

TERRINGTON PARISH COUNCIL

BRIEF FOR COUNCILLORS - APPOINTMENT OF NEW PARISH CLERK

Background

Our previous Parish Clerk resigned with effect from 31.12.19. Given the uncertainty and practical difficulties presented by the Covid crisis the role of Acting Clerk to the Council has been undertaken over the last 14 months on a voluntary basis by Cllr Barnett. Cllr Winning has similarly undertaken the role of Clerk to the Burial Board, also on a voluntary basis.

An end to the Covid crisis is hopefully now in sight and the possibility of in person interviews in prospect (or via Zoom if necessary). It is therefore suggested we should proceed to recruit a new Parish Clerk as soon as reasonably practicable.

Recent experience

Cllr Barnett has observed the following in his time as Acting Clerk to the Council:

Council Policies - a considerable amount of time spent (together with Cllr Winning) originating Council Policies and formatting them for web readers (one off work, which should typically require only modest Clerk time in future years to review and present for re-adoption)

Council Meetings – c.5 hours time in total per meeting spent preparing the agenda (in consultation with the Chairman) circulating the same, posting to the website with associated paperwork, attending the meeting and producing the minutes

Implementing Council decisions – very little time spent – decisions are mostly actioned by others – typically the Chairman or another Councillor

Dealing with correspondence – possibly an hour a month, primarily forwarding e-mails to other Councillors regarding planning and other matters

Legislation – half an hour a month, primarily reading White Rose updates

Recommended role of a Clerk

The website “askyourcouncil” <http://askyourcouncil.uk/documents/Governance-Toolkit-2009.pdf> would appear to be an authoritative website offering guidance on the running of Parish Councils. Guidance is given (in part two) on the role typically performed by the Clerk.

In summary the Clerk:

Is the principle executive and advisor to the Council

Is required to give guidance to Councillors before decisions are reached

The Clerk must be an employee, not an independent contractor or self employed

Duties and terms of employment must be in writing

Clerks must be appointed on merit

Twelve months continuous employment gives the Clerk employment rights – e.g. redundancy and unfair dismissal

Full discrimination and “whistleblower” rights apply

Specific Responsibilities suggested for a Clerk:

1. To ensure that statutory and other provisions governing or affecting the running of the Council are observed.
2. To monitor the work of a designated other officer designated the Responsible Financial Officer.
3. To ensure that the Council's obligations for Risk Assessment are properly met.
4. To prepare, in consultation with appropriate members, agendas for meetings of the Council and Committees. To attend such meetings and prepare minutes for approval.
5. To attend all meetings of the Council.
6. To receive correspondence and documents on behalf of the Council and to deal with the correspondence or documents or bring such items to the attention of the Council. To issue correspondence as a result of instructions of, or the known policy of the Council.
7. To receive and report on invoices for goods and services to be paid for by the Council and to ensure such accounts are met. To issue invoices on behalf of the Council for goods and services and to ensure payment is received.
8. To study reports and other data on activities of the Council and on matters bearing on those activities. Where appropriate, to discuss such matters with administrators and specialists in particular fields and to produce reports for circulation and discussion by the Council.
9. To draw up both on his/her own initiative and as a result of suggestions by Councillors proposals for consideration by the Council and to advise on practicability and likely effects of specific courses of action.
10. To supervise any other members of staff as their line manager in keeping with the policies of the Council and to undertake all necessary activities in connection with the management of salaries, conditions of employment and work of other staff.
11. To monitor the implemented policies of the Council to ensure they are achieving the desired result and where appropriate suggest modifications.
12. To act as the representative of the Council as required.
13. To issue notices and prepare agendas and minutes for the Parish Meeting: to attend the assemblies of the Parish Meeting and to implement the decisions made at the assemblies that are agreed by the Council.
14. To prepare, in consultation with the Chair, press releases about the activities of, or decisions of, the Council.
15. To attend training courses or seminars on the work and role of the Clerk as required by the Council.
16. To work towards the achievement of the status of Qualified Clerk as a minimum requirement for effectiveness in the position of Clerk to the Council.
17. To continue to acquire the necessary professional knowledge required for the efficient management of the affairs of the Council: Suggested is membership of your professional body The Society of Local Council Clerks.
18. To attend the Conference of the National Association of Local Councils, Society of Local Council Clerks, and other relevant bodies, as a representative of the Council as required.

Analysis

Historically Terrington PC has functioned with less input from the Clerk than outlined above, primarily as Councillors have carried out many of the implementation actions. The exception in recent times has been with the Burial Board where our recent Clerk very effectively and sensitively directly carried out these duties.

We need to formally recruit a Clerk as an employee. At a minimum this entails:

Deciding what role we wish a Clerk to perform and if we wish to provide a computer

Agreeing a job specification and remuneration package

Designing an application form and advertising the position

Interviewing candidates

Recruiting on merit

Issuing a written letter of employment with full details of duties, terms and conditions of employment

Having all Council Employment Policies agreed and in place

Setting up and implementing an induction / handover process

We are an extremely small Council, with minimal financial resources. We paid our previous Clerk £750 pa and despite this comparatively modest remuneration we still recorded a current account deficit averaging just over £500 pa from 2016 to 2019 inclusive, albeit with £4,205 spent on exceptional tree surgery expenditure during this period.

Adjusting for this exceptional expenditure suggests that, if historical trends continue into the future, then we can afford Clerks fees of around £1,000 pa and break even inside our current precept.

The National Association of Local Councils and the Society of Local Council Clerks have negotiated a National Agreement on Salaries and Conditions of Service for local Council Clerks in England and Wales and negotiate annually on a salary award.

Hovingham Council (population c.500, precept £6,500) recently advertised for a Clerk at SCP7 to SCP17 (£10.44 to £12.73 ph) with an estimated requirement of 3 hours pw – an annualised cost of £1,629 to £1,986.

From all the above we obviously have to lean towards a minimum necessary role for a Clerk at the minimum remuneration we feel will attract candidates.

There is also the question of hours. The model employment contract is variable cost – i.e. implies that the Clerk will be paid according to hours worked. This approach leaves us exposed to unbudgeted expenditure if a Clerk cannot undertake our work inside the time allowance estimated.

Given the Clerk has to be taken on as an employee it is unlikely that we can agree fixed sum remuneration for the year. For both us and a Clerk it would seem desirable that we have a year probationary period for both sides to determine if the arrangement suits them.

The way forward?

Recruiting a new Parish Clerk is a very significant decision for Councillors to make. It is likely to prove difficult due to the tension between the extensive role suggested as a norm and the very restricted financial resources we have.

How do we best proceed?

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