

## **The Transparency fund for Smaller Local Councils - Frequently asked questions**

What is the Transparency code for Smaller Authorities? .....	2
Which authorities can apply for this funding? .....	2
When does the funding begin? .....	2
What does “Turnover” mean? .....	2
What happens if the Parish Council Turnover is around the £25k per annum mark. .....	3
Can the Parish Council publish the salary information of Clerk? How does the Transparency Code requirement sit with the Data Protection Act in this case? .....	3
What is a scanner? .....	4
What if my authority is not a member of a county association? .....	4
What if my question is not answered in the list? .....	4

### **What is the Transparency code for Smaller Authorities?**

This code is issued to meet the government's desire to place more power into citizens' hands to increase democratic accountability.

The code is mandatory from 1 April 2015 and requires the online publication of key spending and governance information on the occasions specified in the Code. A full copy of the legislation can be found [here](#)

### **Which authorities can apply for this funding?**

It applies to the following types of authorities with an annual turnover not exceeding £25,000:

- parish councils
- internal drainage boards
- charter trustees
- port health authorities

### **When does the funding begin?**

NALC have planned a funding timetable to the end of the 2015/16 financial year. The funding will continue through 2016/17 but the frequency of applications may be altered.

The table below shows the application deadlines and the release of funds dates.

<b>Authority Submits to County Association</b>	<b>Money for successful bids released to authority</b>
14 October 2015	30 November 2015
13 November 2015	08 January 2016
14 December 2015	01 February 2016
14 January 2016	29 February 2016
14 February 2016	31 March 2016

### **What does "Turnover" mean?**

Turnover is defined as the higher of an authority's gross income for the year and its gross expenditure for the year.<sup>1</sup>

**What happens if the Parish Council Turnover is around the £25k per annum mark.**

In most circumstances a budget will have been set and it is best to work on that basis.

However the advice below covers all cases:

- At the start of any year a parish council with a turnover, or expected/budgeted to have a turnover of or above £25k – will not have to comply with the Transparency Code, but will be subject to an audit and should make arrangements accordingly. The Transparency Code remains best practice and it is hoped that parish councils will wish to adhere to it, but there is no legal requirement. From 2017 they should advise the SLB of any change.
- At the start of any year a parish council with a turnover below £25k – will have to comply with the Transparency Code – and electronically publish accounts, agenda, meeting papers etc. in line with the Code. From the start of the 2017/18 financial year they will not be subject to an audit. From 2017 they should advise the SLB of any change.

If at the end of the year the parish councils find that:

- Their turnover is below £25k (even though their expectations were for this figure to be higher) – if this is the case from the start of the 2017/18 financial year they will not be audited and but from the start of the 2015/16 financial year they must attempt to meet the Transparency Code requirements, and electronically publish relevant documents. From 2017 they should advise the SLB of any change.
- Their turnover is above £25k (even though their expectations were for this figure to be lower) – if this is the case they will be audited for that year and but do not have to meet the Transparency Code requirements, but it is hoped that parish councils will wish to adhere to the Code as it is best practice. From the start of the 2017/18 financial year Parish Councils will have to inform the Sector led Body that they require an audit for that if they had not done so previously.
- Parish councils may only realise what band they fall and what work is required when they know their actual turnover and this may be late in the Financial Year, perhaps after an unforeseen expenditure or event. In this case it is expected that all reasonable measures be taken.

**Can the Parish Council publish the salary information of Clerk? How does the Transparency Code requirement sit with the Data Protection Act in this case?**

The Government believes that the personal information of local authority officials can be published compliantly with the Data Protection Act 1998. Parish Clerks as public employees should expect that personal information such as salary information may be made public and there is public interest in the accountability of the spending of public money. However, parish councils are best placed to apply the law to their own position, which may vary, and it is important that they carefully consider the requirements of the Data Protection Act and that any personal information is processed in a compliant manner to ensure the parish council is not in breach of the Data Protection Act. Advice can be found at <https://ico.org.uk/for-organisations/guide-to-data-protection/> .

**What is a scanner?**

A scanner is a device that scans documents and converts them into digital data. It can be used to produce a digital version of documents that are only available in paper form – for example the council's end of year return.

**What if my authority is not a member of a county association?**

DCLG have asked NALC to administer the fund for all eligible authorities regardless of county association membership.

**What if my question is not answered in the list?**

Please contact your local County Association. They will answer your query or refer it to NALC. This list will be updated twice a week as new queries come in.