

## Newsletter – December 2023

### Derbyshire ALC



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#### ***1 - Pay award announced***

As communicated in a separate email to clerks, the pay award for April '23 to March '24 has finally been agreed. Full details of pay scales can be found [in the document here](#), but broadly the agreement is a flat rate payment of £1,925 for all spinal points to 43, with a pay award of 3.88% for all points above. In a statement, NALC said: “We continue to be disappointed that the annual settlement has been delayed for reasons outside the association’s control.”

## ***2 – Budgeting for wage rises***

From April 2024, the National Living Wage will increase by £1.02 per hour, so this will need to be reflected in budget-setting. In addition, councils are advised that next year's clerk salary increase has not yet been set, so will need to be estimated for budgeting purposes.

## ***3 – DALC AGM – rescheduled date!***

Unfortunately we weren't quorate for DALC's online AGM earlier in November, so we're rescheduling for January 10<sup>th</sup> at 10am. An invite link will be sent out closer to the time, or you can book a place online via the DALC portal. Please do make every effort to attend.

## ***4 – The ups and downs of precepts***

In the financial year 2023-24 Derbyshire's parish and town councils increased their precepts by 3% more than the national average, analysis has shown. Nationally, the average Band D increase was 8.05%, while Derbyshire's was 11.22%. However, Derbyshire's Band D precept of £73.58 remains below the average of £78.19 for similar two-tier authorities. [The full analysis can be found here.](#)

## ***5 – 'Council sport' VAT exemption – an update***

The long-running challenge to whether council-run sports facilities are VAT-exempt seems to have been resolved, according to internal HMRC staff guidance seen by our finance partner Parkinson Partnership. In [updated guidance to be found here](#), Parkinson understands that hire of sports facilities, or hire of facilities to a business providing sports services to an individual (eg a yoga instructor), are to be classed as "non-business" and are therefore VAT-exempt – on the condition that the sport facility is managed and maintained by the council.

## ***6 – Get introduced... to the Local Government Awards scheme***

As a measure of performance, the Local Government Award Scheme is a yardstick for many of our member councils. Now organiser NALC is offering a free webinar to outline the core principles of the scheme, in a bid to encourage new applicants. NALC says: "The award scheme helps recognise the achievements of those in the sector and provides a framework for their continuing improvement. The webinar aims to ensure councils know the benefits of applying, how to make the most of achieving accreditation, and that they have the confidence to put in an application." The free webinar on December 12th is open to clerks, councillors and other council staff – [you can sign up here.](#)

## **7 – Important: Update to disciplinary policy**

DALC have become aware of a challenge at the Employment Tribunal with regards to the process carried out in a disciplinary matter against a local council. The council in question were using the NALC template policy which includes (at para 7) that *‘the Council’s staffing committee will appoint an Investigator who will be responsible for undertaking a fact-finding exercise to collect all relevant information. The Investigator will be independent and will normally be a councillor.....’*

The tribunal found this breaches s101 of the Local Govt Act 1972, as well as the *Hillingdon* high court ruling, both of which refer to a councillor not being able to act alone on behalf of the council.

If your council uses the model disciplinary policy from NALC, DALC recommends making a change as follows, and as soon as possible:

Para 7 to be changed to refer to appointing 2 investigators who will be responsible for undertaking the fact-finding exercise. Any further reference to an investigator or the investigator to refer to investigators.

## **8 – Bespoke training – Civility & Respect**

As part of our sector’s continuing drive for better behaviour, DALC is offering bespoke training to help councils ensure civility and respect become part of their culture. Across the UK, almost 1,400 councils have already signed up to NALC’s [Civility & Respect Pledge](#), with many from Derbyshire also taking part. DALC’s tailored training courses will give practical advice on how an individual council can work towards a better working environment for councillors and staff. Please contact Yvonne Colverson, DALC’s Training & Advice Manager, for more details.

## **9 – New training workshop: Memorial Management & Inspection**

We’re pleased to launch a new training workshop aimed at anyone who is responsible for cemeteries and memorials, or who works within them. Burial ground operators have a duty-of-care to anyone working in, or visiting, their cemeteries – with responsibilities set out in various legislation including Local Authorities’ Cemetery Order 1977 and the Health and Safety at Work Act 1974.

DALC’s full-day course, on Wednesday 3<sup>rd</sup> April at the Whitworth Centre in Darley Dale, will comprise a classroom session covering the scope of risk and legal responsibilities, including Health & Safety, followed by a practical session in a cemetery, focusing on inspection.

Cost: £140 – hot and cold drinks provided/free parking. Lunch not included but there is a café on site.

We expect this to be a very popular course, with limited numbers of available places. Bookings must be made by 21<sup>st</sup> February 2024. Cancellations after this date may be charged for.

### **10 – Upcoming training (and a request!)**

We're busy finalising our 2024 training courses, and want your ideas on how to broaden our programme! So, if you'd like to see a new course subject, or think there's a gap in how we deliver our training, please get in touch with our new Training and Advice Manager Yvonne Colverson at [training@derbyshirealc.gov.uk](mailto:training@derbyshirealc.gov.uk).

We have a number of training courses over the course of the next month or two so why not take the opportunity to book a place. Courses are online unless a venue is listed – and **please note** all courses marked **(EM)** are courses to which Enhanced Membership councils can send up to three delegates free of charge. [Full details of all courses, with booking link, can be found here.](#)

**Understanding Planning** – Wednesday 6<sup>th</sup> December 6pm (£55)

**(EM) Code of Conduct** – Thursday 7<sup>th</sup> December 6pm (£30)

**Allotments – Site Facilities and Health & Safety** – Thursday 18<sup>th</sup> January (£40)

**(EM) Safeguarding** – Tuesday 23<sup>rd</sup> January (£30)

**Chair Skills** – Tuesday 23<sup>rd</sup> January 6pm (£50)

**Clerk Essentials – part 1** – 7<sup>th</sup> February 10am (see website for details)

**Clerk Essentials – part 2** – 8<sup>th</sup> February 10am (see website for details)

### **11 – Reminder!! Police Forum – 13<sup>th</sup> December**

Supt Becky Webster will attend our next online Police Forum, giving updates and answering questions from members. The forum is on Wednesday 13<sup>th</sup> December at 1.30pm.

[Click here to join the meeting](#)

Meeting ID: 390 037 873 838

Passcode: Enpy4R

[Download Teams](#) | [Join on the web](#)

### **12 – November Forum update**

Earlier this month we had an interesting and lively discussion about the Environment Act 2021, what Councils need to be doing to meet their duties, and what some councils have already done.

Actions considered, and taken by some councils, included:

- Community orchards
- Wildflower planning on verges and cemeteries.
- Re-wilding unused land
- Working with other organisations and local groups

What needs to be done:

The Environment Act requires councils to ‘complete a first consideration of what action to take for biodiversity by 1<sup>st</sup> January 2024’. If you have not done this already, we strongly suggest you add this to your December agenda and, at the very least, have a discussion around what the Council could do and resolve the next action, and minute this.

Following the ‘first consideration’ mentioned above, the council must agree policies and objectives as soon as possible.

Support:

Gov.uk have produced a guide which tells you what you need to consider and actions that can be taken. You can access this at <https://www.gov.uk/guidance/complying-with-the-biodiversity-duty#protected-site-strategies>

North East Derbyshire District Council have produced a Parish Council Climate Change Pack, which you may also find useful. [Climate Change - North East Derbyshire District Council \(northeastderbyshire.gov.uk\)](https://www.northeastderbyshire.gov.uk)

Here at DALC, we’re gathering further information and will produce guidance and model policies early in 2024.

***13 – And finally! Festive greetings from the DALC team...***



We wish you a very Merry Christmas and a Happy New Year!

Best regards, Wendy Amis and all at DALC