

CORONAVIRUS — INFORMATION FOR LOCAL (PARISH AND TOWN) COUNCILS

ABOUT

This page has been created to provide local (parish and town) councils with information related to the coronavirus. It should not be used as a substitute for government advice, however, there are some practicalities specific to local councils where we hope this information will help you plan ahead and manage your risks. If you would like further advice and support on any of these topics for your local council then please [contact your local county association](#).

This is a fast-moving situation and we will be updating this page regularly.

SOURCES OF ADVICE

The coronavirus situation is fast-moving and there is an increasing amount of misinformation online. We should be using government advice to inform decisions and be checking that advice regularly.

- [Public Health England](#) has FAQs that will be updated regularly
- This guidance, developed with the Department for Business, Energy and Industrial Strategy, aims to [assist employers and businesses in providing advice to their staff](#)
- You may find the advice from [ACAS](#) useful in considering any employment-related matters that may impact your local council
- For further reading, the Local Government Association has published a very [useful list](#) of different government advice sources

ENGAGING WITH THE GOVERNMENT

NALC is engaging with Smaller Authorities' Audit Appointments (SAAA) about audit and with the Ministry for Housing Communities and Local Government (MHCLG) as a matter of urgency on a range of issues. A summary of some of the issues we are raising with MHCLG is below:

- Holding of statutory meetings — such as annual parish meeting and the annual council meeting. We are communicating the concerns that councils have around their ability to hold meetings within the statutory deadlines.
- Audit deadlines — We are communicating the concerns that local councils have around their ability to hold meetings within the statutory deadlines.
- Elections — With the change of date around elections we are seeking clarification on the implications of this.
- Democratic decision-making (e.g. if councils are unable to be quorate for an extended period of time) — We are communicating the difficulties that

councils are experiencing or expecting. This includes the question of phone/online attendance

On 16 March 2020, local government secretary Robert Jenrick MP addressed over 300 council leaders and sector bodies in a call on the government's response to coronavirus. He reaffirmed the government's commitment to supporting councils to focus their efforts on the priority area of social care, providing vital support for vulnerable people and supporting their local economies — [read the full press release on MHCLG's website](#). NALC is awaiting confirmation that these changes will be applicable to local councils, plus legislation will need to be passed for this to come into effect and we are seeking clarification on the detail. In particular, the MHCLG press release states:

- The deadline for local government financial audits will be extended to 30 September 2020
- It will consider bringing forward legislation to remove the requirement for annual council meetings to take place in person
- It will consider bringing forward legislation to allow council committee meetings to be held virtually for a temporary period

We will provide further updates as we find them out.

MANAGING RISKS TO THE COUNCIL

We would recommend that local councils consider different scenarios and what actions might help mitigate any risks to the council. This will vary for individual councils and it may be that no specific actions or changes are required. As examples:

- It may be helpful to review your scheme of delegation to ensure it is fit for purpose and would ensure minimal disruption to the work of the council if councillors are not able to attend meetings and committees. For example, you may wish to consider if certain decisions could be delegated to the clerk, in consultation with the chairman and vice-chairman, as a contingency plan in case council meetings are postponed due to the coronavirus
- You may wish to review critical functions or services and consider how these would continue in the case of staff absence
- You may have local residents with queries about coronavirus, in which case we would advise you signpost them to government information and advice as highlighted above

WHAT DOES THE LAW SAY ABOUT HOLDING COUNCIL MEETINGS?

There are a number of statutory meetings and deadlines that apply to local councils – you can find out more about these from your county association or by reading our Legal Topic Note 5 (located in member's area of NALC's website — login required). There has been no change to legislation or government guidance to amend these statutory duties.

Where the law does not provide for a particular scenario (e.g. the holding of the annual council parish or town meeting outside of the statutory timeframe, if the government advises against meetings being held) we would be guided by the government as to what should happen. We will be engaging with government on this and a range of other issues and will keep you updated on any developments.

WHAT ABOUT THE FINANCIAL YEAR-END AND AGAR?

After the completion of accounts at the close of the financial year (31 March), they must be certified by the council's responsible financial officer (RFO), considered and approved by full council by no later than 29 June, and published by 30 September. If a planned full council meeting is not able to approve the accounts e.g. the meeting is not quorate due to councillor absence, then an extraordinary council meeting can be called at a later date as long as it is within this timeframe. If councils are concerned about potential delays they may wish to consider approving the AGAR as early as possible, for example, at an April meeting rather than waiting for the May/June meetings.

NALC and SAAA have discussed and agreed to keep an eye on the situation. SAAA will keep in close contact with auditors as well.

WILL THE ELECTIONS IN MAY BE AFFECTED?

The Cabinet Office has confirmed to NALC that the local elections scheduled on 7 May will be postponed until May next year, with legislation brought forward shortly. The Electoral Commission [wrote to the government](#) on 12 March calling for elections to be delayed until the autumn. We will provide a further update when more information is available.

SUPPORTING LOCAL COMMUNITIES

Local councils are ideally placed to inform and support residents as they already do in so many spheres — from assisting during flooding and other emergencies to supporting vulnerable or lonely people. And this will almost certainly be the case in the current situation. Cllr Sue Baxter, chairman of NALC met Nigel Huddleston MP (DCMS representative on COBRA) who saw a potentially big role for parishes during the current period, keeping an eye on vulnerable people and encouraging new volunteers to come forward to help. We are assessing the implications of this week's budget and other announcements and will keep you informed.

NALC has had an engagement with Public Health England (PHE) and communicated the desire from local councils to support their communities and the need for information on how best to do this within the scope of government advice on social distancing. PHE is planning to launch further guidance to support community activities next week and we will circulate this once it is launched.

CORONAVIRUS AND CYBERSECURITY

NALC partners Microshade have provided additional advice for local councils as fraudsters are exploiting the spread of coronavirus to facilitate various types of fraud and cybercrime — [read of the blog](#).

STATUTORY SICK PAY

The Statutory Sick Pay (General) (Coronavirus Amendment) Regulations 2020 were made on 12 March 2020 and came into force on 13 March. They amended the Statutory Sick Pay (General) Regulations 1982 and provide that statutory sick pay will be available to anyone isolating themselves from other people in such a manner as to prevent infection or contamination with coronavirus disease, in accordance with the guidance published by Public Health England, NHS Scotland or Public Health Wales and effective on 12 March 2020, and by reason of that isolation is unable to work. The government has said that the Statutory Sick Pay will be payable from the first day (not, as previously, from day four) and that employers with fewer than 250 employees will be able to reclaim the cost from the government up to a maximum of two weeks' Statutory Sick Pay.

The Secretary of State is required to keep the operation of the Regulations under review and they will cease to have effect eight months after they come in to force.

DATA PROTECTION AND GDPR

On 12 March the Information Commissioners Office (ICO) [released a statement](#) to reassure organisations seeking to support their communities at this time. It includes this information:

"Data protection and electronic communication laws do not stop Government, the NHS or any other health professionals from sending public health messages to people, either by phone, text or email as these messages are not direct marketing. Nor does it stop them using the latest technology to facilitate safe and speedy consultations and diagnoses. Public bodies may require additional collection and sharing of personal data to protect against serious threats to public health.

The ICO is a reasonable and pragmatic regulator, one that does not operate in isolation from matters of serious public concern. Regarding compliance with data protection, we will take into account the compelling public interest in the current health emergency."

To support this statement the ICO has also produced [further guidance around data protection and coronavirus](#).

This page was last updated on 17 March 2020.