

## Abbots Langley Parish Council

Council Offices  
Langley Road  
Abbots Langley  
Herts  
WD5 0EJ

31st August 2017.

To Members of the Staffing Committee

Councillors Liz Burns, Stephen Giles-Medhurst (Chairman), Brenda Kersey, Jane Lay, David Major, & Owen Roe.

The next meeting of the Staffing Committee will be held at the above address on Wednesday 6<sup>th</sup> September 2017 at 9:00 am when your presence is summoned for the purpose of transacting the business outlined below.

The press and public are welcome to attend the meeting.

Tim Perkins  
Clerk to the Council

### AGENDA

1. **Apologies for Absence**  
To receive and accept apologies for absence.
2. **Declarations of Interest**  
To receive declarations of interest in items on the agenda.
3. **Public Participation**  
To note if any members of the public have requested to speak at this meeting, in accordance with the Parish Council's Public Speaking Arrangements.
4. **To confirm the Minutes of the Meeting held on**  
7<sup>th</sup> June 2017.
5. **Delegation of Responsibility - Officer & Staff Recruitment**  
To agree the revised version of the above and recommend approval to the Parish Council.  
(enclosed)
6. **Clerk Recruitment Pack**  
To approve the above, updated at the June meeting of this committee (min. 41.). (Clerk's report item 1 and enclosed pack contents.)
7. **General Power of Competence**  
To consider a report from the Clerk on the implications of the appointment of a new Clerk on the Councils' use of the above. (Clerk's report item 2.)
8. **Works Team Apprentice**  
To consider the course specification for the above. (Clerk's report item 3.)

## Abbots Langley Parish Council

### 9. Exclusion of the Press and Public (Part II)

As the following items will consider matters related to the employment of staff a resolution to exclude the press and public may be required, under the Public Bodies (Admission to Meetings) Act 1960 and the LGA 1972, s100 & 102.

### 10. Office & General Staffing

To consider the report from the Clerk. (Clerk's report PII item 1.)

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Abbots Langley Parish Council  
Clerk's Report - Staffing Committee - September 2017

1. Clerks Recruitment Pack

The updated documents from the previous meeting of this committee are enclosed. The updates are highlighted.

I have not been able to track the changes on the Person Specification as there was quite a few, mainly movement between "essential" and "desirable" attributes. I have got my original marked up copy if members want to confirm any of the changes.

The application form is not enclosed as that was unchanged.

i. Political Exemption

At the June meeting of this committee there was discussion about making the Clerk's position "Politically Exempt".

The term "Politically Exempt", which is interchangeable with "Politically Restricted", derives from the Local Government and Housing Act 1989. This act applies to principal authorities, but not Parish and Town Councils.

If those terms are used in the recruitment pack this may cause confusion now or in the future. It may be more appropriate to use a term like "Politically Neutral" which has a similar meaning but uses words that are not in the Act.

Slightly rewording the WBC/TRDC clause in contracts of employment and job descriptions to something like:

*"The Clerk to the Council is required to give advice on a regular basis to the Council, committees of the Council and individual members. The Clerk is also required to speak on behalf of the Council to print, broadcast and online media organisations.*

*The Clerk is expected to be "Politically Neutral". This means that the post holder is restricted in terms of public political activity. Further information is available from our Human Resources Business Partner."*

2. General Power of Competence (GPoC)

The following report was requested to outline the issues around the GPoC and the recruitment of a new Clerk.

Legislation

*To be eligible to use the GPoC, local councils must, at the time of resolving to use the power, have a two thirds electoral mandate and a qualified Clerk<sup>[1]</sup>.*

*<sup>[1]</sup> CiLCA 2012 or if already qualified an additional pass in section 7 of CiLCA 2012.*

Using the Power

The Parish Council "self-authorises" use of the GPoC.

This is done at the Annual Council Meeting following ordinary elections. Providing the legislative criteria are satisfied then use of the power is resolved and that stays in place until the next ordinary elections, **even if a new Clerk that does not hold a relevant qualification is appointed.**

So currently the Parish Council can use the GPoC until May 2019.

Why is the GPoC important to the Parish Council?

The GPoC permits the funding of charities.

Without it the Henderson Hall Managing Trustees or the Hub can only be funded under the S137 (3) powers which are much more restrictive.

## Abbots Langley Parish Council

### Clerk's Report - Staffing Committee - September 2017

A number of council's have been picked up on their funding of charities by internal and external auditors. Given the grant to Henderson Hall is one of the council's largest item of expenditure it always attracts the attention of both internal and external auditors.

We are routinely asked by both auditors to evidence the council's entitlement to use the GPoC. This entails evidencing election results and the Clerk's qualifications.

#### Practical Solutions

The Parish Council can continue to use the GPoC until May 2019, so:

- i. If the current qualified Clerk is still in post for the May 2019 Annual Parish Council then no problem, use of the power for the following four years can be resolved.
- ii. Equally if a new Clerk is in post and they are qualified, no problem, as use of the GPoC can be resolved.
- iii. If the current Clerk is not in post and the replacement is not qualified then any grant for 2019-2020 for the Henderson Hall ***should be resolved and the cheque raised prior to 31st March 2019***, to keep any grant clear from the new financial and municipal year. This would be a minor accounting and budgetary issue.

Whilst the Henderson Hall grant is clearly the largest charity grant, consideration may need to be given to grants such as the CAB, if they operate as a charity.

#### Summary

Members are right to be concerned about use of the GPoC, it is a "catch all" power and incredibly useful in allowing the council to operate freely. It is essential in terms of funding charities.

A solution to enable the Parish Council to continue to use the GPoC will likely be found. Exactly which solution is appropriate will be dependant on the current Clerk's actual departure date and the qualification status of the new Clerk.

Members need to be mindful of the implications of the above but not necessarily overly concerned.

### 3. Work Team Apprentice

It has taken a while to find an appropriate training provider, as a lot of the courses we found were tailored to golf clubs, hotels and commercial operations. Thanks are due to the Watford BC HR team which tracked down this programme. The initial plan would be that the apprentice starts on the Level 2 Diploma and then moves on to the Level 3 if appropriate.

The pressure has been on over the summer and it has not been possible to progress this as the Works Manager and then the Facilities Manager were on adjacent blocks of annual leave.

We will progress over the coming weeks and advice will be needed from our HR Business Partner on the job specification, pay and rations, etc. as this will be our first apprentice.

I intend on making the recruitment and management of this programme a PDR objective for the Facilities Manager and Works Manager.

Tim Perkins

Clerk to the Council

31st August 2017.