

# Warwickshire and West Midlands Association of Local Councils

(Affiliated to the National Association of Local Councils)



Representing and Advising  
Town and Parish Councils

**Warwick Enterprise Park, Wellesbourne, Warwickshire CV35 9EF**

Tel: 01789 472 616

e-mail: [enquiries@walc.org.uk](mailto:enquiries@walc.org.uk)

website: [www.walc.org.uk](http://www.walc.org.uk)

## GOOD PRACTICE NOTE

### **COUNCIL MEMBERS AND A TYPICAL TIMETABLE OF EVENTS FOR THE CLERK'S YEAR**

#### **Annual Events**

**The Local Government year** runs from 1<sup>st</sup> April until the following 31<sup>st</sup> March. Regular events occur through any one year and these are set out below in chronological order as far as possible. This is only basic guidance the larger the council, ie the more assets managed and activities undertaken there are likely to be many more regular events.

#### **Accounts**

The accounts year ends on 31<sup>st</sup> March and begins on 1<sup>st</sup> April. The clerk, if also appointed as the Responsible Finance Officer, must keep proper accounting records in order to comply with the Accounts and Audit Regulations 2003 and must ensure that the accounts balance at the end of the year. The clerk is responsible for dealing with VAT returns, income tax and national insurance deductions from employees' remuneration, submitting accounts for payment to the council for approval and the preparation of cheques for signature by at least two councillors. He or she must also initial the cheque stubs. The accounts must be approved by 30 June.

#### **Preparation for Audit**

March – the Responsible Finance Officer requests bank statements and investments accounts are made available for the year ending 31 March. The clerk ensures an internal audit has been carried out by an independent individual or body.

April – the Responsible Finance Officer closes the accounts and undertakes a reconciliation. The council approves the accounts. The external auditor advises the date of the audit and sends a blank Annual Return form for completion. The Internal Auditor completes Section 4 of the Annual Return. The council receives the Internal Auditor's report and considers any recommendations.

May –The Responsible Finance Officer completes Sections 1 and 2 of the Annual Return, prepares an explanation of any variances and presents the Annual Report to council for adoption and signing. The clerk posts the statutory Notice of Audit approximately five weeks before the Date of Audit (i.e. at least 14 days before the start of the 20 clear working day period during which electors may inspect the accounts) and returns the confirmation slip to the External Auditor.

June – The public inspection period ends, the Annual Return and explanation of variances must be sent to the External Auditor and the electors are given an opportunity to question the auditor.

July – the External Auditor sends the Annual Return with Section 3 completed and the clerk submits this to the council. The clerk must also display a copy of Sections 1, 2 and 3 of the Annual Return together with the statutory Completion of Audit Notice.

### **Annual Parish Meeting or Assembly**

An Annual Parish Meeting is obligatory in England and must be held between 1<sup>st</sup> March and 1<sup>st</sup> June each year. The local government electors for the parish are entitled to attend, speak and vote. If present, the Chairman of the Council must preside. The meeting may discuss any matter of relevance to the parish. The Annual Parish Meeting is sometimes held on the same day as the Annual General Meeting of the council, but is entirely separate from it. The law requires a public notice, an agenda and minutes for each meeting.

### **Annual General Meeting of the Parish Council**

The council must hold an Annual General Meeting in May or, in an ordinary election year, between the fourth and the eighteenth day after the election. This will generally be in May, because the normal election day is the first Thursday in May.

At the Annual General Meeting the Chairman of the Council must be elected. It is normal to elect the Vice-Chairman (if any), Committees and Sub-Committees at the same meeting and to arrange a programme of meeting dates for the year. Fees and rents charged by the council should be reviewed at this meeting.

### **Insurance**

The council's insurance policies will need to be renewed annually. The opportunity should be taken to review the levels of cover and terms of the policies at the Annual General Meeting of the Parish Council, in order to ensure that the council is fully insured.

### **Other Meetings of the Council**

In England, at least three meetings other than the annual meeting must be held. In practice, of course, councils meet more frequently than the statutory minimum number of times.

### **Meetings**

The clerk is responsible for ensuring that the correct statutory procedures are followed for the calling and holding of council meetings, committee and sub-committee meetings and, usually, parish or community meetings. After meetings the clerk must prepare minutes for approval by the council at the next meeting. Draft minutes are usually sent to councillors with the agenda for the next meeting.

### **Audit**

The accounts of the council are audited annually, with the audit for the preceding year normally being held in the summer or autumn. The accounts must be subject to an internal audit and approved by the council. WALC has a free of charge Good Practice Note entitled "Step by Step Guide for a Lighter Touch Audit".

### **Financial Risk Management**

A group of councillors should inspect the council's financial procedures. For small councils, annually, with large councils more regularly

## **Budgeting**

The budgeting process usually takes place between September and January.

## **Precept**

The precept is the money the council requires to be raised from the council tax payers and must be sent to the district or borough council at the beginning of March (and is usually sent in earlier). This means that the council's budget must be settled before the amount of the precept can be determined.

## **Annual Staff Appraisal**

Every member of staff should be appraised on an annual basis, to highlight problems with performing their job and to assess performance and direction of the council. WALC can provide guidance on how to carry out a staff appraisal. It usually takes place on the anniversary of the clerk's appointment.

## **Elections and Casual Vacancies**

The clerk has no legal duties in relation to ordinary elections. However he or she can use the parish magazine to inform parishioners of an opportunity to stand for election as a parish councillor. When a casual vacancy occurs, the clerk must conform with legal requirements publish a notice advertising the vacancy and giving electors the opportunity to call for a by election. The clerk should also inform the electoral registration officer at the borough or district council. If the clerk has delegated powers to advertise the vacancy, this may be done before it is reported to council. Otherwise the vacancy must be reported to council first. If there is no by-election, the clerk should ensure that the co-option of a new councillor is put on the council's agenda as soon as possible. WALC has a Good Practice Note on the procedure for filling casual vacancies, which is free of charge.

## **Register of Electors**

This is prepared by the electoral registration officer. A person on the register may vote at council elections, speak and vote at parish and community meetings and is qualified to be elected as a councillor, although there are other qualifications required as well. The clerk usually holds a copy of the register. There are restrictions on the use of the electoral roll.

## **Local Council Award Scheme**

Details of the Scheme are available at <http://walc.org.uk/lca>. Every council should be able to achieve the Foundation level of the Scheme..

## **Council Members and the Clerk**

### **The Clerk**

The clerk of the council serves from the date of appointment until his or her service is ended by resignation, dismissal within the terms of employment or death. If the council aspires to be a "Quality Parish Council", the clerk must hold either the Certificate in Local Council Administration or a Certificate of Higher Education in Local Policy or Local Council Administration awarded by the University of Gloucestershire.

### **The Chairman**

The period of office of the Chairman of the Council starts at the annual meeting of the council. This must be held on a day in May, except in the year of the ordinary council elections (every fourth year), when it must be held on or after the fourth day after the election or on or before the eighteenth day after it.

The Chairman remains in office until his or her successor is elected, unless he or she resigns in writing to the council, dies or becomes disqualified. If none of these events occur, the Chairman's successor is elected at the next annual council meeting.

Once elected, the Chairman must sign a declaration of acceptance of office as chairman, as well as a declaration of acceptance as a councillor.

### **The Vice-Chairman**

The Vice-chairman (if any) is also elected at the annual council meeting in May and holds office for one year. Some councils have a convention whereby the Vice-Chairman is elected chairman in the following year, but this is not a matter of law and the council need not follow the convention. The Vice-Chairman does not sign a declaration of acceptance of office as vice-chairman.

### **Councillors**

The term of office of councillors runs for four years from the fourth day after the date of the ordinary election until the fourth day after the next ordinary election. A councillor elected or co-opted between ordinary elections serves out the term of the person he or she has replaced.

The term of office of a councillor may be ended by written resignation to the Chairman, failure to attend meetings for six consecutive months without a reason approved by the council or disqualification for a prison sentence, bankruptcy, an election offence or for a serious breach of the council's code of conduct.

## **Good Practice Notes**

The following Good Practice Notes are available from the Warwickshire Association of Local Councils:

<b>Audit</b>	Step By Step Guide To A Lighter Touch Audit
<b>Burial Grounds</b>	A Ten Point Guide To Safety Inspections of Cemetery Memorials
<b>Chairman</b>	Duties, Responsibilities and Tips For Handling Meetings
<b>Committees</b>	Setting Up Committees and Working Parties and the Procedures To Be Followed By Committees
<b>Councillors</b>	Essential Documents And Publications For A New Councillor Apologies and Disqualification
<b>Declarations</b>	Guidance Notes For The Signing of the Declaration of Acceptance of Office and the Register of Members' Disclosable Pecuniary Interests By New Parish and Town Councillors As Required By The Localism Act 2011.
<b>Elections</b>	The Clerk's Role In Parish Council Elections
<b>Meetings</b>	Guidance On Minute-taking Model Notice For Summoning Councillors to A Parish or Town Council Meeting and Model Agenda For Publication <b>(a)</b> Model Notice For Summoning Councillors to the Annual General Meeting for the Parish or Town Council and Model Agenda For Publication <b>(b)</b> Model Notice and Agenda for Annual Parish or Town Assembly <b>(c)</b> Procedure For New Councillors Documents New Councillors Should Receive Public Participation At Meetings When The Public Can Be Excluded From Meetings Responding to Planning Applications
<b>Risk Management</b>	Guidance on Risk Management And How To Carry Out Risk Management
<b>Web sites</b>	Guidance on web site provision and information to appear on web sites to comply with Transparency Code.

Updated 2009, 2012, 2015