

## **Agenda Item 18. Appointment of Parish Clerk (Redacted version)**

### **Summary**

To seek approval to initiate the recruitment of a Clerk and Responsible Financial Officer

### **Background**

[

]. The council has to designate an employee as its “Proper Officer” by law and that person is responsible for the day to day management of the Council and to ensure due probity in the Council’s business. The Council must also ensure that one of its officers has responsibility for financial matters; that officer is legally known as the Responsible Financial Officer (RFO). The RFO is usually the clerk in smaller councils and that has been the position at Parton.

### **Legal requirements**

s. 112 (1) and s151 of the Local Government Act 1972; The Local Government (Parishes and Parish Councils) Regulations 1999

### **Details**

[ ]. CALC allows its web site to be used for adverts for such positions and it is suggested that we use that service. It is suggested that we also advertise the position in the Whitehaven News. Candidates for interview should be selected by full Council and then Council will undertake that interview. CALC has indicated that due to its workload pressures from many a Parish Council it would be unable to assist us during any interview but it has agreed to provide us with some relevant questions and general guidance.

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]I would suggest that the advert indicates that CiLCA is a preferred qualification of an applicant but not a necessity. There may be some retired Local Government Officers out there who may be sufficiently competent to perform the role without that qualification. I fear that insisting on CiLCA may restrict how far we can cast our net for a suitable applicant.

[ ] for 6 hours per week and it is suggested that that remain but to see how the role unfolds as more hours may be required. They could be approved from time to time as we move forward.

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CALC has been asked to advise on what it thinks may be an appropriate rate for a Parish Council of our size.

It has advised that Parton PC is an LC1 council (defined in the National pay scales) but with 12 meetings, a clerk would be reasonably remunerated if placed just above the substantive range ie between new Spinal Column Points (SCP) 13 – 17. Each grade on the National scale is called a spinal column point. Points 13 to 17 indicate an hourly rate of

13 - £11.45

14 - £11.67

15 - £11.91

16 - £12.15

17 - £12.39

[ ].

[

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CALC has indicated that *“when you are recruiting a new clerk, remuneration will depend on their experience, but ultimately it is capped by the size of council and the nature of the duties associated with the role. In Parton PC’s case, I think that the most a clerk can be paid is £12.39 (SCP 17). It is good practice to offer a progression of scale points for the first three years so their salary increases which incentivises learning ie SCP 15 – 17.”* Progression through the pay scale would operate on an annual basis subject to a review by the Council if it feels that performance has been satisfactory. Otherwise the clerk remains on a SCP which increases by the agreed annual cost of living amount which has been either 1% or 2% over the last few years. New pay scales are produced annually. That would be my recommendation to Council.

It appears that the Clerk would be below the threshold for any pension entitlement from the employer. However CALC suggest that the *“new clerk should investigate the position on pensions as it is now the law that all employers must enrol eligible staff in an occupational pension – however, I do think that, depending on the hours you agree, that your member of staff will not meet the eligibility criteria for the government pension scheme, NEST or any other pension scheme.”*

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On expenditure NALC recommend 45p per mile for travel and HMRC have guidelines regarding home working allowances which can be paid. CALC has indicated that *“usually, councils agree an expenses policy with their employee that remunerates reasonable expenses that the clerk has to expend to fulfil their role – eg purchase of paper, stamps, other stationery, proportion of home phone and broadband costs up to a certain amount. Any purchases above an agreed figure eg £50 must be agreed with council ie to buy a text book for example. All parish councils should have a copy of Charles Arnold Baker’s law book Local Council Administration which retails at around £110.00 I am not aware of any legal way of capping expenses but councils should always require receipts before reimbursing their staff.”* We may need to purchase a copy if we do not have one presently and Council is recommended to approve such a purchase once a clerk is appointed if necessary.

I would suggest that we agree to reimburse the Clerk for the items of expenditure listed above and seek to agree with the appointed Clerk a monthly contributions towards home work. (heating lighting use of computer/printer ink) of say £100 per annum. That can be reviewed from time to time in consultation with the Clerk to ensure that the actual figure is appropriate. Any expenditure for consumables, over £50 per month, to be the subject of prior approval.

### **Budget Implications**

There should be minimal budget implications other than costs of advertising. On the basis of the above figures there should even be a saving to the Council [ ]

### **Risk Management Implications if any**

This arrangement will ensure that the Council complies with its legal obligations and ensures [ ]

### **Recommendation**

That the post be advertised on the basis of the terms set out in this report and that the book recommended by CALC be acquired if we do not presently hold a copy.

### **Suggested advert**

Parton Parish Council have an immediate vacancy for a part-time Parish Clerk/Responsible Financial Officer. The Clerk is responsible for managing the day to day business of the Council, providing advice to the Council and implementing the Council's decisions. Salary is in accordance with national scales (SCP 13 17 with progression subject to annual review) for 6 hours per week. Council meets every second Wednesday of the month but additional meetings might be called in between to deal with urgent matters. Applicants should be computer literate, be able to prepare Council's Agendas and Minutes, be familiar with bookkeeping and financial procedures and be able to correspond with external organisations on behalf of the Council. For further details or to apply please e-mail your CV and a covering letter outlining your suitability for the post to the Chair of the Council Councillor Robert Huck at Fairholme, Foundry Road, Parton, Whitehaven, Cumbria, CA28 6PA by the [ ] December 2019 ( or email [rmhuck21@live.co.uk](mailto:rmhuck21@live.co.uk).

For more information, ring the Chair on 07484 898938

## Suggested Job Description

### Position of Parton Parish Clerk and Responsible Financial Officer

#### Qualifications

The job requires predominantly practical and procedural knowledge across a technical or specialist area or an equivalent level of organisational, procedural and policy knowledge. ***e.g. Small or medium parish.*** Ideally the successful applicant will hold the CiLCA qualification but this may not be necessary. A person with a broad range of experience, working on the administrative or financial side of a Local Authority, may prove to have sufficient expertise in this field to be appointed. A good knowledge of the powers available to a Parish Council would be of assistance as the Council may only undertake what the law has prescribed it may undertake.

The job requires judgmental or creative skills; where there is some need to interpret information or situations and to solve straightforward problems.

The person appointed will be familiar with IT using word and spreadsheets and also able to manage the Council's website to which certain documents such as agendas, minutes, Expenditure over £100; end of year accounts; annual governance statement; internal audit report; list of all Councillors and DOI's; details of public land and building owned by the Council. The person appointed will need a computer and printer at home.

#### Remuneration

The person appointed will work from home undertaking 6 hours per week. If, from time to time, more hours are required to complete a task then this should be approved by Council in advance with an estimate of the hours and cost to the Budget.

Pay is regulated by the National Pay scale and which for the current year can be found here <https://www.lalc.co.uk/wp-content/uploads/2018/12/E02-18-2019-2020-NATIONAL-SALARY-AWARD-1.pdf>. Initially the person appointed will be on SCP 13 which is £11.45 per hour. The person appointed may receive annual increments commencing on the 1<sup>st</sup> April 2021 to SCP 14 (2021); SCP 15 (2022); SCP 16 (2023) and SCP 17 (2024).

The present hourly rates of these SCPs is set out below. These are reviewed nationally each year

14 - £11.67

15 - £11.91

16 - £12.15

17 - £12.39

Progression through the grade will be at the Council's discretion and subject to the clerk's satisfactory performance. The situation will be reviewed in January of each year.

It appears that the post is below the threshold for any pension entitlement from the employer. However the appointed person will be required to investigate the position on pensions and to report to Council on whether one would be mandatory.

Travelling expenses at the rate of 45p per mile will be paid for travel to and from the venue for Council meetings and for delivery of Summons/agendas to Members and for any other travel authorised by the Council. Working from home the Clerk will be required to provide any necessary consumables for office use e.g paper for printing; printing ink; stamps and other stationery requirements. Any costs over £50 per month to be agreed in advance. These charges will be reviewed from time to time. The cost of official phone calls will be reimbursed and any made will need to be recorded so as to provide an audit trail for recovery of costs.

An agreed proportion of broadband costs will be paid. A reasonable proportion of the costs of use of home, heating, electricity and lighting will be paid based on 6 hours per week with the rates being charged for one room. This is expected to be no more than £100 per month. This may be reviewed from time to time to ensure that proper reimbursement is achieved.

The successful applicant should have a copy of Charles Arnold Baker's law book Local Council Administration which retails at around £110.00. If the successful applicant does not own a copy then one may be purchased and the council will settle the account.

Each month the Clerk will work out his/her monthly pay and deduct any statutory deductions such as PAYE Tax and remit the same to the relevant body. The Council's registration with HMRC for tax purposes will be maintained by the Clerk. At the first Council after the end of each month the Clerk will submit to the Council a request for payment of the net salary and upon its approval the Clerk will arrange for the salary cheque to be signed by two Councillors. That payment can be effected at the Council meeting

### **Hours**

The person appointed will work from home undertaking 6 hours per week. If, from time to time, more hours are required to complete a task then this should be approved by Council in advance with an estimate of the hours and cost to the Budget.

### **Meetings**

Council meetings are usually held at the Parton Village Hall on the second Wednesday of the Month although there may be an occasional extraordinary meeting to attend. Meetings usually commence at 7.30 pm but may sometimes start earlier. Meetings are generally no longer than 2 hours

### **Duties**

Broadly the person appointed will fulfil all duties necessary to ensure the smooth running of the Council in accordance with all relevant legal requirements. The person appointed will also be the Council's s151 Local Government Act Responsible Financial Officer (RFO).

You will be responsible for the drafting of the Council meeting agendas (in consultation with the Chair) and the posting of the same, along with the public notice of meetings, on the parish notice Board not less than three clear days prior to a meeting (excluding Sundays).

Where reports/proposed motions are required to accompany agenda items you will be responsible for the drafting of the same. If Councillors require any item to be placed on the agenda they should draft their own brief report so that it is clear what is required of Members.

The job involves some direct responsibility for financial resources. The work regularly involves either:

Handling of cash, (there are not usually any cash transactions at present) or processing of cheques, invoices or equivalent: or

Being accountable for small expenditures from an agreed budget or equivalent income.

As that RFO you will be required to draft the annual budget for approval by the Council at its January meeting so that the level of Precept can be determined for submission to the Copeland Borough Council. You also manage that budget and regularly report back to Council on items of expenditure and whether expenditure is being maintained within the budget headings. Virement of monies may be required from time to time with budget and the appointed person will be aware of any such needs and to report to Council for the necessary approvals

Reports on monthly expenditure will be prepared for Council seeking any necessary approvals for payments.

There may be a need to effect exchanges orally or in writing varied information with a range of audiences: or

Exercising advisory, guiding, negotiating or persuasive skills.

The Clerk will also maintain registration with the ICO for Data Protection Purposes

The job involves working within recognised procedures, which leave some room for initiative. The work may involve responding independently to unexpected problems and situations. The jobholder generally has access to guidance on unusual or difficult problems from CALC.

The job involves some direct impact on the wellbeing of individual, or groups of people, through undertaking tasks or duties, which are to their direct benefit, or impact directly on their health and safety.

At this time the job involves no direct responsibility for the supervision, direction or co-ordination of other employees. That is not expected to change.

The job involves some direct responsibility for physical resources. The work may involve some responsibility for security of buildings after a Council meeting ordering, or stock control of, a limited range of supplies for your office use.

You will draft and present to Council as soon as reasonably practical proposed policies relating to the following matters

Subject access procedures

Health and Safety Policy

Records retention policy

Staff discipline

Grievance procedure