



### **Training Conference**

ERNLLCA provides an annual day training conference in the Spring. This year the event will be held in the East Riding at the Hallmark Hotel, North Ferriby on Friday, 10<sup>th</sup> June 2011 in order that new councillors have the opportunity to attend this popular event. A blend of national, regional and local speakers are being recruited to give Councillors and Clerks a varied and interesting day. Full details will be sent to councils very shortly.

### **Local Government Minister lays down the challenge**

Responding to a call from the Local Government Minister Grant Shapps MP, for talented “school gate mums and dads” to step forward and make real change to real lives in their communities, ERNLLCA has participated in the review of the National Training Strategy.

Michael Chater, Chairman of NALC, commented: “the new National Training Strategy will continue to support the learning and development needs of councillors and their staff over the next five years. The new strategy sets out our shared commitments, aims and actions on four key areas: managing training; finance and funding; training tools and delivery; and qualifications and continuous professional development. This new strategy will play a vital role in continuing to help our army of local councillors – those grassroots local champions – to be effective in their job of representing people and delivering on important local issues.”

The key delivery agents locally will be ERNLLCA for councillor training and the Yorkshire and Humber Regional Training Partnership for Clerks.

### **Changes to age of retirement**

The Coalition Agreement committed the Government to phasing out the default retirement age (DRA). To this end, the Department for Business, Innovation and Skills (BIS) and the Department for Work and Pensions (DWP) jointly issued a consultation on the matter. The Government has announced that it will now move quickly to phase out the default retirement age from April 2011. ACAS has been asked to prepare guidance on how this should be managed.

The Government states that these changes will not mean that individuals can no longer retire at 65 – simply that the timing of that retirement becomes a matter of choice rather than compulsion. The Government is reviewing employment law more widely to ensure that flexibility for both employers and employees is maximised.

The Government also considers that the removal of the Default Retirement Age (DRA) does not affect occupational pension schemes. The absence of a DRA does not affect the setting of a ‘normal retirement age’ or ‘normal pension age’ for the purposes of occupational pension schemes.

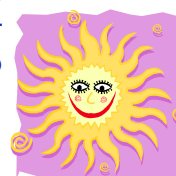
Regulations will be brought forward to put these proposals into practice to take effect from 6 April 2011. From this date, subject to Parliamentary procedures, employers will no longer be able to issue notifications of retirement using the existing procedure (a model of which is on the ERNLLCA website). Where notifications have already been made prior to 6 April 2011, employers will be able to continue with the retirement process as long as the retirement is due to take place before 1 October 2011. No retirements using the DRA procedure will be possible after 1 October 2011.

ERNLLCA will issue further guidance on this issue as the implementation date approaches

### **ERNLLCA STAFF ABSENCE**

Please note that Alan Barker, Executive Officer, will be away from the office for a period of leave from Monday 31st January 2011 to Friday 4th February 2011 inclusive.

Don't forget to send in any enquiries that may need a response for meetings during that week prior to his leave.



## Working with the Society of Local Council Clerks

ERNLLCA has again agreed to participate at the Society's Clerks' Training Day in February. SLCC has asked ERNLLCA's Executive Officer to explain the key changes to Standing Orders that have come about of late and what councils should be adopting to ensure they are fully protected. SLCC has also asked if ERNLLCA could give a briefing on the Localism Bill and what it might mean for parish and town councils.

Both ERNLLCA and SLCC agree that there must be an harmonious working relationship between both bodies. SLCC is the professional body for Clerks and as such represents its members interests. ERNLLCA is the employer organisation and protects and promotes the interests of its members—the councils. ERNLLCA and SLCC play complimentary but differing roles which jointly support parish and town councils.

## Power of Well-Being

Congratulations to Haxey Parish Council which will shortly be passing a resolution acknowledging that it meets all the criteria to



become a council eligible to use the Power of Well-Being. Any council interested in adopting the power should contact ERNLLCA for advice.

## Changes to parents' leave arrangements

From 6 April 2011 new regulations will give parents of children due, or matched for adoption on, or after 3 April 2011 greater flexibility in how they use maternity and paternity provisions through the introduction of Additional Paternity Leave and Pay.

Additional Paternity Leave and Pay (APL&P) will enable eligible fathers to take up to 26 weeks additional paternity leave. The leave may be paid if taken during the mother or partner's Statutory Maternity Pay period, Maternity Allowance period or Statutory Adoption Pay period. Leave taken after this period has ended would be unpaid.

Government states that this new provision will provide parents with more choice and flexibility in child care responsibilities and a more equitable sharing of leave entitlements. The scheme has been designed to minimise the administrative burdens on business whilst allowing fathers a greater opportunity to be involved in raising their child.

Mothers will have the choice between taking their full maternity leave and returning to work early, allowing their partner to take leave instead.

## Another Quality Council

Pocklington Town Council has become the latest council in ERNLLCA to be awarded the Government's Charter Mark for parish and town councils.

The Accreditation Panel was greatly impressed by the Council's degree of community involvement.

The Certificate will be presented to the Council in February.



## New rules governing the National Minimum Wage

The Department for Business, Innovation and Skills (BIS) has just published guidance regarding the policing of the National Minimum Wage (NMW). The Low Pay Commission made recommendations to BIS regarding publicising the names of employers who break the law and pay employees less than the NMW.

ERNLLCA has helped a number of councils who have found themselves in a position whereby, and usually because of tradition, an employee was not being paid properly. There can often be a difficulty where an annual salary is agreed for an indeterminate number of hours of work. If it is found that the salary, divided by actual hours worked, equates to less than the NMW, problems will simply accrue. Clearly the role of Clerk is such that it would not be one which is recompensed at NMW but other positions in the council may be affected. Councils are therefore advised to review such matters to ensure they are not at fault.

Her Majesty's Revenue and Customs (HMRC) will investigate a complaint from an employee or a third party, or after targeted investigations. Investigations are normally carried out within the employer's base with a view to rectifying errors. An HMRC Compliance Officer has the power to compel an employer to pay any arrears due. Any failure to comply will result in penalties being applied which can be pursued under civil law. It is also possible for Compliance Officers to make charges under criminal law.

Since the introduction of the NMW, ERNLLCA has advised councils about adherence to the law. If any council has concerns that it may inadvertently be straying from the legal requirements, please get in touch for advice.

## Regional Training Conference

The Yorkshire and Humber Regional Training Partnership (YHRTP) 2011 Annual Conference is coming to the ERNLLCA area. The Ramada Jarvis Hotel at Willerby has been booked for the weekend of Friday 23<sup>rd</sup> to Sunday 25<sup>th</sup> September for this popular and well-attended conference. The Conference Team are busy putting together the programme which will be sent out to councils in the Spring.

Delegates will be able to choose to attend for the whole weekend or part of it, or you could opt to attend on a single day.

This is highly regarded conference which has previously always been held in Scarborough. YHRTP has listened to the comments made by ERNLLCA councils about the distance involved in attending. It is hoped that 2011 will see a strong attendance from councils in this area.

## Royal Garden Party

Once again ERNLLCA has been informed that it has been allocated a total of 4 places to be nominated to attend a Royal Garden Party at Buckingham Palace on Tuesday 12 July 2011 at which the Chairman of a Parish Council or a Town Mayor may attend.

It is expected that a Chairman or Mayor will be accompanied (unless he or she specifically requests otherwise) and that will amount to 2 places. The guidance provided is as follows:

- ◆ Each nominated guest may be accompanied also by up to 2 children but this will be within the overall quota allocated to ERNLLCA.
- ◆ A nominated guest may be accompanied by a married son or daughter in place of a husband or wife but not in addition to.
- ◆ Nominated or accompanying guests should **NOT** have previously attended a Garden Party.
- ◆ **Invitations are in recognition of *past service* and it is therefore appropriate that outgoing members, rather than those newly selected, should be invited to attend.**

If your council would like to nominate your Chairman or Mayor, please advise ERNLLCA in writing (or by e-mail) no later than 9.00am Tuesday 1 March 2011. In event that more applications are received than places are available, the ERNLLCA Executive Committee will make arrangements for a ballot to be held.