



Report regarding issues with the Annual Governance & Accountability Return 2023/24 (updated¹)

When I joined Balderton Parish Council at the beginning of October 2023, I recognised that work was required to ensure our operations followed best practice and to make sure we were following our standing orders.

A local resident raised a number of concerns to PKF following our Notice of Public Rights which was published on our website and noticeboard on May 24th, 2024.

The external auditor considered some objections to be eligible for consideration however none of the eligible objections were accepted under [Step 2 of AGN 04](#) for further consideration at Step 3 for the reasons set out by PKF below:

- 1. All of the eligible objections relate to the Council's lack of compliance with either or both Assertions 2 and 3 of the Annual Governance Statement. (see the bracketed information in the see table below)*
- 2. PKF noted that the Council's response to each of those governance assertions was 'No', thus disclosing its non-compliance as is required.*
- 3. PKF also further noted that the explanations for these 'No' responses published on the Council's website do not refer to all of the issues that the objector raised. Although the explanations do not fall within PKF's remit to review, they recommend that Balderton Parish Council considers expanding the responses to cover those elements of the eligible objections that it recognises as not having been met during 2023/24.*

In the table on the following page, I have given expanded responses as far as possible.

¹ Updated March 2025 following one resident's feedback after the [February Full Council agenda](#) was published.

	Eligible objection	Response
1	The Council's failure to comply with legislation in respect of correspondence (Assertion 3);	In November 2023, a communications and engagement policy was adopted. This was one of many policies that the council has put in place over the last 18 months to improve our working practices, commit to openness, improve communications, and modernise our methods of working. The policy states 'all correspondence to the parish council staff will be acknowledged within one week of receipt where possible'. The vast majority is not only acknowledged but actioned within this timescale. Occasionally, a full response takes longer.
2	The Council's failure to comply with two requests for information under the Freedom of Information Act 2000 (Assertion 3);	We follow the Information Commission Office's Freedom of Information guidance and resources if requests are received.
3	The Council's failure to comply with standing orders in respect of signing off various Committee minutes at Full Council meetings (Assertion 2);	It is acknowledged that this was being done incorrectly prior to October 2023. This was rectified and signing off of minutes is now done correctly.
4	The Council's failure to comply with standing orders or legislation due to the non-compliant terms of reference in respect of committee quoracy (Assertions 2 and 3);	It is acknowledged that the previous terms of reference were not fit for purpose. New Terms of Reference for committees were approved by the council in November 2023 and they are now fit for purpose.
5	The Council's failure to comply with standing orders and legislation in respect of the lack of transparency of the operation of the Council Review Committee during the first half of the year (Assertions 2 and 3);	It is acknowledged that the Council Review Committee was not convened/minuted correctly. As above, new Terms of Reference were approved by the council in November 2023. Committee meetings are convened and minuted correctly now.
6	The Council's failure to ensure that individual councillors correctly declared interests during meetings including the Council's adherence to standing orders and councillors' adherence to the Code of Conduct in respect of a decision made at the 28 February meeting (ref 33(b)) (Assertion 3);	The councillors detailed that they had an interest in the item 33b. They did not leave the room as no decision was to be made on what to do about the issue.
7	The Council's failure to comply with standing orders in its consideration of a non-agenda item at its meeting on 27 March 2024 (Assertion 2); and	This refers to the phrase 'agreed on a further personnel issue which had come to light following the Personnel and Policy Committee meeting' from the minutes of Full Council on 27/3/24 . It is correct that this isn't following our standing orders to the letter but an example of where a practical approach has been taken: that is, the council could have waited for another meeting to be convened, which would have taken resources or they could take the decision whilst the council was convened. This was a personnel item so exempt.

	Eligible objection	Response
8	The Council's failure to comply with decision notices received from the ICO during the year (Assertion 3).	<p>The following response was given to the resident who raised this. <i>'I have not looked into this as the complaints were from February 2023. To trawl back over this is not a good use of my time. We have significant projects underway and to slow these down to go back over this isn't possible.'</i></p> <p>We continue to have substantial workload to modernise and deliver council services. To go back and investigate these complaints from so long ago, would not be a prudent or productive use of this council's resources. It would also be to serve little purpose, as the staff and councillors involved (early 2023) are no longer in situ.</p>

Below I copy the response² that was sent in June 2024 to the resident who raised their concerns:

'I have spent a considerable amount of time trying to respond to your questions and concerns which amount to over 20 pages when looking at your letters of 23 March and 2 April to me and letter of 14 June to PKF Littlejohn.

I have tried to answer your questions as best as I can. Much of what you cover is from before I joined the council in October, so I have not gone into too much detail as I simply do not have the knowledge or resources to go back through the old minutes in fine detail.

The council has signed the Civility and Respect Pledge which includes pledging to 'continue to learn from best practice in the sector and aspire to being a role model / champion council e.g., via Local Council Award Scheme'. I am working with the council towards this, but it will take time.

I hope you will understand and appreciate that going over pages and pages of queries about historical events really is not in the best interests of the electorate that we serve. I am passionate about getting Balderton Parish Council to the bronze level of the local council award scheme. This is a good measure of how well a council is performing. This will take time though as many of our procedures are in need of a review and we have big projects like Safer Streets 5, delivering £150,000 of community safety improvements to our parish.

² This note was sent with a detailed response to the letters of 23 March and 2 April to me and letter of 14 June to PKF Littlejohn

I can assure you that I am trying my best adhere to our standing orders and increase transparency. The exempt agenda items are more detailed than they were, and we are endeavouring to improve our systems. The resources we have to do this are limited and, as I have detailed in my feedback on your letters, we really need to look forward and put our energy into managing the council's business well. I am not perfect and there may be the odd occasion where I omit something from the minutes³, but this is not to cover up or not be transparent. It is because I have a lot to do. My experience of the councillors is they want to do their best for Balderton, with the majority of them having joined the council approximately a year ago. I respectfully ask you once again to let us work to deliver the best services that we can for Balderton and develop as a council'.

Additional information for March 2025 Full Council meeting

Shortly after the February 2025 agenda pack was published, a resident wrote to councillors in relation to the report in the agenda pack regarding issues with the Annual Governance & Accountability Return 2023/24.

Regarding the report published in the [February agenda pack](#) (pages 16-19), the external auditor has been contacted and has come back with the following feedback:

'I am content that the report addresses our recommendation and agree that the explanations do not require to respond to each detailed point raised by the objector. Your approach is more than adequate and it would be great if all smaller authorities responded to such recommendations in such a positive manner'.

Based on the external auditor's response, I recommend no further action is taken with respect to the 2023/24 Annual Governance & Accountability Return.

Part of the objection raised by a local resident indicates there is some confusion about what about is classed as a disclosable pecuniary interest. Full details of our governing documents are available on the [Balderton Parish Council website](#):

- Code of Conduct
- Standing Orders

³ Minutes are to record formal decisions or resolutions made rather than word for word of what each person said.

I have double checked with the Monitoring Officer regarding the meeting raised by the complainant and remain confident that our councillors have correctly followed the code of conduct and standing orders. The Monitoring Officer has confirmed that any complaint about a councillor failing to declare an interest or act in accordance with the rules on participating, should be addressed to monitoringofficer@newark-sherwooddc.gov.uk which is in line with advice in Balderton Parish Council's Complaints Procedure which is also available on our website.

Conclusion

We have made significant progress in updating our practices. We have comprehensive agenda packs, new policies and procedures, improved communication and we are delivering new projects on top of our usual services. We have limited manpower in the office to do this and this work is ongoing. I stand by my comments above and will do my best to ensure we are compliant. The volume of work and demands on a parish council office is significant with a small team. We will always have many demands on our time, and we will do our best to serve the parish, as my predecessors did.

Marion Fox Goddard

Parish Clerk and Responsible Financial Officer

~~February 12th, 2025~~

Updated March 18th, 2025

Note: On March 26th, 2025, Full Council accepted this report and agreed that no further action is taken with respect to the 2023/24 Annual Governance & Accountability Return.