

CEO's report to the ESALC AGM

Looking back into 2022/23 the issues we dealt with then generally remain with us; prominent among those issues are the difficult relationships in some parishes often caused by the actions of one councillor. It is worth remembering that a council as employer owes a duty of care to its employees to protect them from intimidation, harassment and bullying and any one councillor can put that council in a potentially costly Employment Tribunal. ESALC therefore tries very hard to encourage councillors to behave in accordance with the Code of Conduct and the Nolan principles.

Social media has a big part to play in poor behaviour, we have examples of councillors posting a controversial opinion on Facebook, receiving several 'likes' and feeling empowered to promote such an opinion. This can cause unrest and, in some cases forcing the Clerk to resign resulting in costly disruption to that council.

The continued lack of sanctions within the Code of Conduct challenges Monitoring Officers, District Council Chief Executives, local council chairmen and all County Associations. To restore sanctions, removed in 2011, will require primary legislation and Government is resistant to restoration, holding the view that 'the party political machine and ballot box can ensure proper behaviour by councillors'. In my view this simply demonstrates how out of touch Ministers are with our Sector given that only 10% of councils tend to have contested elections and, whilst the party machine exists at District and County Council level, it is a rarity within towns and parishes. NALC takes every opportunity to change minds in Westminster but so far without success.

Moving to the matter of remote or hybrid meetings, with autumn and winter just around the corner we could find ourselves with some councillors reluctant to attend meetings in a confined space. You will recall that in April 2020 Government allowed meetings to take place on line in the interests of safety, this was changed in May 2021 when the High Court declared that any meeting at which decisions were taken had to be in person, other councillors could attend remotely but not be entitled to vote. There is no doubt that remote meetings attracted greater interest by residents that somehow should be retained and used as a means of encouraging potential cooptees.

The facility to hold remote meetings could be necessary for a range of reasons, simply the village hall was flooded last night, or the plumbing has failed, given the short notice and the meeting needing to be held, zoom would come to the rescue.

WSALC Joint President, Lord Lytton made a very telling point in the House of Lords, reported in Hansard, when he drew attention to Parliamentary Select Committees having the ability to meet remotely, therefore why not local councils?

In June of this year ESALC and WSALC moved into the Village Centre at Hurstpierpoint occupying a very pleasant office with access to meeting space. We have been made most welcome by Hurstpierpoint and Sayers Common Parish Council and look forward to welcoming visitors by appointment.

As we commenced the new four-year term in May, I thought it might be useful to set out for new councillors the wide range of activities and involvement ESALC undertakes on behalf of its membership.

What we do in East Sussex

Advice up to 7.30pm each day when required and for urgent matters outside the normal working week, principally

- General procedural, governance and employment matters
- Legal support, either referred to NALC or for urgent matters to a firm of solicitors under a retainer arrangement as part of Mulberry & Co's service contract.
- Finance advice from Mulberry & Co.
- Planning guidance, available from Steve Tilbury, our Planning Associate by arrangement

Training – full programme to cover needs of Chairmen, Councillors and Clerks

- Programme set out on ESALC website, available as open sessions or bespoke for individual councils
- New councillor induction since May 2023 at which refresher training is also covered and principles of chairmanship.

Communications

- Website – our main method of conveying information from Government, NALC and other agencies
- Newsletter – electronic, sent out for Clerks to share with councillors containing matters of local and national interest
- Forum sessions for Clerks and Chairmen to discuss matters of concern and be briefed on current issues.

District Associations

- To facilitate an effective DALC in each District Council area and aim for a consistency of approach through a common approach to the Secretariat.

Collection of income

- Subscription income is the life blood of ESALC and its receipt ensures we can continue to provide the services our member councils require; unlike some County Associations ESALC does not take any contribution from County or District Councils thus ensuring independence

Conflict resolution

- It is an unfortunate fact that many of the issues encountered by parishes result from councillors in dispute with each other or with the Clerk. A pragmatic approach to resolving tensions can often be achieved by the CEO working with councillors, drawing on HR advice as required.
- Taking steps to assist councils overcome poor behaviour by some councillors and the risk this can bring.
- Grievance and Complaints investigation – the CEO can arrange for a suitably experienced independent person to work with a council to ensure procedures are adhered to.
- ESALC supports the NALC / SLCC 'Civility and Respect' programme designed to assist councillors to behave in a way that does not offend others.

Recruitment

- ESALC has built up a knowledge base to assist councils with the recruitment of staff; detailed records are maintained of the level of interest around each vacancy and the number of applications received. Pay levels for vacancies are retained and assist councils to recognise market forces when a vacancy arises.
- When a council has agreed the terms of appointment ESALC will advertise the vacancy on its website
- If requested the CEO will produce a critique on the applications received and attend interviews to assist the recruitment panel with the terms and conditions of appointment.
- When an appointment has been made, ESALC can take up references and draft the Contract of employment.

Business Planning

- Visioning and objective setting, this process assists councils to engage with residents and share thoughts on future direction of council priorities. Having agreed objectives makes it easier to monitor performance and undertake staff appraisals.

Borrowing for capital projects

- If a council wishes to seek Borrowing Approval from the Secretary of State the application must be submitted via ESALC CEO who will provide guidance on the process with 'hints and tips'.
- The CEO will monitor the progress of an application, currently taking around 3 months before the SoFS makes a decision.

Engagement with principal authorities

- Where a council might be in dispute with the County or its District Council, ESALC CEO will discuss it with the Chairman and if appropriate arrange to speak to the CEO of ESCC or the DC.
- A constructive dialogue exists between ESALC and the principal authorities in East Sussex and improvements in relationship between DALCs and DCs is emerging.

Advice on creation of new councils or merging existing councils

- From time to time a community will petition for a Community Governance Review and WSALC CEO is required to advise those who might make an approach.

Engagement with Sussex Police and the PCC at all levels; a role that has become increasingly important over the years

- Regular engagement with the PCC, Chief Constable and District Commanders helps ensure that operational policing concerns of member councils are dealt with at the highest level.
- PCC / WSALC / ESALC Focus Groups with local councils and communities attended by the CEO is a way of providing those communities with a means of getting their concerns to the Police and Crime Commissioner and Chief Constable.
- The CEO also attends the Business Crime Group with the aim of finding practical measures against shop thefts.
- The CEO sits on the Police Engagement Group, set up to ensure all communities receive equal attention from PCSOs who need to show how / when they contact local council Clerks through agreed Patrol Plans.
- The CEO is currently Chair of the Police Contact Improvement Group, a team of 20 people from all sectors across Sussex including local councillors and clerks, established to advise on the effectiveness of public contact with the police. It is intended to ensure that everyone receives the same satisfactory outcome irrespective of their ability / disability or the method used.
- The development of this relationship means that requests from WSALC for attention in a particular community is taken seriously by the police.

Support for the Board

- Preparation of agendas and reports
- Production of minutes and action arising from decisions
- Attendance as required at District Association meetings

Engagement with NALC

- CALC Chairmen attend NALC Assembly once a quarter, the CEO meets with NALC staff and colleagues around the country twice a month to share concerns and learn from each other.

Engagement with West Sussex Civilian & Military Partnership Board

- With 22,000 known military veterans in East Sussex, the County Council has the CMPB where a representative of each Borough or District, Regular and Reserve Forces, Cadet Forces, NHS, Service Charities meet to uphold the Military Covenant; SALC CEO also has a seat on the Board and maintains awareness of grant availability for local groups and parish councils.

- The CEO Chairs the Events and Engagement Group in West Sussex which monitors commemorative events and if a local council requires a uniformed presence, this is secured by the CEO using military contacts. The same approach will be introduced in East Sussex
- The CEO has held an Army Reserve Commission, albeit many years ago and invited by South East Reserve Forces and Cadets Association to represent East and West SALC on the Sussex Reserve Forces & Cadets Committee

Resilience Plans

- Maintain an awareness of the National Risk Register to ensure that local councils might wish to make provision for possible problems in their communities
- Encourage all local councils to develop a plan designed to assist with the preservation of local critical services at times of need.
- This will not be a substitute for plans the District or County may implement but address very local issues.

Organise the election of parish representatives to the National Park

- Parishes wholly or partially within the SDNP are entitled to nominate representatives to serve on the NP Board, elections every four years and possible bye elections in between. SALC manages the process for SDNP in advising its membership, calling for candidates and conducting the postal ballot election.

SERCAF

- A group of nine counties in the southeast containing 1600 local councils, CEO coordinates its activities by agreeing content for discussion and arranging meetings. [Currently in abeyance]

Arrange locum Clerk to support councils at times of need

- A database of those willing to locum as Clerks in East Sussex is maintained and, when required names are offered to councils with a need.

Trevor Leggo

CEO, Sussex Associations of Local Councils

October 2023