

# Update

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## THE CHIEF'S BRIEF

By Danny Moody, Chief Executive, Northants CALC

To quote the great twentieth century philosopher, The Fresh Prince of Bel-Air, our lives “*got flipped turned upside down*”. Who would have thought just a few weeks ago that the whole country would be in lockdown due to a virus pandemic and that life would change so much? Inevitably some things that have changed will go back to how they were when this is all over (the most used phrase currently). Some things though will have changed forever, and, of those, some changes will be for the worse and some for the better.

I said in the last edition of *eUpdate* that 2020 “*will be a year of uncertainty, change and turmoil. But it will also be a year of innovation, fresh starts and new beginnings*”. I wrote that in relation to Local Government Reorganisation (LGR), but it was strangely prescient for the Coronavirus outbreak too. Turmoil, definitely. And parish and town councils are certainly busy innovating in order to provide a community response and maintain the ability to conduct business.

The health impact of Coronavirus, we are told, is greatest for those over seventy years old and/or with an underlying health condition. That presents an issue for our sector because our recent survey showed that 40% of parish and town councillors are over 65. I am aware of several small councils where every councillor

and, in one case, the clerk too, are all over seventy. For those councils, mounting any type of community response is going to be a huge challenge.

Even councils that have members who are full of youthful vim and vigour may find their capacity much diminished if several councillors are self-isolating and others are engaged in the response through their paid employment. Where councils have been able to act, the clerk is naturally the pivot around which all activity is co-ordinated, which is great but it's not specified in a clerk's job description to be the Community Resilience Co-ordinator, nor do they typically have “spare” hours to dedicate to the task. NHS workers have rightly been given the praise and plaudits, but in our little world I would like to pay tribute to all the parish and town

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*It will be a year of uncertainty, change and turmoil. But it will also be a year of innovation, fresh starts and new beginnings.*

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council clerks who have rolled their sleeves up and got on with the task at hand without being too concerned what their contract of employment specifies. When this is all over (there's that phrase again) I hope that their extraordinary effort is recognised locally and nationally.

One of the consequences of the Coronavirus pandemic is the cancellation of the local elections that were due to be held on 7 May 2020. When that possibility was first mooted on 11 March 2020 my initial reaction was that the elections should not be cancelled, but the situation developed so rapidly in the following days that it made absolute sense when the Government announced on 13 March 2020 that the elections would be cancelled and that the next ordinary elections in Northamptonshire will be on 6 May 2021. It means that many councillors in the county will have served a six-year term of office because remember that the 2020 elections were themselves delayed a year from 2019 due to LGR. The Clerk to Chelveston-cum-Caldecott Parish Council tells me that has only happened once before, in WWI (1913-19), whilst WWII saw a 9-year term (1937-46).

The biggest impact of the cancellation of the 2020 local elections is on the unitary councils and the newly formed parish and town councils. The unitary councils were planned to become legal entities on 1 April 2021 – “Vesting Day” – and that remains the plan, but unitary councillors were going to be elected on 7 May 2020 to operate in “shadow” form and make key decisions regarding the set up of the unitary councils, such as the recruitment of permanent chief executives. Now, the existing borough, district and county councillors for the respective unitary areas will fill that role. Similarly, the new parish and town councils in the borough of Northampton and Wellingborough were created on 1 April 2020 but will not have members elected to them until 6 May 2021. There's more on LGR below.

Meanwhile, council life goes on and various non-Coronavirus enquiries over the past few weeks have kept us sane. Whilst it is possible to temporarily mothball a council in practical terms, that doesn't stop the procedural and statutory deadlines coming and going. For example, we have just passed year-end, and with that comes the requirement to carry out the internal audit and complete an Annual Governance and Accountability Return (AGAR). There's more on this process below, including how it is likely to work this year.

I am pleased to report that as an organisation Northants CALC has proved to be hugely resilient. I know that some CALCs have virtually ground to a halt, which

must be extremely difficult for the parish and town councils in those counties. Northants CALC has ploughed on regardless and all that has really changed is that we are no longer working out of the office in Litchborough, but we have access to all our documents, files and communications working from home. Lesley, Marie and I each have family commitments, so it's not been an easy time with the schools being closed and I would like to publicly thank the team for keeping going in the face of adversity and doing everything possible to ensure that member councils have the right information at the right time. The governance of the Association is not deflected either: The board held a meeting via Zoom the week before last and I am in frequent contact with the Chairman, Lynne Taylor.

Our training programme is inevitably affected but we responded very quickly and delivered the New Clerks spring course online instead of face to face. It worked very well, and I and the delegates had good fun, even though we couldn't share refreshments together! In fact, it worked so well that we're already wondering how we can make greater use of online training.

Northants CALC was the first CALC to issue Coronavirus-related guidance to member councils, which we did by setting up a dedicated web page at [www.northantscalc.com/coronavirus](http://www.northantscalc.com/coronavirus). The page was first created on 6 March 2020 and has been updated almost every day since. Having a web page was the right first response as the situation was developing so rapidly, but from 25 March 2020 we added a weekly briefing, which provides member councils with a precis to save having to read through the web page to find out what's changed. We hope the information we have provided has been useful and has enabled member councils to concentrate on the community response.

I would like to send my best wishes to all clerks and councillors in Northamptonshire. It is an extremely difficult time and the impact of the pandemic will be felt for years to come. I am confident that local government will emerge with an enhanced reputation, from the grassroots parish and town councils holding their villages and towns together, through the district and borough councils redeploying staff to provide critical support, to the strategic county council co-ordinating the response effort, the whole of local government is pulling together like never before.

And finally, please do continue to get in touch with your questions and queries; that's what we're here for!

## WHO'S ZOOMING WHO?

On 2 April 2020 the Secretary of State published regulations to provide for local authority meetings to be held by remote means, including (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming. The snappily titled *The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020*, also provide for public and press access to local authority meetings and associated documents to be complied with through remote means and website access.



*This is what parish council meetings will look like in 2020.*

What does it mean for parish and town councils? Well, for the first time ever the definition of “present” at a council meeting is taken to include present by remote means. It could be a councillor joining a meeting from their computer via, for example, Zoom, Skype or Teams, or it could be a councillor simply dialling into the meeting from their landline or mobile telephone. It is a game changer. It will enable parish and town councils to hold virtual meetings free of the constraints of self-isolation and social distancing.

Meetings must still be open to the public *“including access to the meeting through remote means including (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person.”*

The best and most reliable way of achieving that needs to be explored. Video conferencing solutions are not constructed to deal with separate groups of delegates, so the distinction between councillors and members of the public might not be obvious. For smaller councils with only one or two members of the public present it won't be too difficult, but if a council has 15+ councillors and 15+ members of the public it could start to get a bit unwieldy.

Then there's the practical issues of councillors having access to the technology and know-how to be able to join by remote means. It's likely that most councillors

will have access to a device with a microphone and camera, whether it is a desktop computer with a USB webcam, or a laptop with microphone and camera built in or even a smartphone or tablet. But inevitably there will be some that don't, and it's important that they are not disadvantaged by only being able to join the meeting by telephone. And even if councillors have the tech, they might not have the know-how. I suspect that in the early days there will be lots of difficulty signing into meetings and, when the technophobes arrive, we will see lots of chins and tops of heads! And then there's the whole connection speed issue, although we are lucky in Northamptonshire that the county council has led the country in the rollout of superfast broadband, particularly in rural areas. But again, there will be the haves and the have nots.

Good chairmanship skills will be vital, and Northants CALC has already identified that as a critical factor in making virtual meetings a success. We are putting together a special training course, which we hope to roll out very soon. We think there needs to be a "Meeting Operator" and that the role would ideally be carried out by the chairman of the council (or whoever is presiding at the meeting). It is the person responsible for muting and unmuting participants, for watching who wants to speak, and calling them at the appropriate time to do so. However, this adds a burden to the role of chairman which some might find difficult. In that case the role could be performed by the clerk, another councillor, or even a volunteer brought in specifically to help with the tech.

It's going to be a challenge for the sector, but it's important that councils can meet and transact business, so needs must. Experience from several "early adopters" who jumped the gun on the regs is that it does work, and surprisingly well. The fear of virtual meetings is likely to be much greater than the reality.

In terms of which platform to use, there is a wide choice. Northants CALC has been using Zoom for the past year or so and recommends it for council meetings. It has the best feature set for giving members of the public access, whilst still being able to control their participation. Any software that relies on an Internet connection is a security threat, but our best advice is that Zoom is no better or worse than the leading alternatives, such as Skype, Microsoft Teams and Google Hangouts. Yes, there have been security warnings circulating about Zoom but then there have been security warnings circulating about all the other platforms too. Just Google the name of your preferred platform and add "security issues" and you'll see what I mean. I wonder if the warnings about Zoom can be traced

back to Microsoft HQ and the warnings about Microsoft Teams can be traced back to Zoom HQ!? These platforms are big business after all. The reality is that security is a serious issue and the service providers always need to stay ahead of the hackers. End users need to play their part too, making sure they have the latest version of the software and that device security settings are set appropriately and that security software (anti-virus, firewall etc) is up to date.

Getting back to the regulations, they also remove the requirement for local authorities to hold an annual meeting. This is useful because it provides maximum flexibility, but if parish and town councils can make use of remote meetings then there is no impediment to holding an annual meeting in 2020. The regulations provide that “*Where an appointment would otherwise be made or require to be made at an annual meeting of a local authority [e.g. the election of chairman], such appointment continues until the next annual meeting of the authority or until such time as that authority may determine.*” So, if a parish or town council is able to hold an annual meeting and is minded so to do, then it can and may use it to elect a chairman and vice chairman. If on the other hand a parish or town council is not able to hold an annual meeting then the existing chairman and vice chairman would remain in office until an annual meeting can be held, even if that is not until May 2021.

For clarity, the regulations refer only to the annual meeting of local authorities. They are silent on the requirement to hold an Annual Parish Meeting, which is a meeting of electors, not of a local authority. This is probably an oversight (parish and town councils being the only local authorities required to convene an Annual Parish Meeting) and Northants CALC has asked the National Association of Local Councils (NALC) to seek clarification from government.

The Regulations in their entirety are time limited and apply in relation only to meetings taking place before 7 May 2021, although MHCLG adds that “*it will be possible to make amending secondary legislation to bring forward this date if social distancing rules are relaxed or removed on the basis of medical and scientific advice.*”

The interesting thing will be, having opened Pandora’s Box, will local government ever be able to return to what we already refer to as “the old ways”.

The regulations can be viewed at <https://bit.ly/2xEdc8h>.

## ELECTION FALLOUT

As noted above, the local elections that were due to be held on 7 May 2020 have been postponed and will now be held on 6 May 2021. For existing councillors their term of office is automatically extended by paragraph 60 of the Coronavirus Act 2020, which provides that “A



*councillor who would otherwise... retire on the fourth day after the ordinary day of election in 2020 is instead to retire on the fourth day after the ordinary day of election in 2021; and the councillor's term of office is extended accordingly.”*

For would-be retirees in May 2019 who were willing to give it another year, another two years may be asking a bit too much. Those councillors can of course choose to resign either straight away or perhaps in May when their term of office would have ended, if not for the pandemic. There could be a lot of casual vacancies to fill and, as things stand, no legally prescribed method for doing so. It would be bizarre under the current circumstances if councils had to publish a statutory notice of casual vacancy and give electors the opportunity to demand a bye-election! Northants CALC is advising any council with a casual vacancy to wait until further guidance is issued by the Ministry of Housing, Communities and Local Government (MHCLG). The working assumption is that the possibility of a bye-election will be extinguished, and councils will be able to proceed straight to co-option, but that is yet to be provided for in legislation.

Parish and town councils were busy recruiting candidates for election when the curtain came down and anecdotally the campaign was going very well, so it is such a shame that those new, enthusiastic candidates can't put themselves forward this year. Clearly, the trick will be to maintain and nurture their interest over the next twelve months, which will give the 2021 recruitment drive a head start. A few can fill casual vacancies of course, but even where there are no vacancies those people can be involved in the work of the council somehow, perhaps as a volunteer, or maybe appointed as a non-councillor member to a committee. Whether they are formally involved or not, councils should at least

keep in touch with them during the year and notify them as soon as the 2021 campaign gets underway.

We don't yet know what the timetable for the 2021 local elections will be. Easter is even earlier next year, with Easter Sunday falling on 4 April 2021, which is likely to be right in the middle of the nomination period. However, that's something to worry about this time next year, which seems a long, long way away.

## **LOCAL GOVERNMENT REORGANISATION ROUND-UP**

The global pandemic will have a big impact on the Local Government Reorganisation (LGR) Programme as the principal councils divert officer resources into the community response, but the timetable itself is largely unaffected.

The exact details are yet to be confirmed in legislation, but it looks like the shadow unitary councils will still be created in May 2020 and Vesting Day, when the new councils take full legal form, will still be 1 April 2021.

The main difference is that whereas the shadow councils were intended to have new councillors elected to them in May 2020, their members won't be elected until May 2021. Therefore, the shadow councils need "caretaker" members and it is standard local government practice that those are the existing borough, district and county councillors for the area. That's perfectly acceptable legally, but it raises two problems, one practical and one political.

The practical problem is the size of the shadow unitary councils. West Northamptonshire Council is intended to have 93 seats but will have 154 shadow councillors, and North Northamptonshire Council is intended to have 78 seats but will have 167 shadow councillors. There isn't a council building in either unitary area that could accommodate that number of councillors at a meeting, so how, when and where the shadow councils meet is something that will require a good



deal of thought. In all likelihood meetings of the full shadow councils will be few in number, restricted to those decisions that legally must be made by full council. The main business is likely to be done by “Implementation Executives”, effectively a committee of councillors with executive powers to discharge the functions of the shadow councils.

The second, and perhaps greater problem (certainly from a PR point of view) is the political issue that the people charged with making key decisions in 2020/21 about the design and structure of the new unitary councils will be the existing borough, district and county councillors. The Leaders of the eight principal councils issued a joint statement on 30 March 2020 that said *“Due to this different approach and the absence of newly elected bodies, we also expect the government to nominate those local councillors who will be interim Leaders and Deputy Leaders of the Shadow Authorities as opposed to these being selected locally. Those nominated will take on this responsibility until such time as elected representatives can be returned to the new councils.”* That is a quite extraordinary intervention from the government in what is, essentially, a local matter. We don’t know how much “fresh blood” there would have been at the local elections, but the reality is that most existing principal councillors who stood for election to the unitary councils would have got in. And all the new candidates standing under a party ticket would have been selected through their respective party machinery anyway. The idea that the makeup of the unitary councils would have looked radically different to the existing principal councillorship was always flawed.

The legislation that will set all this out is expected within days. The irony is that the much vaunted and long-awaited *Northamptonshire (Structural Changes) Order 2020*, which was delayed for many months and finally came in to force on 14 February 2020, was effectively undone by the announcement on 13 March 2020 that the 2020 local elections were to be postponed.

Understandably, the focus of the borough, district and county councils is on the community response to the Coronavirus pandemic, but the LGR timetable was extremely tight before and will now be even tighter. There’s less than a year to get unitary done.

To follow the LGR Programme please visit <https://futurenorthantswest.org> or <https://futurenorthantsnorth.org>.

## IMPACT ON PARISH & TOWN COUNCIL SERVICES

Northants CALC has fielded hundreds and hundreds of enquiries in the past month from member councils on the impact of the Coronavirus outbreak on parish and town council services. It has been a rapidly changing operational environment for parish and town councils, and the key considerations are what the law says can and can't be done, what the government's specific and general guidance is, what the contractual position is and what "feels" right locally. Here's a summary of the latest position on the most common services, but please bear in mind that things can change rapidly as the situation develops, so always check [www.northantscalc.com/coronavirus](http://www.northantscalc.com/coronavirus) for the latest information.

### Allotments

There is no directive from government that allotment sites should be shut. They are a good source of exercise and food for allotment plot holders. However, the operation of allotment sites needs to comply with government advice on social distancing and guidelines on hygiene should be observed. Plot holders who are self-isolating because they or a family member are symptomatic should not visit the site. The National Allotment Society publishes up to date specific guidance at: <https://www.nsalg.org.uk/news/covid19-information/>.

### Burial Grounds

Approximately one third of the parish and town councils in Northamptonshire operate burial grounds (i.e. manage and administer the burial of human remains). Recent press headlines of "Cemeteries Closed" have caused confusion and alarm with people thinking the closure means that no burials will take place. In fact, paragraph 5(8) of the *Health Protection (Coronavirus, Restrictions) (England) Regulations 2020*, which came into force on 26 March 2020, provides that "A person who is responsible for a crematorium or burial ground must ensure that, during the emergency period, the crematorium is closed to members of the public, **except for funerals or burials.**" It is not yet known whether the omission of "burial grounds" in the second part of that sentence was deliberate or intentional, but as written there is no express legal requirement to close burial grounds. The Local Government Association (LGA) advises they should be, and parish or town councils may take the local decision to close a burial ground if they wish. The Institute of Cemetery and Crematorium Management has a useful frequently asked questions page as well as links to general advice at <https://bit.ly/2JMUM8l>.

## Community Buildings

Community centres, village halls and other places for social gatherings must be closed in line with the government's advice at <https://bit.ly/2JCgvzG>. An exception is made for hosting essential voluntary or public services, such as food banks, homeless services, and blood donation sessions. Post offices can remain open too, so where there is a peripatetic post office in a community building it can continue to open for these services only. A distance of two metres should be maintained as per Public Health England guidelines.

## Grass Cutting

There is no specific government guidance on the mowing of areas such as highway verges, play areas, sports fields and burial grounds. The issue will be whether the work is "essential" and whether workers will incur "non-essential work travel" in carrying out the service. Also, whether it is possible to provide the service whilst following Government guidelines on social distancing. Councils should refer to their service level agreements for clauses related to temporary suspension of services and talk to their mowing contractors to agree a way forward. It may not need to be all or nothing. For example, safety splays on highways could be mown, whereas an unused area of a churchyard could be left to grow long this year to be trimmed in the autumn. If any guidance does emanate from government, we will circulate it.

## Outdoor Recreation

Play areas, playgrounds, MUGAs, sports courts and pitches and outdoor gyms must now be closed. Parks and public open spaces can remain open subject to users observing guidelines on social distancing. Where parks have associated parking facilities it is unlikely that social distancing can be observed, particularly where payment machines are used, so the parking facility should be closed. The government has published guidance on access to green spaces during the pandemic, which is at <https://bit.ly/3dPnhQr>.



## COMMUNITY RESPONSE

Across the county, parish and town councils have been rallying to the cause either delivering direct help to vulnerable residents or supporting voluntary and community groups to do so. Hundreds of “*Pop-up Good*

*Samaritans*” have volunteered to help the effort, and food and money and assistance of all kinds has started flowing to those in need.

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#NORTHANTS  
TOGETHER

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On 2 April 2020 the “Northants Together” campaign was launched to illustrate that a huge variety of organisations are working together to support the county’s most vulnerable residents to get through this difficult time.

Launching the campaign, the Leader of Northamptonshire County Council (NCC), Cllr Matt Golby, said “*It will publicly thank key workers across all sectors for everything they are doing right now to step up and support others, as well as good neighbours who are looking out for each other. It will also acknowledge that by people changing their behaviours and adhering to the current Government restrictions, everyone is doing their bit to help stop the spread of Coronavirus.*”

The campaign will:

- Share news of the different areas of work of the COVID-19 response teams
- Show what support and guidance is available for residents
- Recognise what Northamptonshire residents are doing to adhere to Government restrictions
- Provide local information and updates
- Reiterate national public messages from Government

Cllr Golby said “*I am proud to see the difference our own communities are making for residents who need help during this uncertain period. ‘Northants Together’ will showcase the fantastic work that is happening as a result of the biggest public crisis we have faced for decades. Please look out for it on our Facebook and Twitter pages and join in with sharing and retweeting the #NorthantsTogether posts.*” See posts on Twitter at <https://twitter.com/hashtag/NorthantsTogether>.

NCC is leading the community response for the county, working in partnership with the borough and district councils and all the organisations and agencies that can help on the ground.

A Community Resilience Hub has been set up as part of the Northamptonshire Local Resilience Forum (LRF) within the Strategic Coordinating Centre. The hub is based at NCC HQ at One Angel Square and will work with Local Community Resilience Teams at the district and borough councils to support people who are self-isolating, but are not on the national list of 'highly vulnerable' and people who are identified as needing to be shielded, but who can't yet access the support organised by government, or who need social contact (e.g. carers). The support available includes food shopping and delivery, prescription medication collection and support with loneliness.

NCC set up a dedicated Coronavirus support line this week. People needing support can get in touch by calling **0300 126 1000** (option 5). Alternatively requests can be emailed to [nccg.communityresilience.covid19@nhs.net](mailto:nccg.communityresilience.covid19@nhs.net). Requests are collated and sent twice a day in a spreadsheet to the district and borough council teams who then liaise with community groups, organise support, and then report back what's been done to the hub. The objective is to make the response co-ordinated, consistent and comprehensive. To 1 April 2020 63 Northamptonshire residents had requests for help actioned, where 46 of the 63 needed urgent food deliveries and 34 of the 63 needed prescriptions collected. The numbers are expected to rise rapidly.

It is important that the response is co-ordinated. It's not surprising that individuals were desperate to help and immediately started delivering loaves of bread to people they thought were in need. But the right help needs to go to the right people at the right time, and there are safeguarding and liability issues that must be considered, even if saying so is unpopular with the "get on and do something, anything" activists. We've heard stories around the country of elderly residents giving their credit card and pin number to a "volunteer" to go shopping for them, and prescription medicines getting mixed up and being given to the wrong people. The desire to act, and act urgently, is understandable and commendable, but co-ordinating the response through the Community Resilience Hub really is the best option. Anyone wishing to offer help, whether it is an individual, council or community group should register on the NCC web site at <https://bit.ly/3dTypvo>.

## GRANTS & FINANCIAL SUPPORT

Parish and town councils may be approached to provide financial support during the Coronavirus pandemic, either to individuals or to voluntary and community sector groups. It is understandable that councils wish to help where they can.

There are no powers to provide direct financial support to individuals and public money should not be used in this way. Councils should not be purchasing shopping for individuals, whether the goods are given free of charge or in exchange for immediate or deferred payment.

It is better for a council to consider providing financial support to a community organisation that is engaged in responding to the pandemic but, even then, funding should follow the council's policies for small grant giving and any other relevant financial procedures.

Better still, community groups should be directed to organisations with specific funds set up to deal with the pandemic response. For example, The Northamptonshire Community Foundation (NCF) has launched a Coronavirus Response and Recovery Fund, which is now open for applications up to £3,000. NCF aims to make BACS payments quickly once the application is approved without recourse to a contract, although it will expect some basic due diligence from new and emerging groups. Please visit the NCF web site at <https://bit.ly/3aBIHzs> to complete a short online application.

Another example is Sport England, which has set up a Community Emergency Fund, which aims to help community sport organisations who are experiencing short term financial hardship or the ceasing of operations due to the ongoing coronavirus crisis. Parish and town councils are not eligible to apply themselves, but can direct sports clubs and societies to the fund, rather than providing a grant from the precept. Awards will be between £300 and £10,000 and full details and how to apply are at <https://bit.ly/2R4NSPt>.

Councils may also consider indirect financial support to groups by, for example, refunding booking fees or waiving cancellation charges for facilities that were booked before lockdown. And remember, **when this is all over**, councils have a power under Section 145 of the Local Government Act 1972 to provide "*entertainment of any nature or facilities for dancing*". Just sayin'!

## INTERNAL & EXTERNAL AUDIT

As things stand at the time of going to press, parish and town councils are under an obligation to approve their Annual Governance and Accountability Return (AGAR) by 30 June 2020.

The government announced an intention to extend the statutory timetable for principal councils but did not include parish and town councils, so the National Association of Local Councils (NALC) has strongly urged the government to widen the scope to include parish and town councils and to extend the deadline for the approval of the AGAR to 30 September 2020.

Now that councils will be permitted to hold virtual meetings (see above) approving the AGAR by 30 June 2020 may not be as difficult as first imagined, but NALC's view is that councils are focusing on supporting the community response to Coronavirus and that *"It is imperative [that] smaller authorities be enabled and empowered to continue to focus on doing whatever they can to help their communities during the current public health crisis"*.

An announcement is expected soon, but councils are advised to continue to prepare as far as is reasonably practical for meeting the current statutory timetable.

With the passing of the financial year-end on 31 March 2020 councils would normally be in full swing now with internal audits. The Northants CALC Internal Audit Service (IAS), which is used by approximately three quarters of the parish and town councils in Northamptonshire, has committed to providing a remote service this year.

The internal auditor will still make an appointment with the clerk/RFO but the appointment will take place over the telephone or by video conference. The clerk/RFO will need to furnish the internal auditor with any documents or records they request by email or online file sharing and the internal auditor will complete and sign the relevant section of the AGAR and return it to the council by email. With commitment and good grace on both sides there is no reason why a remote internal audit cannot be just as efficient and effective as a face to face one. In fact, could it be an example of a new practice that sticks? Time will tell.

## EMPLOYMENT MATTERS

There's been a lot in the press about government support for businesses and paid workers, but it is not always clear whether the provisions apply to parish and town councils. The government's Coronavirus Job Retention Scheme, which allows companies to put staff on paid leave and reclaim 80% of their salary from the government may or may not apply to councils. The objective of the scheme is to avoid mass redundancies and the financial hardship that would cause.

Whether the scheme applies to parish and town councils or not, the government's guidance says that it *“expects that the scheme will not be used by many public sector organisations, as the majority of public sector employees are continuing to provide essential public services or contribute to the response to the coronavirus outbreak. Where employers receive public funding for staff costs, and that funding is continuing, we expect employers to use that money to continue to pay staff in the usual fashion – and correspondingly not furlough them.”*

If the scheme does apply to parish and town councils then it could conceivably be used to furlough a member of staff whose activities are directly related to income-generating services, which have been suspended due to the Coronavirus pandemic. An example might be a caretaker for a community centre that has been shut. But even that is quite a stretch because the expectation is that such an employee would be diverted to other duties to assist the community response.

Whatever the case, furloughing would obviously not apply to clerks, who are statutory officers under the Local Government Act 1972.

Northants CALC is taking advice from various sources and will keep member councils up to date with the latest announcements, and the sector-specific interpretation of those announcements.

The National Association of Local Councils (NALC) is beginning to compile an evidence base of the financial hardship suffered by local councils, so if your council is losing, or thinks it will lose money, as a result of the Coronavirus pandemic please email [dmoody@northantscalc.com](mailto:dmoody@northantscalc.com) with details and facts, which can then be collated and sent on to NALC. The idea is to make a case to Government for financial support, if it can be demonstrated that the sector has been adversely affected.

## NEW COUNCILS PROVIDE AN EYE TO THE FUTURE

Amidst the doom and gloom of Coronavirus, the creation on 1 April 2020 of five new councils in Northamptonshire passed with barely a nod. They are:

- Wellingborough Town Council
- Northampton Town Council
- Kingsthorpe Parish Council
- Far Cotton and Delapre Community Council, and
- Harlestone Manor Parish Council



It's an exciting time for those areas, and in normal times there would have been trumpets and fireworks, but these are not normal times. Northampton Town Council, with an estimated electorate in excess of 80,000, is England's largest parish or town council, and is more than three times the size of Rushden Town Council, the previously largest in Northamptonshire.

It is slightly bizarre that a new council is normally created on 1 April and then the first elections to it are in the May, so there is a six-week period where there is a council but no councillors. But with the postponement of the local elections until 2021, these new councils will be in no-member limbo for over a year. The Reorganisation Orders, which are the legal instruments that create the new councils, specify that the relevant borough councillors for the area would "mind the shop" for the intended six-week period, but this will now apply until 10 May 2021 when the newly-elected town and parish councillors come into office (assuming the 2021 elections go ahead of course!).

Northants CALC has been assisting the Borough Council of Wellingborough (BCW) and Northampton Borough Council (NBC) with the creation of the new councils and will be having discussions with those borough councils about how the new councils will operate in practice during 2020/21. On the one hand the councils have statutory duties and obligations (e.g. to appoint a Proper Officer, to publish information and submit an annual return) but on the other hand they have little or no resources, provide no services and have no elected members of their own to meet and make decisions.

It is a bizarre situation and, we think, unique in the history of local government. The important thing to say about the new councils now though is: Happy Birthday!

## HOMWORKING ALLOWANCE INCREASE

Parish and town councils are permitted to pay an amount to employees who are contractually required to work at home. The Homeworking Allowance is designed to offset the cost of extra heating, lighting and electricity used because of homeworking.

From 1 April 2020 the allowance that can be paid without the need for receipts or other documentary evidence is £6 per week (up from £4). The actual costs, if higher, can be claimed but only if detailed records are kept. The allowance may be paid tax free to employees or claimed as tax relief.

## RURAL CRIMESTOPPERS

Rural crime is on the rise and it is a serious issue for communities, farmers and businesses. Rural crime is about far more than the financial cost. The fear of crime can mean people are afraid to leave their homes, businesses and farms unattended, which adds to levels of rural isolation.



*The Chief Constable (far left) and the Police & Crime Commissioner (third from right) are fully behind the campaign to drive down rural crime.*

Calculating the cost of rural crime to a rural business is a lot more complicated than simply the replacement costs. Downtime without valuable and appropriate equipment, hassle to sort replacements, dealing with dead or injured animals, clearing up a mess, and ultimately the mental and emotional stress all adds up.

Any person witnessing anything untoward related to rural crime can give information via the Rural Crimestoppers number 0800 555 111 or online at <https://crimestoppers-uk.org/give-information/forms/give-information-anonymously>. Please advertise these details locally in newsletters, web sites, noticeboards and social media.

## **COMMUNITIES AND DEMENTIA**

The National Association of Local Councils (NALC) and the University of Plymouth (UoP) are undertaking ground-breaking research on the role of parish and town councils in tackling dementia.

NALC and UoP believe that England's 10,000 parish and town councils play an important role within communities to offer solutions to help tackle dementia. The research will aim to find out precisely what councils are doing to help support their communities on dementia.

The research began on 24 February 2020 and it is hoped that a survey will be completed by parish and town councils up and down the land. Once the data is collected and analysed, a joint report will be published, which will summarise what councils are doing and give recommendations on what they can do to help make their communities healthier.

To complete the survey visit: <https://www.surveymonkey.co.uk/r/HRV3R3H>.

If you have any questions, please contact NALC at [claire.goldfinch@nalc.gov.uk](mailto:claire.goldfinch@nalc.gov.uk) or telephone 0207 290 0314.

## **A CAUTIONARY TALE**

A parish council in Cumbria is at the centre of a bitter and acrimonious battle. The quiet coastal village of Parton has an 11-member council, but the chairman and three other members are from the same family with a further two members being the neighbours of the chairman. This has led to accusations of cronyism and biased decision making given that the group controls a majority on the council.

Matters came to a head at a meeting of the parish council in January where police had to be called to keep the public peace.

The chairman was also acting clerk whilst the council was recruiting. There's nothing improper in that legally, but it hardly can have helped with the council's image as an open and accountable body.

The law is silent on familial relationships within councils, and there are dozens of examples in Northamptonshire of husband and wife councillors, or parent and child councillors, and if that situation has been arrived at through the ballot box then it is for no one to complain. However, if the situation has arisen through co-option then, whilst there is nothing wrong with it legally and procedurally, it is understandable that members of the public perceive that the council is a “fiefdom”.

I’m sure the good people of Parton, including the existing councillors, will sort themselves out in due course. The real cautionary tale is the reported and quite unbelievable £250,000 in lost man hours that the borough council there has incurred in sorting out the issue, including dealing with no fewer than twenty-seven complaints under the Code of Conduct. Such a waste of public money is unforgivable.

## **GDPR AND CORONAVIRUS**

The community response to the Coronavirus pandemic is not above the law. The General Data Protection Regulations (GDPR) and the Data Protection Act still apply, and anyone handling personal information, particularly sensitive personal information, should give regard to their provisions. However, the

Information Commissioner’s Office (ICO) says that it is *“a reasonable and pragmatic regulator, one that does not operate in isolation from matters of serious public concern. Regarding compliance with data protection, we will take into account the compelling public interest in the current health emergency.”*



It has published a blog called *“Community groups and COVID-19: what you need to know about data protection”* (see <https://ico.org.uk/about-the-ico/news-and-events/blog-community-groups-and-covid-19/>) and parish and town councils and community groups should follow its recommendations.

So yes, by all means gather names and contact details of people needing assistance and worry about the DPA aspects (shortly) after, but don’t publish the list on the community’s web site just because that’s the easiest way to get the information around to all the volunteers!!

## **FIVE FAVOURITE TIPS FOR VIDEO CONFERENCING**

With the country in lockdown, a popular form of communication for parish and town councils is now video conferencing, whether it's just for councillors to keep in touch with the clerk, or for formal council meetings. It requires new skills and etiquette compared to face to face conversations, so here are five favourite tips:

### **1. Make sure the Internet connection is the best it can be**

No one likes it – when – the – conver – sation – becomes a bit stilted. Try to connect from a device with an ethernet connection, particularly in houses where the Wi-Fi signal is weak or inconsistent. If you are relying on Wi-Fi make sure you are as close to the router as possible and avoid interference from other devices that emit radio waves, such as microwave ovens.

### **2. Dress appropriately**

A one to one between the chairman and clerk, for example, might be an informal occasion but both participants should be dressed appropriately, or at least dressed at all! For council meetings remember that the councillors and staff are representing the council and so should be dressed accordingly. Basically, all participants should wear what they would have worn to a council meeting in normal circumstances.

### **3. Get rid of distractions**

Commit to the time and duration of the online meeting and focus fully on the meeting participants. Avoid “noises off” such as ringing telephones or other household members. Try to be somewhere quiet, but if that's not possible then make sure to mute your microphone unless you are speaking.

### **4. Learn the software**

For technophobes and those unaccustomed with the technology, video conferencing can be a daunting prospect. Don't leave it until your council's first online meeting to find out how it all works. Set up dummy meetings to practice, and even set up your own free account that you can use to experiment with by calling friends and family.

### **5. And finally...**

Remember that, just like in the real world, everything you say and do in a video conference can be recorded and kept for posterity!

## TRAINING AND DEVELOPMENT FOR LOCAL COUNCILS

The normal training programme is suspended for the time being, but we are very interested to explore innovative ways that we can support member councils with their training needs during the Coronavirus pandemic. Please contact the Training Manager, Marie Reilly, to discuss your needs. Call 01327 831482 or email Marie at [mreilly@northantscalc.com](mailto:mreilly@northantscalc.com).

## SITUATIONS VACANT

The current vacancies in Northamptonshire are:

### Silverstone Parish Council

Silverstone, the home of British motorsport, is a large and growing village in South Northamptonshire, 13 miles south west of Northampton on the A43. The council has 11 seats and set a precept for 2019/20 of £64,540. There are just under 2,000 electors. Silverstone Parish Council has a vacancy for a Clerk/RFO working 14 hours per week. The position is permanent part-time. The closing date for applications is **Friday 10 April 2020**.

### Pitsford Parish Council

Pitsford is a medium sized village 5 miles due north of Northampton on the A508 Harborough Road. The village is just south of the picturesque Pitsford Water. Pitsford Parish Council has a vacancy for a Clerk/RFO working 8 hours per week from home. The council has 9 seats and there are 550 electors. The council's precept for 2019/20 is £25,833. The closing date for applications is **Monday 20 April 2020**.

### Scaldwell Parish Council

Next door to the village of Old (see vacancy above) is Scaldwell in Daventry district. The village has just 230 electors and a 7-seat council. The precept for 2019/20 is £13,081. The council has a vacancy for a Clerk/RFO working 29 hours per month. The closing date for applications is **Wednesday 8 April 2020**.

Full details and contact details for all vacancies above are available at <http://www.northantscalc.com/job-vacancies.html>.

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