

Derbyshire Association of Local Councils

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Aldern House, Baslow Road, Bakewell, Derbyshire DE45 1AE

Tel: 01629 816338

e-mails: chiefofficer@derbyshirealc.gov.uk

admin@derbyshirealc.gov.uk

www.derbyshirealc.gov.uk

Circular No. 08/2015

To all Member Town and Parish Councils and Parish Meetings

GENERAL CIRCULAR

In this Circular:

- Purdah Guidance
- Changes to the smaller authorities' local audit and accountability framework
- Town and Parish Council websites
- Sustainable Communities Act - training session for all DALC Member Councils facilitated by the Leicestershire & Rutland Association
- Spring Seminar reminder
- Clerk Induction Training
- Vacancies

1. PURDAH GUIDANCE

The pre-election period is defined as beginning with the last date for the publication of notice of the election (30 March) to the close of poll at 10:00pm on polling day (7 May), known as the purdah period, the Council, its members and officers should be aware of the special rules designed to ensure the political impartiality of all Council publicity. This will include the obvious forms such as newsletters, magazines, press releases, posters and leaflets issued by the Council. It also includes websites, public meetings,

local consultation exercises, exhibitions sponsored by the Council and press advertising, and can include spoken words addressed to the public or broadcast through radio, television or the Internet. There is statutory guidance for local authorities about publicity and information issued during the period just before local elections. The Code of Recommended Practice on Local Authority Publicity is issued under section 4 of the Local Government Act 1986.

Generally, the Council must avoid:

- proactive publicity of candidates and other politicians involved directly in the elections;
- publicity that deals with controversial issues that could specifically be linked to a relevant election issue (where this cannot be avoided, the publicity should present issues clearly and fairly with opposing points of views represented); and
- publicity that reports views, proposals or recommendations in such a way that it identifies them with individual members or groups of members directly involved in the election.

However the Council can respond to events and legitimate service enquiries provided the answers given are factual and not political. It can also comment on a relevant issue where there is a genuine need for a member level response to an important event outside of the Council's control.

Generally this means that during the election period the Council will:

- exclude all quotes from and photographs of members directly involved in the election in press releases, publications and other published material;
- refrain from organising photo opportunities or events which could be seen as giving candidates, members or other political office holders directly involved in the election a platform for political comment;
- postpone publications, events or promotions until after the election if proceeding could give the appearance of seeking to affect support for a political party or candidate directly involved in the election;
- not comment on matters of political controversy unless to refrain from comment would be harmful to the Council's best interests;
- avoid references in publications to the period the Administration has been in office or to the Council's future; and
- not undertake any other activity which could be seen as designed to benefit a particular political party or candidate directly involved in the election.

The Code does not affect the ability of local authorities to assist charities and voluntary organisations which need to issue publicity as part of their work, but it requires local authorities, in giving such assistance, to consider the principles on which the Code is based, and to apply them accordingly.

In conclusion

Councils are obviously permitted to serve their electorate in the way they feel best. Common sense and a little caution in ensuring that public funds are not used to seek the promotion of individuals or groups of councillors, is wise advice.

2. CHANGES TO THE SMALLER AUTHORITIES' LOCAL AUDIT AND ACCOUNTABILITY FRAMEWORK

The Department for Communities and Local Government (DCLG) has published a new guide on the changes and key requirements of the new local audit and accountability regime for local (parish and town) councils from 1 April 2015. See

<https://www.gov.uk/government/publications/changes-to-the-smaller-authorities-local-audit-and-accountability-framework>

It sets out the changes in two stages, from April 2015 after the closure of the Audit Commission and from April 2017 with the introduction of the local auditor appointment.

A summary of the main points includes:

The Local Audit and Accountability Act 2014 (the Act) closes the Audit Commission and establishes new arrangements for the accountability and audit of local public bodies in England.

The Act builds on the general principle that all local public bodies, regardless of size, must account for all the money they receive and spend, wherever it comes from. Local taxpayers expect local public bodies to be open and transparent about how they have handled public money, as these bodies are always accountable to the communities they serve.

Smaller authorities with an annual turnover below £25,000 - that will be exempt from the requirement to have a routine annual assurance review under the new regime - are referred to as '**exempt authorities.**'

Smaller authorities with an annual turnover above £25,000 - that will be 'non-exempt' from this requirement and must still have a routine annual assurance review - are referred to as '**non-exempt authorities.**'

The new legislation replaces the Audit Commission Act 1998 and the Accounts and Audit (England) Regulations 2011.

The changes introduced by the new legislative framework will happen in two stages.

Please note – the requirement for all town and parish councils to undertake an internal audit remains unchanged for the foreseeable future.

The first stage starts on 1 April 2015 and applies to the 2015/16 and 2016/17 financial years. The second stage is currently expected to start on 1 April 2017 and apply to all financial years from 2017/18 onwards.

The Audit Commission will close on 31 March 2015.

From 1 April 2015, responsibility for making auditor appointments and setting audit fees will transfer to a new company, Public Sector Audit Appointments Limited. This new company will undertake these functions until the current contracts with audit firms expire – currently expected to be after the completion of the 2016/17 audits.

Smaller authorities will keep the external auditor appointed by the Audit Commission until the 2016/17 audit process has been completed.

The new Code of Audit Practice will take effect for the 2015/16 accounts onwards.

Auditors' work on 2014/15 annual accounts will be conducted under the Audit Commission's existing Code of Audit Practice. The National Audit Office will also prepare, update and publish *Council Accounts: a guide to your rights*, which explains how local residents and electors can exercise their legal rights in respect of the accounts.

What do smaller authorities (both 'exempt' and 'non-exempt') need to do from 1 April 2015

All smaller authorities will continue to prepare annual accounts in the form of an annual return.

There are no changes to the requirement for smaller authorities to have an internal audit.

For 2014/5, 2015/16 and 2016/17, the annual return will continue to be audited by the external auditor appointed by the Audit Commission.

Exercise of public rights

From 1 April 2015, there will be changes to the way smaller authorities support local electors in the exercise of their rights in relation to the accounts.

For the accounts of 2014/15, nothing changes and the auditor will call the audit and set the dates for public inspection of the accounts in the usual way.

However, for the 2015/16 financial year and beyond it is the Responsible Financial Officer of each smaller authority who must set the commencement date for the exercise of public rights, rather than the auditor.

Transparency Code for smaller authorities

A further change is that from 1 April 2015 smaller authorities with annual turnover below £25,000 will be subject to the requirements of a new Transparency Code for smaller authorities. Parish meetings where there is no parish council are exempt from the requirements of the Code.

The Code requires the certain information, relating to the authority and the previous financial year, to be published annually. This should be published on the first occasion by 1 July 2015 and in each subsequent year no later than 1 July. DALC has already issued details and we are aware that further information and clarification will be forthcoming over the next few months. However, all the information must be published on a website, which is publicly accessible and free of charge to view.

What will change for smaller authorities from 1 April 2017?

Appointing an external auditor

For the financial year starting on 1 April 2017, smaller authorities will be responsible for appointing their own external auditor. By 31 December 2016, smaller authorities must have appointed an external auditor to undertake an assurance review of the 2017/18 accounts.

To help smaller authorities find and appoint an auditor, it is anticipated that representatives from the sector will bring forward a proposal to undertake this role as a 'Sector Led Body' to provide bulk procurement services.

3. TOWN AND PARISH COUNCIL WEBSITES

As a requirement of the new Transparency Code for smaller authorities parish councils need to make certain information available on a website, which is publicly accessible and free of charge to view. This might be something District and Borough councils would be prepared to facilitate, but in the longer term councils should give serious consideration to setting up their own websites. DALC propose to run information sessions on this during the forthcoming year, and further details will be available shortly.

Councils may wish to investigate possible funding through Awards for All as a parish website would be seen to fall in the Awards for All outcomes "stronger communities" and "improved rural and urban environments". Awards cannot be sought retrospectively and Awards for All recommend applications are made no later than 4 months from the start date of the project. For further details see -

<https://www.biglotteryfund.org.uk/funding/awards-for-all>

4. SUSTAINABLE COMMUNITIES ACT - TRAINING SESSION FOR ALL DALC MEMBER COUNCILS FACILITATED BY THE LEICESTERSHIRE AND RUTLAND ASSOCIATION

COURSE TITLE: Parish Councils and The Sustainable Communities Act

COURSE TUTOR: Ameneh Enayat, Local Works

Local Works is a coalition of 100 national organisations who successfully campaigned for the legislation to be introduced in 2007. They now exist solely to promote the Act and ensure government implements it properly.

Local Works has been awarded a grant from the Andrew Wainwright Trust to help raise awareness of the Sustainable Communities Act to Town and Parish Councils and have arranged a training session that will provide an overview of the Sustainable Communities Act. The session will cover:

- Background, philosophy, principals behind SCA
- What SCA is and how it works
- Example proposals
- **The Sustainable Communities Act 2007** provides an opportunity for local people, communities and parish and town councils to ask central government to remove legislative or other barriers that prevent them from improving the economic, social and environmental well-being in their areas.

The course is for both clerks and councillors/chairmen.

COSTS: FREE TO MEMBER COUNCILS

DATE: 29th April 2015, 1.30pm – 3.30pm

VENUE: Jubilee Hall, Anstey, Leics, LE7 7AY

BOOKING: directly with the Leicestershire and Rutland Association by phone (0116 235 3800) or by email (admin@leicestershireandrutlandalc.gov.uk).

5. SPRING SEMINAR REMINDER

Please note, any delegate who has reserved a place but has not received the Spring Seminar documentation in readiness for Thursday 26 March at Stretton Village Hall, please contact the DALC office without delay.

6. CLERK INDUCTION TRAINING

A further Clerk Induction Training Course will take place on Wednesday 15 April 2015, 10.30am – 1pm in the DALC Office at Aldern House, Bakewell. This training is essential for any new clerk or individual who is thinking of becoming a clerk. The cost involved is £25 per delegate for Member Councils paying the basic rate of subscription and free of charge for Member Councils opting for the training enhanced subscription (limitation conditions as detailed) Please contact Glen to reserve a place. 01629 816338, admin@derbyshirealc.gov.uk

7. VACANCIES



MATLOCK TOWN COUNCIL ARE LOOKING FOR RELIABLE, CONFIDENT AND TRUSTWORTHY INDIVIDUALS TO JOIN THEIR BUSY EVENTS TEAM:

CLERICAL ASSISTANT (EVENTS)

Part time: 16 Hours/week

Option to extend working hours between September and December

SCP 11-17 (£15,207 to £17,372 pro rata per annum)

Along with general reception and clerical duties, the post holder will assist with the organisation and delivery of Town Council events throughout the year with the focus being on the Matlock Christmas Weekend, Remembrance Services, the Civic Service and general Community events and Imperial Rooms functions.

Good communication, computer and numeracy skills are essential, as is a large degree of tact, diplomacy and flexibility.

Willingness to work at weekends an advantage.

OUTDOOR OPERATIVES

No guaranteed hours.

SCP 11-17 (£15,207 to £17,372 pro rata per annum)

To assist Town Council staff in running a full programme of Community events in the Town and throughout the year.

Duties include: leaflet delivery, banner installation, traffic management, litterpicking etc.

Must be prepared to work broken shifts and at weekends

RELIEF CARETAKERS

No guaranteed hours.

SCP 11-17 (£15,207 to £17,372 pro rata per annum)

To assist and provide cover for the existing caretaking staff at large events and in periods of absence and high workload.

Duties will include caretaking /janitorial duties, customer liaison, occasional keyholder etc.

**Must be prepared to work broken shifts and
at weekends and evenings**

Training will be given for all posts, where appropriate

Contact us at the above address or on-line for further details or an application pack.

Closing Date: 4pm, Friday 17 April 2015

***Interviews anticipated to take place week commencing
Monday 27 April 2015***

Please note: We do not accept CV's

DALBURY LEES PARISH COUNCIL VACANCY – CLERK / RFO

Applications are invited for this post. The successful applicant will work from home, for which an allowance is paid, and be required to attend Council meetings which are usually held on the second Monday of January, March, May, July, September and November each year.

Previous administrative experience would be highly advantageous, together with an understanding of local Government practices and procedures. An allowance for I.T. equipment will be paid and a fully competent level of computer literacy is required.

In addition to providing relevant support to the five Councillors, the Clerk/RFO will also be responsible for all statutory financial reporting requirements. Salary will be within the NALC/SLCC scale LC1 SCP15-22 £8.613 to £10.527 per hour dependent upon experience, and the hours will be 10 per calendar month. The successful applicant, if inexperienced in being a Parish Clerk will undertake Clerk Induction Training with the Derbyshire Association of Local Councils, and other training will be offered as appropriate.

Written applications, together with CV and details of two referees* to Cllr Jackie Drake (Chair), Holmwood, Dalbury Lees, Ashbourne, DE6 5BE, to be received by Thursday 2nd April, 2015. For any queries, please contact Cllr Jackie Drake on 01332 824029, Cllr Mo Pateman on 01332 824976.

Interviews will take place on the evening of either Wednesday 8th or Thursday 9th April 2015 at Dalbury Lees Millennium Hall Trust Village Hall. (*Referees will not be contacted prior to potential appointment).

CHARLESWORTH PARISH COUNCIL – VACANCY FOR A CLERK/RESPONSIBLE FINANCIAL OFFICER

The Council currently has its full complement of nine members. The Council meets monthly (except for August and December), usually on the 3rd Wednesday of the month and the Annual Parish Meeting is held directly after the March monthly meeting of the Council. The Council is responsible for Charlesworth Village Green, the Memorial Gardens, a few other pieces of land around Charlesworth and the War Memorial. The Council is looking for someone with drive, enthusiasm and flexibility.

Applicants should have a knowledge and understanding of basic minute taking and accountancy skills. They should also possess the ability to communicate effectively, develop working relationships with people at all levels and work on their own initiative. The successful applicant, if inexperienced in being a Parish Clerk will undertake Clerk Induction Training with the Derbyshire Association of Local Councils.

A full job description, detailing the specific responsibilities of the Clerk/Responsible Financial Officer and what is expected of them, and a person specification are available on request (see below for contact details).

The salary will SCP 23-26 (£10.84-£11.92 per hour) dependant on experience, working 7.5 hours per week from home.

Please send your CV and supporting letter detailing experience and qualifications, along with details of two referees, to Councillor Stephen Worrall, Acting Clerk to Charlesworth Parish Council, 72 Glossop Road, Charlesworth, Glossop, Derbyshire, SK13 5HB. Alternatively you can contact the Acting Clerk via e-mail at charlesworthparisklerk@hotmail.com or via telephone on 07411 950287.

The closing date for applications is 1st April, interviews will be held on an evening of a day in the week commencing 13th April and the post will commence on 1st May.

Sarita Presland
Chief Officer

March 2015

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TRAINING DIARY

DATE	SUBJECT	CIRCULAR REF	VENUE
19.03.2015	PC/TC Audit Training – Advice & Best Practice	E-mail	Aldern House, Bakewell
26.03.2015 (10am – 4pm)	Spring Seminar	27/2014	Stretton Village Hall, Stretton
15.04.15 (10.30am – 1pm)	Clerk Induction Training	08/2015	Aldern House, Bakewell
23.06.2015 (2pm – 4.30pm)	Automatic Enrolment Guidance	06/2015	Hulland Ward

ELECTION 2015 DIARY PROMPT FOR JANUARY/FEBRUARY/MARCH/APRIL

Consider a Council Information Session Article for your Newsletter Ascertain current members status
Hold Council Information Session Posters on notice boards Item in school/church newsletter Prepare Councillors Pack Promotion
Annual Parish Meeting Promotion Notice of election published – 30 March latest On publication date: - Council enter purdah period Nomination period commences
9 April <ul style="list-style-type: none"> • 4pm – Last date for receipt of Nominations • Notice of Poll 20 April – Last date for registering to vote 21 April – Last date for new postal vote applications 28 April – Last date for proxy vote applications

7 May	<p>Polling Day – all elections – 7am-10pm Counting begins after polls close, but town and parish council elections are likely to take place on 9 May - Saturday</p>
7 May – 11am at the latest	<p>If there are more vacancies than candidates the returning officer will declare them elected</p>
11 May	<p>All councillors retire on the same day and new councillors take office on this day</p>
11-24 May	<p>The first meeting of the council must take place between these dates Prior to the meeting all members must complete their Declaration of Acceptance of Office Form</p>
May Meeting	<p>The first item on the agenda must be the Election of Chairman The chairman must complete a second Declaration of Acceptance of Office Form</p>
May Meeting	<p>If members are not present a time period for completion of Declaration of Acceptance of Office Forms should be made</p>
May Meeting	<p>If there are still vacancies and those who have been declared elected form a quorum then they are free to co-opt to fill these vacancies</p>
May Meeting	<p>If there are insufficient members to form a quorum then the District Council will appoint members</p>
May Meeting	<p>Members should be reminded they need to complete the Register of Interest Forms as required by the Code of Conduct</p>
May Meeting	<p>Members have 28 days to complete and return these The Derbyshire Association will contact you re membership of the Association's Executive Committee Please put this on your May agenda!</p>