residents. Is there any help that NALC could render in keeping open two-way communication during the changeover period?
Successive governments do not take into account the fact that smaller councils have the same responsibilities and duties as larger ones but have to balance requirements placed on them	2	It would be useful if NALC could get the government to acknowledge this limited capacity and make more concessions in respect of compliance with legislation, statutory returns, financial conduct, etc. Also, a subsidy for councils with a precept below a certain figure to help meet staff and training costs would enable us to function more effectively.
Disproportionate workloads imposed by government on small councils	1	The government's 'one size fits all' approach to legislation for the public sector often results in a disproportionate work burden for small councils
Public Works Loan repayments are prohibitive for small councils	1	We have been advised to pursue a public works loan (PWL) in order to replace our dilapidated Parish Council building, but the repayment requirements are prohibitive for a council as small as ours (450 electors on Band D). Could NALC persuade the Treasury to offer more advantageous PWL repayment terms for small councils – and grants for small capital projects?
50-year-old legislation dictates that Annual Parish Meetings are held	1	The 1972 Local Government Act required every parish to hold an annual parish meeting (APM) to inform people what was going on in local government. In the age of the internet and social media, this is now an anachronism. APMs should be discretionary.
Smaller councils have no legal back-up, unlike principal authorities which have legal departments	1	Action from a member of the public escalated to a hearing at the Upper Tribunal which found in favour of our Parish Council. We managed to achieve this result without costs to the Council but a neighbouring council ran up legal fees of £40,000. As local councils are being given more responsibilities, should not the government be willing to offer free legal advice?
Rural areas being absorbed into urban ones/ contested boundary changes	1	We have strong objections, as a rural parish, to local boundary review plans to team us with an urban neighbour whose needs are very different from ours
Regulations relating to commercial and not-for-profit bus services and which restrict bus service operators from cross-subsidising services need review	1	The government has declared net zero carbon targets and expressed fine aspirations for public transport, but has left in place out-dated regulations that foil flexibility in delivery and the sort of imaginative approaches that are needed to service rural areas

NATIONAL PLANNING REGULATIONS THAT NEED TO CHANGE		
The government need to review the matrix/formula used to determine housing numbers	1	The government requires our local authority to plan for an excessive number of houses, resulting in proposals for developments on green fields/in the countryside
Many principal authorities do not have a 5-year housing land supply. This has a disproportionate impact on small rural communities where permission would not normally be granted.	1	We would like to see the National Planning Policy Framework (NPPF) amended to state that remote villages away from main transport routes and with minimal or no public transport are not considered suitable for expansion
There are occasions when new or expanded developments in one parish or area has a disproportionate effect on an adjoining parish even though it is some distance from the border	1	We would like to see national planning guidance amended to mandate consultation with the adjoining parish when these circumstances apply
Whilst local planning authorities are required to consult Parish Councils on planning applications, they are not obliged to notify them of the decisions	1	Some LPAs have ceased to notify Parish Councils of their planning decisions due to financial constraints. Either it should be made compulsory that they perform this service or they should have an on-line system whereby PCs could register to receive updates
There are too many planning breaches that are not being dealt with. Legislation governing this needs beefing up	1	There needs to be more legislative teeth to deter planning breaches and resolve them more speedily
National policy on planning often cuts across local priorities	1	
The General Power of Competence can only be enacted by Councils that have a minimum of two thirds elected councillors [and a qualified clerk]	1	The GPoC power needs to be more flexible. A number of local councils lose it simply because they have an insufficient number of elected Councillors. Can NALC exert any pressure/do anything about changing this?
Insufficient scrutiny of planning applications in conservation areas	1	All planning applications in conservation areas are – or should be – subject to historic environment planning regulations. Planning departments of principal authorities need to be scrutinized to ensure that this is happening

MATTERS RELATING DIRECTLY TO PRINCIPAL AUTHORITIES

<p>Relationship with principal authority/ how they regard Parish Councils/ the need for better communication/ consultation/ the deterioration of public infrastructure and services and the need for more imaginative service delivery</p>	<p>22</p>	<p>How can we work more effectively with the principal authority? Principal authorities need to learn when things have not gone well for a community. Parish Councils need to have recourse to action. Could advice be produced for principal authorities?</p> <p>A just-completed community governance review that has changed a number of parish boundaries was approved with virtually no debate at the principal authority level, despite objections from Parish Councils whose concerns were not taken seriously.</p> <p>A community governance review that resulted in a reduction in the number of councillors on a parish council in 2019 has put a strain on the remaining councillors. They believe the move has reduced the experience and diversity brought to the table and that fair representation has suffered.</p> <p>Communications are not good between the principal authority and local councils. Areas for improvement inc. notifications of traffic management & road works</p> <p>How can it be right that our principal authority can dictate what recreation facilities we provide – and at what standard? We want to provide a running track round our recreation ground using 106 funds but have received a letter telling us that this should not be our priority as we are a small council.</p> <p>Principal authority officers often demonstrate a lack of respect for small councils, simply ignoring requests for information on occasions</p> <p>Scant regard seems to be given to the comments that the Parish Council expresses on planning applications</p> <p>Principal Councils should offer more input to smaller councils where required – but they must be aware that there is already a lot of expertise and experience within Parish Councils.</p> <p>There is a real problem with the relationship between county councils & small parish councils who are seen as too small to bother about, particularly on highways issues. Some decisions deliberately ignore/exclude us</p> <p>We currently have unanswered emails sent to our principal authority going back over 12 months</p> <p>Difficulty getting attention of principal authority on matters such as highway maintenance, speeding traffic and maintenance of footpaths and verges</p>
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		<p>Our highways authority denies that SatNav users are given an alternative routing through our rural parish with its narrow roads when there are problems on a nearby A road, but our speed indicator device shows differently, eg. traffic flow over four hours in the middle of the night that is normally four suddenly jumps to 403!</p> <p>Can something be done to stop dangerous, narrow rural lanes being used as diversionary routes?</p> <p>The poor state of highway repair is an ongoing issue as is highway safety around schools</p> <p>We would appreciate proper discussions with the principal authority on environmental matters</p> <p>The decline in rural bus services is a major issue</p> <p>Principal authorities need to be prepared to trial more imaginative, demand-responsive bus services in rural areas.</p> <p>We recognise that principal authorities have different priorities from Parish Councils and would like to build a good relationship but, currently, it feels like David and Goliath. We also worry about double taxation.</p> <p>All principal authorities should allocate a sum of money to Parish Councils to be used for small infrastructure and highway maintenance purposes</p> <p>There is a cultural problem in the way that the principal authority regards parish councils. They continually make it clear that they have no interest in our views. This is surely an affront to the proper working of the democratic process. Can NALC consider how to address this attitude?</p> <p>Could NALC investigate the possibility of town and parish councils having access to principal authority funds? We are being asked to take on more of the responsibilities which have previously fallen within their remit – but funding is not following function</p>
The convolutions around the devolution of both services and responsibilities from principal authorities to town and parish councils	1	<p>The time the process [of the handover of services and/or responsibilities] takes, the one-sided contracts, the legal fees incurred by individual local councils and the resulting direct increases in town and parish council precepts when there is no reduction in the principal authority council tax. All invariably left to the local councils to explain to the electorate</p>

<p>Performance of principal authority on planning</p>	<p>23</p>	<p>The comments of local councils on planning applications should be given far more weight than they receive. (Less use of the five-day protocol)</p> <p>We have consistently delivered our comments on planning applications within the stipulated time frame or received dispensation to await a scheduled meeting or have held extra meetings for contentious planning applications. However, we are frustrated by the apparent lack of urgency on the part of the local principal authority (LPA) in putting applications on line in the first place and then in providing the officers' recommendations and/or the development management committee decisions. We do not see the LPA putting on extra meetings to meet deadlines.</p> <p>There is no consideration on the timing of planning consultations for smaller councils who only meet once a month. We frequently receive an application after our meeting and have to request an extension – which wastes everyone's time.</p> <p>The consultation period causes problems for small PCs that meet infrequently. It should be extended</p> <p>Principal authorities should not accept poorly compiled planning applications that do not provide adequate details or that supply information in hard to work with and unnecessarily large electronic files</p> <p>We are expected to comment on an increasing no. of planning applications that are inaccurate, lacking in vital details and inconsistent which the principal authority should not have validated</p> <p>There is a lack of liaison by the LPA with local councils, even on large applications. The use of consultants as case officers does not work. We want to see a continuity of planning decisions and case officers who are familiar with the area. Also, planning portals could be more user-friendly.</p> <p>Building continues on greenfield sites. Properties are priced at a level few people can afford. So called 'affordable housing' is anything but.</p> <p>We have an adopted Neighbourhood Plan which is often ignored by our principal authority</p> <p>In our County, parish councillors can attend and speak at some District Council planning committee meetings but they are not allowed to speak at others. This is unrepresentative and unfair</p> <p>Local Council objections/opinions often dismissed</p>
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		<p>We seem to have zero impact on any planning issues/ consultations that our principal authority carries out</p> <p>Our Councillors are particularly unhappy with the planning department of our principal authority</p> <p>Short planning application deadlines cause ongoing problems. Our PC only needs to meet every second month. Therefore, if any new planning applications come in once our agenda has been issued or a couple of weeks after our meeting, in order to meet the consultation deadline set by the planning authority, we are forced to hold extraordinary meetings. It would be better if there was a schedule to the issuing of planning application consultations which we were able to plan our meetings around. Having to arrange extra meetings is a waste of time and money</p> <p>Our Council regards planning as its most important responsibility, especially as our parish sits wholly within an AONB. However, it frequently feels that the principal authority ignores any comments it makes. In addition, applications that we are being consulted upon often contain insufficient and inconsistent information, making them hard to respond to.</p> <p>Allowing planning conditions to be varied during the construction stage often results in poor outcomes. This should only happen in exceptional circumstances</p> <p>One Parish Council passed a resolution in March to say it had little confidence its principal authority was capable of providing a planning function that was fit for purpose. The resolution, which was part of the PC's submission to the SCC survey, is attached as Appendix 2 with the two Councils' names obscured.</p> <p>Two Parish Councils (with the same clerk) each sent the same tabulated list of nine complaints about their principal authority's planning portal that they want to see addressed (see Appendix 3).</p>
Appeal for help with planning	10	<p>Smaller Councils could do with more general support with planning, managing the process and dealing with specific local issues, eg. production of Neighbourhood Plans and having more control/influence with the development planning process.</p> <p>It is particularly difficult for small councils to oversee Neighbourhood Plans because the process is tortuous and there are many potential pitfalls</p> <p>The ability to engage with the principal authority on long-term planning is an issue for small councils.</p>

		<p>Wanted: practical advice/ guidance on planning law</p> <p>Smaller councils have difficulty dealing with contentious planning issues. Could NALC provide an independent legal/planning advisor/advocate or set up some financial provision/insurance that smaller councils could access for more challenging cases?</p> <p>Could principal planning authorities be asked to pay a planning fee to Parish Councils for each application made, paid annually in arrears, to help small councils create a resource pool to pay for external advice?</p> <p>Would it be feasible to provide data on standard planning requirements that local councils could use to judge planning applications against - to inc. briefings on access arrangements (parking, deliveries, turning), minimum utility requirements (capacity/connections), surface water drainage and rainwater harvesting?</p> <p>Small Councils do not necessarily have the knowledge or skills or time required for dealing with complex and/or large planning applications</p> <p>In a small parish it can be problematical for the Parish Council to decide what constitutes an 'interest' in respect of a planning application and what does not</p> <p>How can we work towards a more sustainable future through the planning system – even at a small scale?</p> <p>We do budget a small amount for planning expertise but feel this ought to be more readily available for small councils.</p>
Performance of the principal authority on building control/ enforcement	9	<p>Problems caused by lack of resources for building control/ enforcement</p> <p>We have a lot of issues around planning enforcement. Our principal authority seems to lack the tools to enforce breaches of planning conditions</p> <p>We are continually frustrated by the slow and inadequate response on enforcement. In some cases, years go by without enforcement action</p> <p>There should be automatic financial penalties for retrospective planning applications</p> <p>Not properly addressed – the landscape is blighted by structures with no planning permission</p>

Principal authority raising charges to the public	2	Public car park charges going up Street charging in rural villages and hamlets
Insufficient time awarded by principal authorities and others to respond to surveys, consultations, planning applications, correspondence	1	Small Parish Councils meet less often than Town Councils. Some matters cannot be dealt with by the full Parish Council in the time allowed for responses to some matters and so they either don't get dealt with or special meetings have to be called or time has to be spent liaising remotely with Councillors
Limitations of how 106 moneys can be utilised	1	Parishes have many issues such as street lamps, footpaths, potholes, road safety measures, signage and road markings, dog bins and numerous maintenance needs. S106 rules are severely limiting. For instance, even though there is unspent money in the 106 'pot', it cannot be used for maintenance.
Highways authorities will not let Parish Councils clean road signs	1	The condition of road signs has suffered due to local authority budget cuts but highways departments will either not allow Parish Councils to take responsibility for cleaning road signs at all or not allow it to happen unless the individuals concerned have undergone health and safety training. Is this reasonable?
NALC ORGANISATIONAL MATTERS		
NALC should issue governance guidance targeted at small councils, including simplified employment contracts and policy documentation and also a simple introduction to financial requirements and standard templates for a cash book, financial management and forecasting	17	<p>Greater assistance should be provided with policies and procedures. All mandated policies should be templated and tailored to small Councils.</p> <p>The model contract document for Clerks which NALC and the SLCC developed together has been a good example of a model form that Parish Councils could adapt and adopt to meet their needs but it has always needed adapting for small councils. A new one, specifically for small councils is needed.</p> <p>Provide a suite of template policies so small Councils don't have to re-invent the wheel. Update the model contract for clerks so it is more applicable to smaller councils and also 'Being a good employer'. Help/ advice – in simplified format - around human resource matters would be much appreciated</p> <p>Simple, practical guides on GDPR, privacy and data management would be useful</p> <p>Simplified financial briefings would be helpful</p> <p>Any possibility of a grounds maintenance template?</p>

<p>Related to the above ... In small councils with a limited no. of Councillors and only the one (normally part-time) employee, ie. the Clerk/RFO, the need for a 'duty of care' towards the sole employee is not always recognised</p> <p>... And also there is a need for a central resource on human relations matters/ some simplified guidance</p>	<p>1</p> <p>1</p>	<p>Simplified advice on Neighbourhood Planning from NALC, including guidance on the best structure within which the council should work, would be appreciated</p> <p>Any measures that reduce red tape and bureaucracy</p> <p>The Councillors find the proliferation of policies and procedures that have to be in place overwhelming. As a smaller council with limited staff resource, an undue amount of time is spent ensuring we have all the correct policies in place and up to date. It is very useful that NALC provides some template policies but it would be even more helpful to have all requisite policies/requirements combined into one 'Parish Council Blue Book' that could be adopted intoto without so much work falling on the clerk and without the Councillors having to devote quite so much time to them. Having to deal with them all separately takes time away from community work.</p> <p>Help with looking into dividing wards and drawing up employment contracts and policies</p> <p>In small Councils there may be one or two Councillors who shoulder some of the workload but a lot falls on the Clerk who has taken on the job understanding it requires a manageable number of hours a week but who discovers it demands many more. A difficult situation. No chance to escape when working from home. Difficult for clerks to have a work/life balance</p> <p>A variety of temporary arrangements were put in place when the clerk went on long term sick leave. We have concerns as to whether our arrangements were all satisfactory and await the outcome of the internal and external audits</p>
<p>Need for NALC to provide contract templates to cover items such as audit services, village hall cleaning, grounds maintenance, building repairs and the purchase of goods</p>	<p>5</p>	<p>In many cases contracts agreed are so poor the Parish Council is in effect allowing contractors to set the terms, decide what is to be provided, when and how, to what standard and at what price.</p> <p>We need a lease arrangement for our playground but County Council lawyers want to charge £3,000 for a simple document</p> <p>Guidance on stewardship of public assets would be appreciated</p>
<p>NALC should be proactive, not reactive, in providing practical legal advice and should be constantly lobbying government to reduce the bureaucratic burden on small councils</p>	<p>8</p>	<p>Interpreting the law is one thing but providing practical ways forward is even more helpful. When new legislation comes along (GDPR/ website accessibility), don't just give a heads up that it's coming, provide the tools for Councils to deal with it</p>

<p>Related to the above ... Need for detailed advice and support for smaller councils which are burial authorities</p>	<p>3</p>	<p>Some Parish Councils are being overly cautious with GDPR. They have the right to retain some data</p> <p>NALC must raise arguments to government about the need for proportionality when it introduces new measures. Many regulations have a disproportionate effect on small councils.</p> <p>We need assistance on legal responsibilities in respect of access by the public to Parish Council land, signage and stopping access</p> <p>Some of our biggest expenditure is on legal fees</p> <p>Management of burial sites by local councils tends to be light touch. Record keeping has often been poor in the past. What would be really helpful would be for NALC to produce a handbook which interprets the legislation, health & safety and finance requirements, plus other documentation (exclusive right of burial, transfer of rights, expiry of tracing, non-use of graves purchased)</p> <p>We have just gone through a cemetery management and memorial inspection process – but it was a long learning process.</p>
<p>Facts sheets and articles needed on a wide range of matters</p>	<p>4</p>	<p>Small councils need help with just about everything from tackling complex consultations to using social media to best advantage and from insurance to matters such as the pros and cons of having a charity separate to the P.C. to run the Village Hall and, generally, the role of councillors as charity trustees</p> <p>The Council is sole managing trustee of two charitable assets, a playing field one and the Village Hall. Delegation is possible but it has been stressed in training that this does not absolve the council of its responsibility of oversight. Advice/guidance with regard to charity law would be helpful</p>
<p>NALC advice is needed with the devolution of services</p>	<p>1</p>	<p>Help and advice is needed on the devolution of services from the principal authority – and that advice needs to cover the collaboration of two or more parish councils in procuring and providing services</p>
<p>Lack of clarity on how hybrid working would actually operate</p>	<p>1</p>	<p>NALC needs to devise and publish a clear policy in relation to how hybrid meetings should be run in the event of the government agreeing that they can happen</p>

NALC needs to remember that the overwhelming no. of member councils are small ones	5	<p>It is the smaller councils that call upon the services of the County Association most often. Make them feel valued and properly represented. NALC constantly calls for more devolved services for local councils but most of the small ones do not want more. They don't have the capacity or resources.</p> <p>Smaller councils don't have the economic clout of larger ones. Nor do they provide eye catching headlines. Nevertheless, NALC needs to be pro-active and work hard in arguing the smaller council case</p> <p>Our Council only has 5 seats, giving concerns around remaining quorate and spreading the workload as well as general practical issues with so few councillors</p> <p>We struggle sometimes to understand our governance responsibilities</p>
Observed need to restructure NALC's Smaller Councils Committee (SCC)	2	Every region should have a rep. on the SCC to act as an initial point of contact for their smaller councils
Is the current definition of a 'Smaller Council' the right one?	2	Currently, 'smaller councils' are defined as those with under 6,000 electors irrespective of budget & precept size. A more objective definition would be under 2,500 electors AND a precept under £50,000. The precept limit could be increased in line with the CPI.
Lack of national and/or regional or sub-regional on-line consultation groups for exchanging information/best practice	3	Could NALC facilitate such groups?
Securing minimum pay and grievance process for Clerks	1	Recommend minimum salaries for Clerks, especially taking into account bunching now happening at bottom of scales. Just seen another set at £9.62 p.h. Suggest having a parliamentary standing committee responsible for the sector whose role, amongst other things, would be to give the same employment rights as the rest of the country.
NALC need to improve timing of announcements regarding Clerks' salary increases	1	Can NALC sort out the salary rise well before April 1? Poor timing caused problems for some Clerks and for those who have left their jobs, let alone challenge of trying to budget efficiently
NALC publications are not as well promoted as they might be	1	Do more to promote NALC's publications – there is a wealth of material unknown to most councillors

Networking group needed for fast-growing new communities. Can NALC set one up?	1	A rapidly growing new town, (currently with an electorate of 1,600 but witnessing the occupation of five new homes every week), would like to see a group set up for newly-established communities, through which common problems can be aired
Routing of information could be more direct	1	Instead of NALC routing all communications via County Associations, consider supplementing this method with direct communications to Chairs & Clerks, especially in respect of guidance/best practice
Councillors only having indirect access to County Associations via their Clerks	1	
Lack of support for local council award scheme from smaller councils	2	Given the limited capacity that exists withing smaller councils and all the demands on them, would it be possible to offer an incentive to them to put themselves forward for an award?
The local council awards criteria requiring two thirds of a council to be elected is impeding a lot of local councils from applying	1	At present our Council only meets the criteria to apply for the community awards foundation level. We had our Council elections in May 2021, but only 8 people stood for 11 seats. Nevertheless, at this point we met the 'two thirds' criteria. But, by October two Councillors had resigned due to ill health and other commitments. It is now unlikely we will meet the criteria for the Quality and Quality Gold Awards until the elections in 2025. There needs to be a review of the criteria relating to the % of elected councillors
OTHER ISSUES FOR NALC TO FOCUS UPON		
ATTRACTING PEOPLE TO THE SECTOR		
Difficulty in recruiting Parish Councillors	13	<p>There are nominally 13 Councillors but last week 9 candidates were elected by default</p> <p>We currently have four vacancies out of 11 places and have no interest despite attempts to advertise the positions and inform residents what is involved</p> <p>Need to promote the role of parish councillors. Many PCs have vacancies they are unable to fill. What about a YouTube video?</p> <p>Can some guidance be provided as to how to go about attracting new Parish Councillors?</p> <p>Electorate is circa 200. The Council always carries vacancies</p>

		Can the boundaries between Councillors and volunteers be made more flexible and the constitution of councils be amended to reflect that change in order to widen the appeal of becoming a parish councillor?
How to involve the youth in the community?	3	<p>Difficult to garner interest in Parish Council work from public generally but especially so in the case of the younger generation</p> <p>How do we involve younger people in council advocacy and how do we create a pipeline of younger people who are not switched off to what is perceived to be traditional governance approaches? Do we need to understand more about Gen Z and Millennials? Is there some market research or best practice from outside the UK?</p>
Difficulty in finding a Parish Clerk/ choosing not to employ one	1	<p>We are one of four small parish councils in a rural area searching for a Clerk/RFO. The parish councillors have been ensuring that essential admin, duties are carried out (on a voluntary basis)</p> <p>We have 313 electors, under 200 residences and a budget of £6,500. We do not employ a clerk because of the cost. [N.B. Website not maintained].</p>
TRAINING		
Need for training for Clerks & Councillors	6	<p>Make training for Councillors compulsory – or at least make it compulsory/good practice to show courses attended online</p> <p>Training of Clerks is a challenge due to small training budget. Is there a way to spread the cost over a number of years?</p> <p>Training for Councillors and Clerks should include courses on [N.B. suggestions from different replies:]</p> <ul style="list-style-type: none"> • how to run seminars (live, remote, hybrid) • advice on best practice regarding community engagement • project management skills • stakeholder management (to include stakeholder mapping, objective alignment and governance) • social media and marketing
Disproportionate cost of training for very small councils	2	For very small councils, some form of funding to pay for the clerk's CILCA training would be welcomed

Smallest councils need training help	2	Provide free on-line training for the smallest councils
Need for training packages	1	Can NALC look into providing more support in the form of training packages, advice and a suite of staff policy templates to enable those with responsibility for staff to look after them correctly?
There is a national shortage of local council clerks	1	Is there anything NALC could do to recruit and train clerks and could NALC consider whether clerks could be made available via their county association?
Many Clerks learn on the job. Not all wish to obtain the CILCA qualification- or their PC is not prepared to support them in doing so.	1	Could a national induction checklist be drawn up listing everything that new Clerks need to be aware of and signposting them as to where to find the information?
Accessibility to training for Clerks & Councillors	1	
FINANCIAL MATTERS		
Banking arrangement problems, notably, attitude of banks to Parish Councils, but also lack of availability outside of normal office hours and bank charges	6	<p>Banks not interested in supporting small councils are only concerned with their costs. Their adoption of entirely online banking for most services marginalises small councils that only bank by cheque due to audit requirements and financial regs. The P.C. Clerk would be happy to adopt electronic banking but is unable to do so with unsupportive banks and within rigid rules.</p> <p>Keep pressuring high street banks for better service</p> <p>Is there ever going to be a time when full service 24-hour banking is available? Many clerks do their parish work outside of normal office hours, especially if they have another job, but 'live' banking services are often not an option outside of normal office hours. One Council trying to transfer to Unity Trust to prevent the need to use a branch but finding it difficult to sort out some teething problems because Clerk has a full time 'day' job and can only handle Council work in the evenings and at weekends.</p>
Removal of burden of financing elections or help with doing so	2	By-elections are a considerable cost to small councils. Our neighbouring parish council was bankrupted
Audit process needs further simplification	1	It is recognised that very small Councils have a simplified audit system, but could it be simplified further?

Financing options for service improvements	1	Government grants/voucher schemes and assistance through CIL funding that enables better service provision, eg. faster broadband
Need for software package deals	1	Could NALC negotiate a type of (non-profit) package with Microsoft for Parish Councils? The annual cost of Microsoft 365 is a lot for councils with small precepts
Small councils are disadvantaged when it comes to potential sources of funding for projects	1	There is often a lack of knowledge of potential funding streams and/or limited time and expertise to write successful bids for ever-reducing pots of money
Lack of exemption from VAT burden	1	At the moment, County Councils are exempt from paying VAT. Could this be extended to local councils? We recently had to raise extra money to pay VAT on new play equipment. Although we will be able to claim it back, we have to find the funds in the first instance. There is also the admin. time involved
STANDARDS/CIVILITY/RESPECT		
Need for return of standards regime and adequate sanctions against those who breach the code of conduct	4	<p>Good councillors are sometimes lost to public service because of the bad behaviour of others.</p> <p>Where is the recourse when a Council Chairman and/or Clerk are not fulfilling their statutory duties?</p> <p>Continue to press for power to make it easier to remove councillors who breach the Council's code of conduct.</p> <p>What to do if Councillors have received training but don't put it into practice and don't follow proper procedures?</p> <p>We need strong sanctions for when parish councillors are in breach of the code of conduct. At present both local councils and the principal authority monitoring officers lack the ability to impose severe sanctions</p>
Vicious residents trying to undermine the Parish Council	1	Advice on how to deal with this problem would be greatly appreciated
INFORMATION DISSEMINATION ON IT, BROADBAND, CLIMATE CHANGE & OTHER ISSUES		
Information dissemination/ internet access/broadband speeds	9	Issues around sharing information (including between parish councils) and how to support parishioners, for instance with slow broadband services

		<p>Need to find affordable solutions to slow broadband services. Could this happen via CIL funding or through government grants/voucher schemes?</p> <p>Poor to non-existent broadband and difficulties with effective communications in spread-out communities – lobbying for better broadband & mobile phone coverage in rural areas must continue</p> <p>We have a significant area of our parish (100 households plus a large caravan site) with no coverage of 3G or 4G. Whilst we are aware of the Shared Rural Network Programme (SRN), we cannot glean from their website whether our ‘not spots’ will be covered by the promised further roll out of broadband or not. The major network operators seem to only want to sell services, not answer specific questions. Could NALC lobby the SRN to provide specific answers about individual parishes so that we can tell our residents and visitors where they stand?</p> <p>Rather than virtually every Council having to set up a contract for the design of its website, could NALC produce a basic contract form and specification that could be amended to meet individual requirements?</p> <p>What happens if the government grants permission/passes a law allowing hybrid meetings, but the Council’s meeting venue does not have wi fi? (Our village hall does not)</p>
<p>Information needs to be better disseminated on what other very small councils are doing around the climate emergency/what NALC is doing about carbon literacy</p>	<p>13</p>	<p>We would appreciate genuinely transferable examples of what other very small Parish Councils and communities are doing in relation to climate change</p> <p>Promote carbon literacy amongst smaller councils and help us develop practical ideas</p> <p>Work with Carbon Literacy Trust to help councils reduce their carbon footprints and liaise with Kent ALC which has a tool to measure carbon footprints</p> <p>Small parish councils are limited as to what they can do to address the climate emergency and there is a lot of myth developing around carbon literacy. That said, it is important to keep information flowing and keep encouraging all councils to do what they can</p> <p>A toolkit for small councils interested in addressing climate change would be appreciated.</p> <p>Carbon literacy advice needed for rural communities, particularly those where there are farming businesses</p>

		<p>We want to better understand the impact of carbon on rural communities and know we can do about it</p> <p>The council see carbon literacy as an important area but are unsure how to do this. It would be useful to have a uniform way for all councils to measure the carbon footprint for their parish and then be able to compare with other areas and by type, eg tourism area or agricultural area.</p> <p>Could NALC look to provide local councils with more information on rewilding and spray alternatives, etc? It seems crazy that a large percentage of councils are researching and carrying out these things individually when NALC is aware that 80% of councils have declared a climate emergency and, of these, 69% are looking at rewilding. Also, could NALC consider any collective buying power for new technology aimed at more environmentally sustainable management (eg. hot foam spraying). Maybe we could lease?</p>
Share good practice	1	The bigger councils seem to share good practice. It would be nice if small councils did the same
Information sought on how to manage predicted food shortages	1	How can we help our rural community manage with the food shortages predicted in the next few years?
Dealing with dog fouling	1	Is there an approach to dealing with dog fouling on Parish Council owned land that other Parish Councils use which we could copy?
Need for a communication system between Highways England and parishes	1	There needs to be a way that Highways England can communicate with parishes when they are doing something on their network that will have impacts on surrounding parishes
SECURITY & EMAIL ADDRESSES		
Identity fraud risk of having to publish/ make available signed documentation	1	The Clerks to small Parish Councils are normally home-based. The Transparency Code requires that they publish signed public notices and the Information Commissioner's Office requires that the Clerk's contact details are publicly available via the Parish Council's website. This lays the Clerk open to identity fraud. Similarly, P.C. chairs are required to sign their minutes – which have to be available for public scrutiny if requested. It would not be difficult in a small parish to find the chair's address and match this up with his/her signature, again raising the risk of identity fraud. Please discuss/consider this matter.

Difficulties dealing with cyber security issues	1	Some Councils have been contacted by the National Cyber Security Centre about their vulnerability to cyber attack but are struggling to react due to lack of technical knowledge/expertise.
Given that Parish Councils are the first tier of local government, why is there no generic (.gov.uk) email address available to them?	1	Many councillors on small parish councils still use their personal email addresses. This raises issues of security about the information distributed
VARIOUS		
Need for joint working and sharing of best practice	2	All small local councils have capacity problems. They would achieve more if there was more joint working. How can councils be encouraged to be less insular?
Lack of clarity around what support, if any, there will be for the provision of electric charging points in villages	2	
Complications around village greens relating to access, use of, maintenance and parking	2	We need help and guidance in managing our village green. The local planning authority is not interested in helping and government websites only provide limited advice. With a precept of £6,500, we cannot afford legal advice
Problems with flooding repercussions	2	
National speed limit on rural roads needs to be reduced	1	Would NALC consider campaigning for a reduction in the national speed limit on rural roads to a more realistic level?
Many highways authorities and many smaller councils support the '20's Plenty' campaign – but the support around the country is patchy	1	Will NALC agree to support and lobby for the '20's Plenty' campaign to improve road safety in villages? The present 'hotch potch' approach is unsatisfactory. A consistent national one is needed
Traffic Commissioners will not accept evidence or input from Parish Councils or parish councillors. They are only obliged to listen to principal authority councillors and people directly affected by HGV-related planning applications and changes to weight restrictions	1	Can NALC lobby for Town and Parish Councils to become statutory consultees with the Traffic Commissioners?

The lack of social retirement housing in many villages	1	
Need for good governance	1	It is essential that all councils, whatever their size, are always willing to improve their governance procedures/become more efficient
Lack of clarity about residency rules relating to increasing no. of static caravan sites in scenic locations	1	What are other councils doing in terms of hardware, usage, configuration and recommendations?
Need for standardization of technology used by local councils.	1	
General lack of policing and agricultural rural crime	1	
Lack of police intervention with speeding traffic	1	
Phosphates in streams and rivers	1	
Need to retrofit energy saving measures to older buildings	1	Simple advice would be appreciated
Politicking at the small council level does not seem to be appropriate	1	
Parish Councils are not statutory consultees on licensing applications	1	NALC should lobby for Parish Councils to become statutory consultees for licensing applications
Before publishing guidance/ advisory documents, NALC should first refer them to the SCC and/or the LCC (see Councillor Francis's submission below)	1	Both committees should be given the opportunity to proof read new guidance before it is published to ensure that it is relevant to both smaller and to larger local councils
SCC does not focus sufficiently on 'hard' issues faced by small councils (see summary of Councillor Leeding's submission on next page)	1	

SUMMARY OF SURVEY SUBMISSION BY COUNCILLOR DAVID FRANCIS

former Smaller Councils Committee chair/former Northumberland County Association chief officer

As chairman of the Smaller Councils Committee, Councillor David Francis tabled to the committee in August 2016 his commentary on the NALC 'Good Employers Guide', suggesting some amendments and additional material. His key concern at the time was that parts of the guide were very obviously written with larger councils in mind and his key recommendation was that NALC should draft some additional material primarily for smaller councils. He has now revived that recommendation and is counted as one of the 15% of respondents to the survey who called for this to happen. He concludes his submission with this comment:

"I believe that the Smaller (and Larger) Councils committees should play an active part in commissioning advisory papers and other briefings and also 'proofing' NALC's service 'offer' to CALCS and to local councils"

Cllr Francis also re-submitted some drafts of potential simplified documents that he devised originally six years ago. These formed the basis of those tabled in this report.

SUMMARY OF SURVEY SUBMISSION BY COUNCILLOR MALCOLM LEEDING

former long-term member of the Smaller Councils Committee from its inception until October 2021

Cllr Leeding argues that the SCC should devote more time to what he terms 'harder' issues. He lists:

- Footpaths – procedures for closure of existing paths or diversions or proposals by landowners to challenge 'existing use' claims
- Procedures for changing parish boundaries to reflect demographic patterns, eg new housing across existing boundaries
- Greater and mandatory processes for all government departments to consult with town and parish councils on matters that could affect their areas
- Greater involvement in matters concerning educational provision – places on governing bodies
- Provision of public transport, especially in rural areas
- British Telecom phasing out landlines. Has this been properly considered?

ASSESSMENT AND COMMENTARY

Planning

For most local councils, their main functional interaction is with their principal authorities, whether that comprises a two-tier district and county structure or a unitary/ metropolitan borough set-up, and their primary concern is the planning function. Over a fifth of survey respondents (20.5%) raised planning issues. Local councils are statutory consultees on spatial planning (Combined Authority and Local Plans/Neighbourhood Plans/Supplementary Planning Documents) and development planning. As such they have a responsibility to respond – but there is no requirement on the principal authority to comply with their view.

The loud message that came through time and again from many respondents to the survey was that they do not get any sense that their principal authorities give sufficient credence to their comments and in fact several complained that they felt totally ignored. There was also great concern expressed about the lack of planning enforcement. Principal authorities would no doubt argue that they are under pressure from government to deliver more houses and that a long period of austerity with caps on council tax rises has led to cuts having to be made in planning departments. But, the quality of the service being delivered was clearly a sore point with some respondents complaining that out-sourcing development planning to consultants who were unfamiliar with their local area did not work.

One big bone of contention was the tight timescale for submitting comments. This was exacerbated by the delays experienced from when applications appeared on planning authority websites in the first place. Local councils often hold special meetings to consider applications before deadlines, only to note that their recommendations are not given any weight. And another source of irritation expressed by more than one council was the fact that their principal authority frequently accepted poorly compiled planning applications with inadequate/ inaccurate information. One was struggling to cope when applications included very large electronic files, one objected to the 106 restrictions that apply and another complained about not being allowed to speak at planning authority meetings.

One parish council became so disillusioned with its planning service it recently passed a resolution to say that it was not fit for purpose (see Appendix 2). Another two councils serviced by one clerk have found the planning part of their principal authority's website so impenetrable that they have both submitted a list of nine complaints about it (see Appendix 3).

Some councils called for help with their planning responsibilities and several raised issues related to national policy or regulations. These ranged from the impacts of the national housing target and the requirement to have a five-year housing land supply to the fact there is no obligation for a principal authority to notify a local council of decisions it has taken (as a result of which some do not). Legal action was called for when planning conditions are breached and legislation sought to cover impacts on adjoining parishes and to ensure tight scrutiny of planning applications in conservation areas.

Footnote commentary: Changes to planning proposed in the Levelling Up & Regeneration Bill are intended to give more say to communities on design – and every local authority area will have its own design standards (<https://www.gov.uk/government/publications/levelling-up-and-regeneration-further-information/levelling-up-and-regeneration-further-information>). Also, new CIL arrangements will, to some extent, overtake 106 agreements. But, whilst the government has dropped its original plan to zone the entire country and allow unrestricted building in the zones designated for development, it has not changed its target of aiming to build 300,000 homes p.a. And there is much apprehension about proposals to introduce a suite of National Development Management Policies that will have the same weight as Local Plans. At the time of writing this report, it had not been revealed what these were going to consist of.

Relationship with principal authority

The general relationship between the first tier of local government – town and parish councils - and principal authorities was raised in one form or another by a fifth of respondents (19.6%). In a number of cases the general relationship with the principal authority was poor. This unsatisfactory state of affairs was often caused by decisions made which had a detrimental impact on a parish. For instance, in a couple of cases, governance reviews have changed boundaries in a way that parishes objected to – and it was not just that this happened, the main source of discontent was that the parish's views were totally ignored. One respondent explained that there was no debate at all in a sub committee meeting that first sanctioned governance changes, despite a raft of objections from parishes. Then, in a subsequent meeting of the main committee and the full Council meeting, the discussion was token. There was no in depth exploration as to why certain recommendations were being made and there were no significant challenges raised at any stage by principal authority councillors. Another parish had had its overall number of councillors reduced in a governance review a couple of years ago and was now feeling the strain of trying to function with the number they had.

The perennial problems of highway maintenance, speeding traffic and rural public transport were raised and so was a SatNav problem which a local highway authority insists does not exist. A couple of respondents suggested that local councils should have access to some principal authority funding – one specifically for use on small highway schemes or small infrastructure projects.

There were also complaints that principal authorities consistently fail to allow sufficient time for local councils to respond to consultations, invitations, surveys and correspondence. (NB There was one complaint against NALC in this respect). The point was made that many small councils only meet every other month. And it needs to be remembered that agendas are compiled a week in advance. One council that missed the deadline for this survey, explained that it had been on the agenda for the previous meeting, but consideration had been postponed because the agenda was so full.

The convolutions around the devolution of services and responsibilities was raised and was recorded separately in the table in order to draw attention to it. However, if it is counted under the general heading of 'Relationship with the Principal Authority', then that topic rates equally along with 'Planning Issues' as the major issue raised (20.5%). The point, well made, in this response was that the devolution deals done are invariably to the detriment of the parish with no 'funding following function'. The result being that parishes have to raise their precepts to take these on. Hence, the accusation from residents that they are effectively being taxed twice for the same service because they already understood that they were paying their principal authority to perform a particular service, but now they were being asked to pay their parish council as well for the same one. Trying to explain the situation to residents was a task left to the parishes.

Footnote commentary: In the end, the stark choice that parishes have found themselves facing is whether to simply allow a piece of land or a building to be sold off or a function to cease altogether or decline to an unacceptable level, or whether to bite the bullet and take on the building/land/service that the principal authority is off-loading. Since austerity began to hit principal authorities, they have all been forced to examine the non-statutory services they have historically provided, eg. leisure centres, recreational spaces, information services, public toilets and car parks or services such as grass cutting and maintaining flower beds. They have been prevented from raising council taxes beyond a tight threshold set by government and have either been devolving assets and services to local councils, where they exist and are prepared to take them, or selling them off or stopping the service. The government needs to understand that many local councils have had to raise their precepts in order to meet this new challenge. It would be anachronistic to consider capping local councils that are simply raising their game in order to maintain a standard of living. And, applying a percentage cap to a very low precept makes little sense when the difference made to the council tax is a few pence.

The need for simplified guidance/ policies and other simplified documentation

Without any prompting whatsoever from NALC's Smaller Councils Committee, some 15.2% of the respondents to the survey called for simplified guidance and policies to be issued by NALC (that is, including the former SCC chair, Councillor David Francis). And, if the other calls for simple versions of contract templates, burial requirements and facts sheets are all added together, the appeal for more – and more simplistic – information would could be regarded as the most popular issue raised at 27.8% - or more – depending on which issues are included. This is very much a smaller councils issue.

Whilst the general problems identified with the principal authorities and those specific to planning are fairly generic, the difficulty that very small councils have of dealing with statutory requirements is very real. The vast majority employ one member of staff, a clerk who is also the responsible financial officer, and – in many instances – that person is only employed for a few hours a week. All clerks are not necessarily CILCA qualified. In addition, many small councils only have half a dozen councillors and they only meet every couple of months. Many councils (of all sizes) frequently find themselves having to operate for significant periods below full capacity because of problems finding people to come forward as clerks and/or councillors but the strains felt at the small council level are enormous.

Footnote commentary: Many small councils have neither the knowledge nor the capacity to draw up bespoke rafts of policies and keep abreast of the latest legislation governing what they do. What they are clearly crying out for are templates of documentation that they can sign up to and concise facts sheets and guidance.

NALC organisational matters

In addition to NALC being called upon by respondents to produce a suite of template policies/ simplified financial briefings/ simplified advice on neighbourhood planning/ guidance on the stewardship of public assets and even a grounds maintenance template, there was also a suggestion that all the requisite policies/ contracts and other statutory requirements be combined into one 'Parish Council Blue Book' that could be adopted intoto. NALC was also encouraged to be 'proactive, not reactive, in providing legal advice' and was urged to be constantly lobbying the government to reduce the bureaucratic burden on small councils.

NALC was asked to keep in mind that the overwhelming majority of the councils it represented were small ones. Many small councils, it was told, do not want to take on more responsibilities.

Three respondents asked in different ways if NALC could facilitate a national and/or regional or sub-regional on-line consultation groups for exchanging information and best practice and one asked for a networking group for fast-growing new communities.

One submission on behalf of two councils suggested restructuring the Smaller Councils Committee to ensure that every region of the country has a representative on it and the same submission questioned the current definition of a 'smaller council'. It noted that the current definition of 'smaller council' was those with a precept of under 6,000 electors, irrespective of budget and precept size. It felt that a more objective definition would be under 2,500 electors and a precept of under £50,000. The precept limit could be increased in line with the CPI, it suggested.

NALC was invited to recommend minimum salaries for clerks and asked to improve the timing of its announcements regarding clerks' salary increases. It was also asked to set up a parliamentary standing committee responsible for the sector whose remit would cover employment rights. For the local council awards, NALC was asked to drop the criteria requiring two thirds of a council to be elected.

Not having the freedom hold remote/ hybrid meetings

The main issue that small councils have with central government is not being allowed to hold remote meetings as and when they deem it appropriate. Some 13% of respondents raised this issue.

Although, there was just one response from a clerk to eight very small councils in Cumbria. If all those councils were counted individually, the response on this matter would raise the rate to 19.6%.

The point was made that small councils, especially if they don't have a full quota of councillors, often have a problem of remaining quorate. Being able to connect in to meetings virtually means that they can still participate if they are not 100% fit, if they are isolating in order to avoid catching covid or if they are away from home. It was also pointed out by respondents that more members of the public took an interest in parish council meetings when they were able to simply connect in remotely.

NALC's 'Lobby Day' of parliament this year took up the matter of remote meetings with MPs. Some National Assembly members who took part reported back that some MPs had said it was important for local councillors to turn up for meetings in person and be seen to be doing so. There seemed to be no understanding of the other issues around this subject or of the fact that many parish councillors are very senior in years and many of them are still concerned about risking catching covid.

Footnote commentary: The government introduced temporary legislation during lockdowns that allowed all of local government (principal authorities and local councils) to meet virtually, but this expired in May 2021. Since then, the Local Government Association and NALC have lobbied strongly for permanent legislation to allow them to hold meetings virtually or in hybrid format. The government maintained there was insufficient parliamentary time to allow for this, but it was pointed out by the Local Government Chronicle that there was so little parliamentary business towards the end of the last session that MPs were frequently sent home early.

Better information dissemination on broadband, climate change, carbon literacy

There were calls for better information dissemination on broadband, climate change, carbon literacy and other subjects. Taken altogether, a fifth of the respondents were seeking more information and wanted to know what other parish councils were doing about the issues raised. One respondent suggested working with the Carbon Literacy Trust and pointed out that Kent County Association has a tool for measuring carbon footprints. Also, NALC was asked if it could lobby the Shared Rural Network to provide specific answers about individual parishes. In addition, it was asked to set up a basic contract form for setting up a website.

Difficulty in recruiting parish councillors

Some 12% of respondents commented on the difficulty in attracting people to become town and parish councillors. Three respondents specifically wanted to know how they might involve youth. A number of councils said they had to function with less than their full quota of members. One respondent found this situation so difficult, he posed the question – should the boundaries between being a councillor and a volunteer be blurred somewhat in order to attract more people?

Footnote commentary: Individuals putting themselves forward to become parish councillors have to accept they will be governed by a wide range of legislation, they must declare their interests publicly and must be prepared to attend meetings at various times of the day and evening. There is a lot of reading involved. Sometimes difficult decisions have to be made and irate residents placated and councillors are expected to shoulder their share of tasks. All of this is voluntary. This type of public service does not have a wide appeal.

Training

Whilst, for larger councils, it is taken as a 'given' that councillors will receive some training and that clerks should hold at least the basic Certificate in Local Council Administration (CILCA) qualification, this is not the case for small councils. There is no requirement that training occurs for either councillors or clerks or any other staff. It is often more a case of who is prepared to fill the vacancies. That said, it is accepted that this is far from a satisfactory situation. A total of 4% of respondents appealed for better training for councillors and clerks. Suggestions for courses included:

- How to run seminars (live, remote, hybrid)
- Advice on best practice regarding community engagement
- Project management skills
- Stakeholder management (to include stakeholder mapping, objective and governance) and
- Social media and marketing

There was a call for general support in the form of training packages. The point was made by more than one respondent that the cost of training is disproportionate for very small councils and two suggested that there should be free training for the smallest councils. Two sought help in funding the clerk's CILCA training. One asked for a national induction checklist listing everything that new clerks need to be aware of and signposting them as to where to find the information.

Standards, Civility, Respect

A truism stated by one respondent was that sometimes good councillors are lost to public service because of the bad behaviour of others. Stronger sanctions were called for and a return to a proper standards regime.

Financial Matters

A range of financial matters was raised but the main one was the problems encountered by parish councils in trying to deal with banks. The questions were also asked – could NALC negotiate software deals and why are county councils exempt from paying VAT, but parish councils are not?

Security/ Email addresses

Issues were raised around potential identity fraud, cyber security and the use of private email addresses. (See pages 25 and 26 of this report).

Various

Again, as under the heading of better information dissemination, the need was identified for a sharing of best practice. Two respondents were looking for information about electric charging points, two were struggling with issues involving their village greens, two were dealing with the repercussions of flooding and looking for help and, if former SCC member, Councillor Malcolm Leeding's contribution is counted, two were looking for better public transport in rural areas. Individual replies are listed on pages 26 and 27 and also in Malcolm Leeding's response on page 28.

RECOMMENDATIONS

Planning

- As planning is the major issue of concern to all local councils and to smaller councils in particular and as, currently, the future of the planning system is bound up in the Levelling Up and Regeneration Bill, it must be a priority for NALC to lobby for a system that is responsive to local needs and opinions and that focuses development on regenerating town centres and utilising previously developed land before greenfield land. (Ref. NALC's response of April 25 to the House of Lords inquiry into land use: <https://www.nalc.gov.uk/library/news-stories/3711-pr5-22-lords-inquiry-into-land-use-april-2022-1/file>). NALC also needs to keep a very close eye out for the publication of the National Development Management Policies (NDMPs) referred to in the Bill because these will have the same weight as Local Plans.
- It is strongly recommended that NALC should employ the services of a planning consultant to lead lobbying for them with government, meet with ministers along with the NALC chair and CEO and appear on their behalf at parliamentary enquiries. It is recognised that it would not be practical or possible for one planner to interact individually with all the thousands of individual parish councils but the person appointed could be answerable to NALC's Policy Manager and its Policy Committee and the individual could take responsibility for updating NALC's policy register, writing submissions in response to government consultations and writing briefings for parish councils, eg. a simple updated briefing on Neighbourhood Planning. Such an individual could also be tasked with working with the Local Government Association on planning issues and raising the profile of local councils with principal authorities. This action would be seen as going a long way towards addressing the concerns expressed by smaller councils in particular.
- An additional possible action for NALC to consider is that it appoints 'champions' on various topics, eg. on planning, rural transport, civility and respect issues.
- It is also recommended that NALC meets with the Local Government Association (LGA) to discuss some of the other issues raised through the survey such as the time allowed for consultations. Ideally, there should be a minimum amount of time of nine weeks for any consultation, a period of time that covers not only the two month gap in-between meetings for some small councils but also the week's notice they have to give of their agenda. NALC itself should also always offer the same timeline to the councils it represents.
- NALC and the LGA also, clearly, need to step up their lobbying on the subject of remote/hybrid meetings as it was apparent from some of the feedback on 'Lobby Day' that some MPs do not understand the benefits of it to the better working of local government. It is also recommended that NALC works with the Association of Democratic Services Officers (ADSO) who, according to the Municipal Journal, are also very much on this case.
- NALC must listen to the very loud and heartfelt call by small local councils for there to be a series of simplified guidance and policy templates produced (possibly all offered in one 'Parish Council Blue Book' which could be adopted in toto if desired). Offered as a starting point is a list from 'The Clerk' of January 2015, supplied by Stephen Rickitt. (See Appendix 4). His suggestion for a possible resolution by Anytown Parish Council is Appendix 5.

- Similarly, simple templates for job descriptors and guidance on a range of issues should be produced. See Appendix 6 which contains updated versions of papers originally produced by Councillor David Francis, now tabled by him and Councillor Lillian Burns jointly.
- The problem of trying to attract people to become local councillors is clearly quite substantial, although it has not been quantified. However, a number of respondents referred to the problems of not having a full quota of councillors on their Council. One made the suggestion of producing a YouTube video. Ironically, that suggestion arrived just as NALC launched a YouTube video featuring Jackie Weaver trying to encourage people to come forward: <https://www.nalc.gov.uk/news/entry/2075-nalc-releases-a-new-video-for-its-make-a-change-campaign%20>. The video is part of NALC's 'Make a Change' campaign which is focused on trying to attract more interest in local councils. Unfortunately, the video emerged too late for this year's local elections, and many local councils had too few candidates standing again. Nevertheless, it is hoped it will have some impact.
- Training is a variable issue around the country. Some County Associations organise a series of training sessions and other organise none. Now that many of the training sessions have gone 'on-line' it is not clear why they could not be made more widely available. Could NALC not collate a record of those that are on offer and display a regularly up-dated list on their website? And where subjects are not already covered through virtual sessions by any County Associations (there is an interesting potential list on page 21 of this report), perhaps NALC itself could offer training on them?
- The main financial issue raised was the problems of dealing with banks. Might it be possible for NALC to produce a briefing document for the banks and attempt to get them to accept it? Could NALC also look into whether or not it: could negotiate software packages, get VAT dropped for local councils and if it could recommend minimum salaries for clerks?
- The issue raised around fraud risk and cyber security (on pages 25 & 26) are interesting and should be investigated. Also, might it be possible for NALC to arrange that any Parish Council (or County Association) which wishes to take up the .gov.uk email address can do so easily?
- Councillor Francis made an important point in his submission - that all material which comes forward via NALC should be subject to 'proofing' to ensure that it is relevant to very small councils as well as larger ones. He proposed that emerging documents should be tabled before both the Smaller Councils Committee and the Larger Councils Committee before being published. This recommendation should be taken up.
- There were also a number of interesting suggestions which came forward that were made by only one or two respondents, eg. the concept of local councils being able to access a small pot of money for minor highways works is one that already exists in some LA areas, but it is a question of finding out where those are and how they operate. However, what is apparent is that if the feedback is to be properly sifted and considered and if all or some of the recommendations are to be taken forward, there needs to be more dedicated officer time devoted to this exercise to ensure that it amounts to more than a passing point of interest. It is to be hoped that this will happen and that this report is considered not only by the Smaller Councils Committee but also by the NALC Management Board and the full Assembly.

APPENDIX 1

11 MARCH 2022

All smaller local councils

Dear chairs and councillors of smaller councils

The National Association of Local Councils (NALC) has a committee specifically dedicated to smaller local (parish and town) councils – these are defined as those councils with an electorate under 6,000. The members who serve on the committee all come from small local councils themselves.

We would like to hear from you on the issues you would like us to address that are specific to small councils and to invite you to tell us what services NALC could consider offering to meet your needs. For instance, are there any specific issues you would like us to feed into NALC's online events, committee meetings or national network sessions which you would find particularly useful and/or is there a particular issue you think we should be lobbying government about which we aren't currently?

In case you might find it useful, the committee has been considering the following subjects:

- practice regarding planning consultations
- carbon literacy
- identifying future membership needs for advice/guidance and providing feedback/input on NALC services
- practical issues arising from small councils having limited capacity
- sharing good practice, supporting NALC campaigns/big themes and helping develop the evidence base including through surveys
- improving good governance
- increasing take-up of the Local Council Award Scheme and CILCA

We hope you will consider this request as an agenda item at your next local council meeting.

We look forward to hearing from you.

Please reply to policycomms@nalc.gov.uk by 30 April 2022.

Yours sincerely,

Cllr Graham Ford
Chair
NALC Smaller Councils Committee

APPENDIX 2

Revised Resolution

..... has little confidence that Council is capable of providing a planning function which is fit for purpose. We are of the view that little weight, if any, is given to the knowledge of local parish councils and communities and that this is in contravention of both democratic principle and the Localism Act.

..... looks forward to:

- employing a sufficient number of capable planning officers who are able to discharge their responsibilities in a professional and timely manner,
- expenditure is targeted on staff rather than frivolous back office systems,
- officers and members give due and appropriate weight to the views of parish councils,
- membership of planning committees reflects a proper and proportionate knowledge of **all** areas within that committee's remit,
- site visits by both officers and committee members to all development of 5 or more dwellings become the norm and that councillors who do not attend such visits should refrain from voting on that development,
- representatives of the parish council affected by a development should be invited to attend and represent their views at such site visits,
- members who wish to express a view on a planning matter should not express their view until after the affected parish council has informed them of their deliberations and in the event that member's view is different to the parish council's the member, out of courtesy, should inform the parish council as to their reasons why,
- information relating to planning applications should be placed on the planning portal in a timely and complete manner,
- applications to amend existing planning permissions (especially reductions in the number of affordable units) for 5 or more dwellings should not be delegated to officers but decided by members,
- all members of planning committees should be provided with

thorough and appropriate training to enable them to challenge officers' recommendations

- Fully adopt the current draft Principal Residence Plan
- Improve communications between Parish Clerks and Planning Officers by publishing contact details and
- meaningful and timely feedback from the on these and past concerns expressed by

NB This resolution if adopted will be distributed to the following

.....

.....

.....

.....

CPRE

.....

Local Press

APPENDIX 3

NALC

Issues with the current planning portal and processes with Council

Issue	Recommendation
The Parishes are not listed in full alphabetical order, they are sub divided into areas	Whole list needs to be in Alpha order
First Application search page	There needs to be a Parish facility to search on the first page not just the number or address, rather than scrolling down to the advanced search
When searching for a parish you can only choose the first letter then scroll down all the parishes with that letter	There needs to be an advanced search system so as you type it automatically find the parish
There is still not an option to search for group parishes.	A tick box for a group Parish Council search
When opening up a document they automatically download. A view only option needs to be available	A facility needs to be available to open up in browser rather than download every file, as this waists storage space.
No longer neighbour consultations	This facility needs to be reinstated
No further notifications of decisions, or updates on applications which can be quite significant sent to parishes or ward members	This is a time-consuming job searching all through applications to see what has been considered. Especially with group parishes. We have had experience of the lack of communication of these changes.
Listing of documents	The list of documents on applications need to be in date order or an option to change the search.
Listing of applications and moving to the next page	The applications are listed in date order but when you scroll down to the bottom of the page you then have to scroll back to the top to move to the next page. The next page option needs to be at the bottom of the page as well

Yours sincerely

Clerk to the Council

APPENDIX 4

1	<i>Corporate / Business Plan</i>		
2	Annual Report		
3	<i>Financial Regulations</i>		
4	<i>Risk Assessment</i>		
5	Revenue Reserves Policy		
6	Grant awarding policy and procedure		
7	Insurance		
8	Internal Audit Controls and Review		
9	Procurement Policies		
10	<i>Standing Orders</i>		
11	Code of Conduct		
12	<i>Asset Register</i>		
13	Complaints Procedure		
14	Document Management		
15	Equal Opportunities		
16	Emergency Planning		
17	Lone Working		
18	Community Engagement		
19	Marketing Strategy		
20	Events		
21	Publicity		
22	Freedom of Information		
23	Data Protection		
24	Information, IT, Email and Internet Policy		
25	Social Networking		
26	Bullying & Harassment AKA Dignity at Work		
27	Child Protection & Vulnerable adults		
28	Flexible working		
29	Grievance & Disciplinary		
30	TOIL & Leave		
31	Training & Development		

APPENDIX 5

POTENTIAL RESOLUTION BY ANYTOWN PARISH COUNCIL:-

Anytown Parish Council resolves:

- 1. To revoke all existing policies and procedures with the exception of**
- 2. To adopt the Smaller Councils Policy pack prepared by the
National Association of Local Councils and available on their website at**
- 3. To note that the National Association of Local Councils will amend the
Smaller Councils Policy Pack from time to time**
- 4. To automatically adopt such amendments**

APPENDIX 6

EDITED GUIDANCE FOR SMALLER LOCAL COUNCILS

RECRUITING A CLERK

1. Employment standing

Any Clerk of a Local (Town or Parish) Council who receives remuneration for the role must be an employee of the Council and, along with their employer, will be subject to relevant employment law and expected to follow best practice, including 'equalities' requirements in their procedures. Her Majesty's Revenue and Customs dictates that *"a Parish Clerk may never be considered self-employed for tax or NIC purposes"*¹.

2. The employer responsibility

Although, technically, the Council itself is the Clerk's employer, for practical reasons, there is merit in delegating the recruitment and induction role to a panel of two or three Councillors. However, such a panel cannot actually appoint unless given the authority to do so by the full Council. If they are not granted that authority, then the panel must bring their recommendations to the full Council to vote upon.

3. Job details

Before any recruitment starts, the panel (or full Council) should review the job description, person specification and main terms/ conditions of service. Whilst some provisions are fairly standard, there are others such as hours per week, salary grade, holiday provision and work-from-home travel costs which will be specific to each council. Model documentation and salary guidance is available from the National Association of Local Councils (NALC). From these details, an advertisement and an application pack can be produced comprising:

- Job details
- A description of the council and the community it serves
- Details of the recruitment process and timetable
- An application form (this is not essential but utilising one does help to capture the required information in a consistent format)

4. Advertising

The law requires Council job appointments to be made on merit and so effort must be made to attract a decent field of candidates. Whilst there are no stipulations as to which media to use, the choice ranges from noticeboards, local newsletters and newspapers to the websites of the Council itself, the County Association and NALC. There is also social media. However, if using a head hunting agency, the Council must ensure the process has full transparency.

¹ Ref. HMRC Employment Income Manual (ESM) 65799: <https://www.gov.uk/hmrc-internal-manuals/employment-income-manual/eim67300> and ESM 4000: <https://www.gov.uk/hmrc-internal-manuals/employment-status-manual/esm4260>.

RECRUITING A CLERK, CONTINUED

5. Short-listing and interviews

Following the deadline for the receipt of applications, the recruitment panel should decide on a short-list, agree what will happen at the interviews and invite the candidates for interview. It is recognised good practice to draw up (and stick to) an agreed schedule of questions in order to ensure that equal opportunity standards are applied.

Whilst face-to-face interviews were recommended in the past, (preferably in a neutral location such as a village hall or community centre) it is not unusual now for interviews to be conducted via video conferencing. This is perfectly legitimate.

6. Making the appointment and agreeing the contract of employment

It is highly advisable to confirm the job offer in writing and to include in the letter the main terms and conditions of service. (That said, it is legally acceptable to transmit these electronically). It should be noted that a contract of employment exists after a job offer is made, even if not in writing, once the person selected commences the work.

Important further information/advice

- Councillors engaged in the recruitment process are advised to read the National Training Strategy publication 'Being a good employer: a guide for parish and town councillors'. Drawn up jointly by the National Association of Local Councils (NALC), the Society of Local Council Clerks (SLCC) and ACAS, it is downloadable free – for NALC members – from the 'log-in' part of their website (under 'Development Tools').
- The Clerk's salary and employment details (and those of any other staff members) are normally dealt with by the full Council in confidence as a 'Part B' agenda item from which members of the public and press are excluded.
- It is recommended that the terms and conditions of service include not only a commitment to ongoing training, regardless of whether the person is CILCA qualified or not, but a commitment to hold an appraisal no less than once a year. This should actually take place – both for the benefit of the Council and the benefit of the Clerk. This is normally carried out by the Chairman but the responsibility can be delegated.
- Although most parish council files tend to be held by the Clerk, it is recommended that the Chairman, or whoever leads on employment matters, should hold and maintain a personal file about the Clerk which contains the key documents including job details, letter of appointment, statement of and alterations to the main terms and conditions of service and appraisal reports.
- In the interests of good community relations and transparency, it is advised that the name and contact details of the Clerk are well publicised as soon as possible after the appointment is confirmed, including on the Parish Council website.

EDITED GUIDANCE FOR SMALLER LOCAL COUNCILS

ROLE DESCRIPTOR FOR CLERK/RESPONSIBLE FINANCIAL OFFICER

The Parish

[Offer a brief description of the Parish and the Council here, eg. population or electorate size, the number of councillors, the frequency of meetings and the size of the precept].

The Roles of Clerk and Responsible Financial Officer

[The roles of Clerk and Responsible Financial Officer are distinct but, in the majority of small Parish Councils they are held by one part time officer. That said, it is not uncommon for a parish to have difficulty finding a person who can fulfil both roles and therefore the two are split, sometimes with a Councillor taking one of them. Many parishes struggle to find anyone willing or able to fill either role as the posts are atypical and require a wide range of skills. Councils might therefore choose to describe the roles as two distinct entities as shown:]

The Clerk

The Clerk is the Chief Officer of the Council and is responsible for advising and supporting the Council and its members, carrying out the business of Council between meetings and promoting the Council's engagement with the wider community and with other bodies.

Responsibilities

1. An administrative role that includes issuing notifications, taking meeting minutes and keeping records in accordance with the regulations that govern the first tier of local government, passing on to Councillors any information they need to carry out their job properly, booking venues, replying to queries and invitations and liaising with the principal authority, other Local Councils, the County Association, NALC and the Police
2. Upholding standards and ensuring the Council meets its legal requirements and agreed aims and has in place appropriate policies that are updated regularly
3. Implementing the Council's decisions and taking decisions when delegated to do so
4. Assisting with and promoting the Council's interactions with the wider community, eg. when it is engaged in an exercise such as producing a Neighbourhood Plan
5. Representing the Council's interests, eg. at partnership meetings and conferences
6. Researching problems and opportunities relevant to the local area
7. Receiving training whether already CILCA qualified or not
8. *[If the post of Responsible Financial Officer (RFO) is a separate one, working closely with the person holding that position and, if it is another officer, managing them].*

[Other duties depend on individual Councils, eg. many Councils give the job of updating their website and social media to the Clerk. In some, a Councillor does the job or it is outsourced].

ROLE DESCRIPTOR FOR CLERK/RESPONSIBLE FINANCIAL OFFICER, CONTINUED

Responsible Financial Officer

It is a statutory requirement that every Local (Town or Parish) Council has an individual who is the appointed Responsible Financial Officer (RFO) in charge of the proper administration of the Council's financial affairs. This person must comply with all relevant financial legislation relating to the first tier of local government. The individual can be the Clerk.

Responsibilities

Ensuring that all financial dealings and records, and a set of Council financial regulations, are maintained in accordance with best practice, are accurate and up-to-date. The role includes:

1. Managing the Council's bank accounts securely, ensuring payments and receipts are controlled and reconciled
2. Managing the monthly payroll including PAYE, NIC and pension requirements
3. Managing VAT reclaims
4. Providing all relevant financial information to the Council *[and any finance sub-committee it might have]* for oversight of the finances and authorisation
5. Managing the financial year end for the Council, ensuring all accounts are accurate and submitted in line with statutory requirements and timetables
6. Managing the Council's insurance policies, ensuring risks are adequately covered
7. Preparing and issuing all agendas and notices relating to any financial sub-committee and taking and issuing the minutes of any such sub committees
8. Receiving training whether already CILCA qualified or not

[Jobs such as maintaining a risk register and an asset register can be the duty of the Clerk or the RFO, but it should be noted that Councils are obliged to carry out risk assessments].

THE PRACTITIONERS' GUIDE, 2022 EDITION

NALC published the latest edition of the 'Practitioners' Guide' by the Joint Panel on Accountability and Governance (JPAG) in March 2022. This edition of the guide has made updates to section 5 on the non-statutory guidance for Clerks and RFOs. This section leads Councils to prepare and take their Annual Governance and Accountability Return (AGAR) and its supporting papers to the Council and then get through the internal and external audit process. (JPAG is responsible for issuing proper practices about the governance and accounts of smaller authorities). The guide is downloadable free here: <https://www.nalc.gov.uk/library/our-work/jpag/3698-practitioners-guide-2022/file>. Very small Parish Councils with budgets of less than £25,000 p.a. can declare themselves exempt from a limited assurance review but should still acquaint themselves with this guide.

Authors: David Francis and Lillian Burns, 2022

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EDITED GUIDANCE FOR SMALLER LOCAL COUNCILS

MODEL COMPLAINTS POLICY

This policy sets out a procedure for dealing with complaints that anyone or any organisation may have about ----- Parish Council's administration, procedures or corporate behaviour or the behaviour of individuals.

In the first instance, attempts will be made to deal with the issue that is the subject of the complaint on an equitable and informal basis. If it is considered helpful, the Council may furnish the complainant with documentation. However, if the matter cannot be settled on this basis – either orally or by the exchange of emails with the Clerk, the Chairman or an individual concerned – complainants will be asked to set down their complaint in a formal letter to the Clerk, along with any documents relevant to the case, unless the complaint is about the Clerk, in which case they should write to the Chairman.

The complainant will receive a formal acknowledgement within five working days. A proper complaint file will be opened and from this point forward everything relevant will be a subject of record, including any documentation that is exchanged. The complaint will be investigated by the Clerk or the Chairman, or both, who will make a formal response to it.

If the complainant is still not satisfied, then one or more Councillors who are not involved in the complaint may be delegated to try and resolve the issue. They may ask the complainant to attend a meeting, along with a representative if they so choose. If such a meeting takes place, it will be minuted. If the delegated Councillors fail to reach a resolution or if this modus operandi is not suitable to the complaint, then the matter can be referred to the full Council, although two nominated members would not take part in those proceedings in order that they would be available to handle any appeal if required. If the issue is a financial one or personal to a member of staff, it may be dealt with in a meeting from which the press and public are excluded, although the complainant would be allowed to be present and to state their case. The Council will then debate the matter and come to a conclusion.

If the complainant is still not satisfied after the Council's formal complaints procedure has been enacted and the complaint is about an individual Council member, the complainant has the option of referring the matter to the Monitoring Officer of the principal authority.

Habitual and vexatious complaints

The Council will endeavour to deal with complaints in an efficient, equitable and effective manner. The aim of the Council is to manage each case properly, consistently, fairly and respectfully and ensure that the complaint, not the complainant, is the issue during any procedure and decision making. Any action taken as a result of proven persistent and/or vexatious complaint will be proportionate to the degree of annoyance/aggravation caused.

EDITED GUIDANCE FOR SMALLER LOCAL COUNCILS

RISK ASSESSMENT

The requirement

Local (Town and Parish) Councils are required to demonstrate to their auditors that they have carried out a risk assessment. In order to satisfy the auditors, it will be important for the Council's assessment to have been discussed at a full Parish Council meeting, accepted and the decision recorded in the minutes.

Advice

There is no definitive list of risks that have to be addressed but the following are strongly recommended:

1. Insurance. Review the Council's policy or policies each year to be confident that the appropriate areas are covered, eg. public liability, fidelity guarantee, personal accident, etc., at an appropriate level. If any Council-owned property or land (eg. a playground) is susceptible to flooding, does the insurance fully cover the flood risk?
2. Staffing. Most Parish Councils can continue to function even if some councillors are absent or unavailable, but they can be in difficulty if the Clerk is away or ill. The risk assessment needs to say what actions they will take in this eventuality.
3. Sharing the responsibility. Assess whether some roles and responsibilities could be given to a third party, for instance contracting out certain tasks such as grass cutting, cemetery maintenance or safety inspections.
4. Records. Consider whether key records such as minute books, accounts and deeds are kept in a suitably secure place. Also, if all or most of the key records are stored in the Clerk's computer, how readily can they be accessed or transferred? Are back-ups regularly being made of the Clerk's electronic files – and stored in a safe place?
5. Legal advice. Does the Parish Council have access to (and make use of) professional advice on legal and procedural matters? Is the Clerk aware of the Legal Topic Notes that NALC produces and updates at regular intervals?
6. Legal requirements. Is the Council complying with all its legal requirements, eg. the Transparency Code and General Data Protection Regulations?
7. Financial mismanagement. Has there been a risk assessment carried out that covers all aspects of financial management?
8. Members' Interests. Is the register of members interests being kept up-to-date – and a record of any hospitality or gifts received?
9. Assets Register. Has the Council produced an assets register? Is it up-to-date?
10. Complaints Policy. Does the Council have a complaints policy that is on its website?

This is not an exhaustive list but it covers the most common risks for most Parish Councils.