



Buckinghamshire & Milton Keynes  
Association of Local Councils

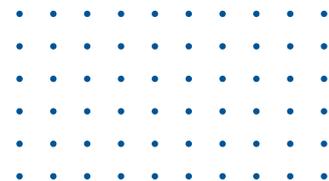
EMPOWERING CLERKS, COUNCILLORS AND COUNCILS DELIVERING FOR THEIR COMMUNITIES

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# 2025 CLERK INDUCTION

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01296 383154  
[www.bucksalc.gov.uk](http://www.bucksalc.gov.uk)



# WELCOME MESSAGE

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**Mel Woof**  
CEO BMKALC

Dear Clerk

Welcome to the first tier of Government, your Town, Parish or Community Council. You are now part of elite group of people and your title may be Clerk, Proper Officer, or Chief Officer. You will now be the Line Manager for everyone who works for your council and the main contact for the sub contractors and your community. There is a lot to learn and this pack is designed to help you power through the basics.

You will have the support of councillors and your wider family of existing clerks to help you navigate the myriad of legislation and protocols which everyone handling public funds, must follow. Do not be shy to ask for information as you prepare for meetings, or clarification when, as we inevitably do, we lapse into incomprehensible jargon.

We are looking forward to your to working with you in your future career.

Best wishes

Mel Woof  
CEO  
Buckinghamshire and Milton Keynes Association of Local Councils

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## **SECTION A – GETTING STARTED**

Note – the term ‘Member’ refers to the role of Councillor.

### **1. EMPLOYMENT CONTRACT**

The Employment Act states that all employees must have an employment contract by at least the first day of employment. The contract is issued by the council and the council as a whole is your employer. They are collectively subject to all legal employment practices within the UK.

Read your contract carefully to ensure you are fully aware of the different clauses. Your contract may be based on the National Association of Local Councils (NALC) template and subject to National Joint Committee (NJC) terms and conditions. It may also be a bespoke contract which you should assure yourself meets the current legislation.

Be clear on whether or not your appointment includes the role of Responsible Financial Officer, if so your contract should be for the role of Clerk or Proper Officer and Responsible Financial Officer”.

### **2. Job Description**

There are approximately 8 500 Town, Parish and Community Councils in England and Wales and each one is unique. The range of services and the number of electors we represent will be reflected in your job description meaning it may also be unique. Having said that they are some key points to identify.

#### Summary

The Clerk books the meetings, prepares and signs the Agenda, summons the Councillors and invites members of the public and other guests to the meeting.

The Clerk is responsible for advising Members on the making of lawful Council policy and for ensuring that such policy is carried out.

Operational procedures are undertaken by the Clerk, within established Council policies.

The day to day management of staff, sub contractors, offices and services is the responsibility of the Clerk

If you are also the RFO, you will ensure that proper practices are in place for the management of the public finances, assisting in the preparation of a budget, undertaking financial transactions in line with policy, arranging audits and preparing the accounts for inspection

A group of five healthcare professionals, including a man and four women, are gathered around a table in a bright, modern office. They are dressed in white lab coats and blue scrubs. One woman is holding a blue folder, and they all appear to be engaged in a discussion. The background shows large windows with a view of a city.

### **3. Tools of our Trade**

Each parish should have a minimum of a Laptop and printing facilities.

There should be a secure email address for correspondence.

Internet access to BMKALC, NALC, SLCC and their principal authority

Secure storage for key documents.

The Council should have it's own, or access to, a secure website which meets the Finance and Transparency criteria.

Ideally a current copy of Charles Arnold Baker and Local Councils Explained available for reference.

### **4. Your Workplace**

You may be fortunate enough to be provided with office facilities by your council, or you may be working entirely from home. Regardless your employer is required to ensure you have a safe working environment and must make reasonable accommodations in line with legislation. This might extend to screens, furniture and other facilities.

You should never be required to meet members of the public in your home.

### **5. Professional Development**

Clerks are to be encouraged to increase their knowledge and skills in order to work effectively for their councils and community.

The Society of Local Council Clerks offer a number of structured courses for Clerks and BMKALC provide the local training programme for their CiLCA Qualification. BMKALC also provide extensive topical trainings blended across online and in person delivery, seminar days and a topical conference held every second year.

Clerks who are members of the SLCC can monitor their continuing professional development by accumulating points by attending training and under taking research associated with their roles.



## SECTION B – REMIT OF TOWN, PARISH AND COMMUNITY COUNCILS

Local councils are the first tier of democracy in England and Wales and the oldest established form of government. We are established by legislation and we can be described as Parish, Community or Town Councils. We collect rates in the form of a Precept and use this to pay for the delivery of local services and employment costs.

Local Councils have very few duties which they must carry out but extensive powers which they can choose to use. As a local government authority we can only spend money when we have a legal power to do so and must follow strict rules of governance. We cannot spend money on services which are provided by other government authorities unless we have a specific devolved service agreement.

Local Councils must appoint a Chairperson and employ officers to carry out the functions of the council. They must have a minimum of four meetings a year. We have two audits a year that check not only our financial probity but also our adherence to good governance. Everything we do is in the gaze of the public eye. Local Councils must have a Code of Conduct.

The Local Council is a corporate body, all decisions are made as a result of a democratic vote and councillors may not act independently. As such the Clerk is employed by the Council as a whole.

### 1. Summary - Duties and Powers

Local Councils have limited **Duties** which they must perform.

- Council must appoint a Chair of Council
- Council must appoint appropriate employed Officers to deliver the services of the Council, including Clerk and RFO
- Council must hold at least four meetings a year, one of which is the Annual Meeting of the Parish Council
- Council must adopt a Code of Conduct
- Council must resolve a Budget each year
- Council is subject to the Data Protection Act and must comply with Freedom of Information requests

Local Councils have access to numerous **Powers** which they can choose to use. When ever the council wants to spend money it must have an appropriate power or duty in place.



## **C- FINANCE AND TRANSPARENCY**

Local councils collect and disburse public funds. They are subject to legislation regarding the transparency of their decision making and the lawfulness of those decisions. Different size councils are subject to different rules. These are explained in the NALC publication the Good Councillors Guide to Finance and Transparency which is free to download. Your councils Financial Regulations and the Joint Practitioners Guide will provide further rules and procedures which your council must follow.

### **1. Precept**

The precept is the funds required to run your council services which is collected as a tax on the local electorate. This is collected as part of the Principle Authorities annual Rates Bill.

Before setting its precept, the local Council is expected to consider its spending plans for the year and to consider any income from other sources, so that only the net total of expenditure is approved as its precept. This procedure will normally take place between October and January for the precept for the ensuing financial year. The Council's budget and precept for the current financial year should be available on your website.

It should be noted that only the full Council, at a properly convened meeting, can approve a precept. A Committee can discuss and recommend a precept so long as its recommendation is approved at a later full Council meeting.

### **2. Power to incur expenditure**

You must have a Power to spend money. These can be statutory powers, incidental powers, s137 expenditure or, the General Power of Competence.

A group of five healthcare professionals, including a man and four women, are gathered around a table in a bright, modern setting. They are dressed in light blue scrubs or lab coats. One woman in the center is holding a blue folder or tablet. They appear to be in a collaborative meeting or discussion.

**Precept cont/d ...**

## **2.1 General Powers**

Our General Powers are wide and varied you can see a full list of these on our website. or follow the link D7. These are discretionary, council can choose whether it wants to spend power on these services.

## **2.2 Incidental Powers**

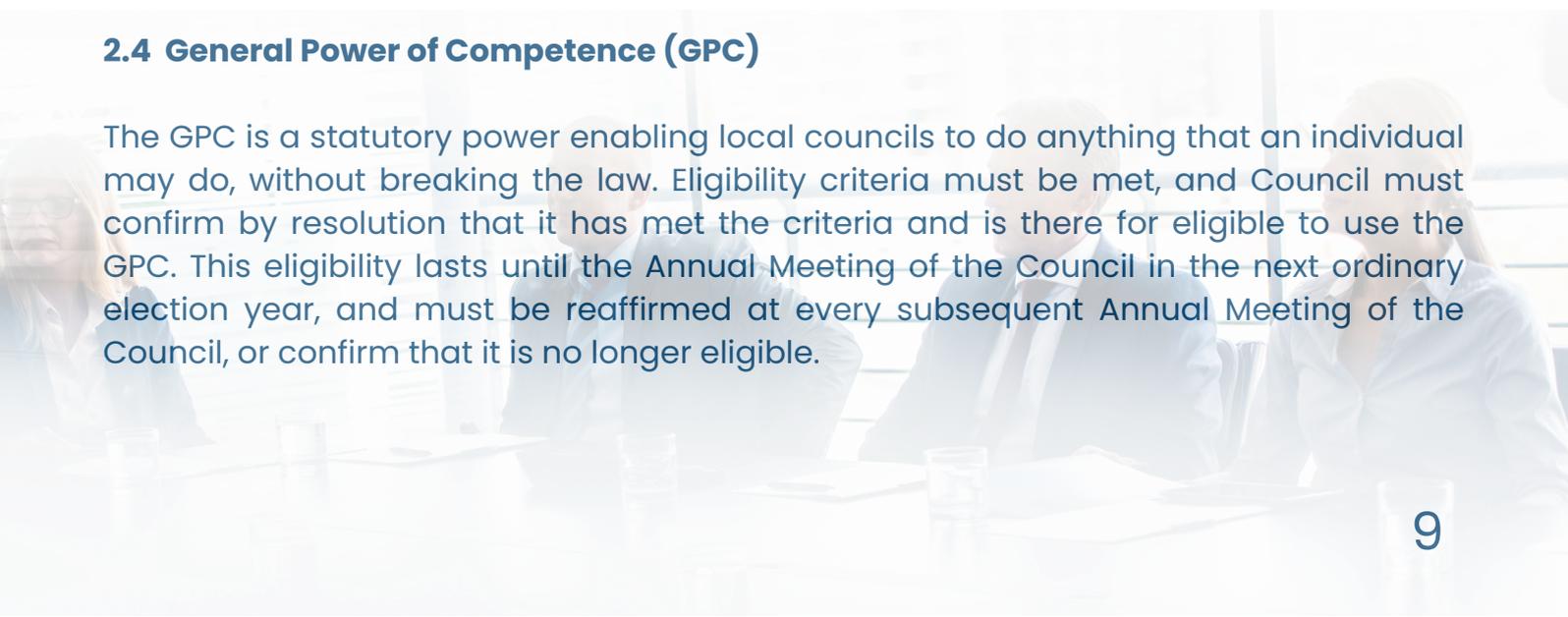
These are the powers that are incidental to supporting the the general powers above, for example you have the power to have a bandstand, therefore incidentally you also have the power to repair and maintain it's roof.

## **2.3 Section 137 expenditure**

Although a local Council may not incur expenditure on anything other than powers conferred by statute, the Local Government Act 1972, Section 137 allows expenditure, up to a certain annual limit, on anything which, in the opinion of the Council, is in the interests of the Parish, or part of it, or is in the interests of all or some of its inhabitants (good examples are Armistice Day wreaths or donations to local clubs and organisations).

The annual limit for Section 137 expenditure is set at a rate per elector. This rate is reviewed annual by Government and published prior to the start of the financial year commencing on 1st April. The limit for the 2025 -26 tax year is £11.1, per elector.

## **2.4 General Power of Competence (GPC)**

A group of people, including men and women, are seated around a long table in a meeting room. They are dressed in business attire. The room has large windows in the background, and the overall atmosphere is professional and collaborative.

The GPC is a statutory power enabling local councils to do anything that an individual may do, without breaking the law. Eligibility criteria must be met, and Council must confirm by resolution that it has met the criteria and is there for eligible to use the GPC. This eligibility lasts until the Annual Meeting of the Council in the next ordinary election year, and must be reaffirmed at every subsequent Annual Meeting of the Council, or confirm that it is no longer eligible.



## **Audits**

Councils are subject to an Annual Governance Assurance Scheme. This is a type of Audit. Your council will appoint an Internal Auditor. Despite its name the Internal auditor is an independent person who will come in and examine your governance procedures as well as the accounts. It is good practice to have them attend twice a year but always in April / May as our financial year ends on 31st March. A list of matters which must be covered by Internal Audit and which should form part of the Appointment Letter is available on the BMKALC website.

The end of year process of internal audit is then subject to an External Auditor that is appointed by national panel. They review your Annual Return together with the IA certificate and may if matters are brought to their attention, insist on further inspection and actions to be taken. You are also required as part of this process, to open your books to further inspection by members of the public.

## **Freedom of Information (FOI)**

The Council is obliged by law to make information on its activities available to the public on request. It maintains a scheme known as a Publication Scheme, which is available to the general public, and this contains classes of information which are routinely available to the public. From January 2005 all information held by the Council will be available to the public, except that in certain cases an exemption may apply which could enable the Council to refuse to supply information.

It is important to note that information held by Members will also be covered by FOI, including Council use email addresses and council use WhatsApp groups, and Members may be approached to produce their records if a specific enquiry warrants it.

## **Website and Noticeboards**



Councils are required by law to share information regarding meetings, finances and policies. This is most often delivered using a combination of Notice Boards and a compliant website. The Clear Days rule for meetings must be respected on both these platforms too.



## **D – Roles and Responsibilities in Local Councils**

Both Councillors and the Officers must work within the law.

Mutual respect between Clerk and Councillors is essential in order for the Council to function effectively. The Clerk or Proper Officer is answerable only to the whole council not to individual councillors. and must remain impartial at all times. Councillors should not seek to interrupt this impartiality.

### **1. The role of Councillors**

Councillors are collectively responsible for making Council policy, for which they are accountable to the electorate. They are required by law to complete a register of interests and to sign up to the Council's code of Conduct.

Councillors are not directly involved in the day to day provision of services to the public. This does not of course mean that there should be no contact between Councillors and the Clerk on such matters and, indeed, Councillors may often find that they are asked by electors to pursue matters on their behalf. However, Councillors have no executive authority, and will need to deal with all matters either through their collective Council membership or in liaison with the Clerk concerning, say, a town problem.

It therefore follows that there are no circumstances where an individual Councillors can issue an instruction to the Town Clerk, or other member of staff, or a Council contractor. Likewise, a Councillors must never act 'on behalf of the Council' in the organisation of any function or service. Particular care should be taken in letters/comments to the Press, to ensure they understand you speak as a 'Town Councillor' and not on behalf of the Council as a whole. Generally, the Clerk of the Council issues Press statements.

The law relating to the declaration of personal and prejudicial interests in meetings is complicated. The purpose of this note is to simplify matters as far as possible, and to advise Councillors of where to find the more detailed information, which they will need to refer to as particular circumstances arise.

Agenda papers are generally dispatched at least 3 clear in advance of the meeting to which they relate. On receiving an agenda, you should check the items of business listed, and consider whether there is a need to declare an interest (and if so, what type of interest) in any of the items. The Clerk is always willing to offer advice and guidance before (but preferably not on the day of) a meeting, but should not be asked to do so during a meeting.



## **Declarations of a disclosable pecuniary interest or a disclosable non-pecuniary interest at meetings**

The Localism Act 2011 states that a pecuniary interest will be a 'disclosable pecuniary interest' if it is of a description specified in the regulations; and it is an interest of:

### **Either**

- the Councillor or co-opted Councillor; **or**
- the Member's or co-opted Member's spouse or civil partner; **or**
- a person with whom the Member or co-opted Member is living as husband and wife; **or**
- person with whom the Member or co-opted Member is living as if they were civil partners;

**and** the Councillors or co-opted Councillors is aware that the other person has the interest.

## **2. The role of the Council's Clerk or Proper Officer**

The role of the Clerk is twofold. Firstly, they are the professional advisor to the Council on matters of policy and, secondly, the executor of Council policy, i.e. in carrying out the instructions of the Council. They are the line manager for all other employees of the Council and will manage sub contractors to the Council

It is essential for good relationships that the Clerk on taking post, is fully informed on the standards expected by the Council in respect of the work and roles that the Town Clerk has to fulfil.

The Clerk's role is crucial to the operation of the Council. All appropriate training and support is an absolute requirement for a competent Clerk in post. Budgets should reflect this.

The Clerk is the source of legal advice for the Council. Many disagreements, which are the beginning of complaints by some Councillors of the Clerk, stem from annoyance of being informed that their actions would be Ultra Vires. It is the Town Clerk's absolute duty to inform Councillors if this is likely to be the case. However, Councillors are naturally free to ignore advice if they so choose. The Clerk is bound to record these occasions as a duty of the Proper Officer in the relevant minutes.



## SECTION D – RESPECTIVE ROLES OF MEMBERS AND THE CLERK

### 3. The Responsible Financial Officer

The Council is duty bound to employ a Responsible Financial Officer. The Officer is impartial, selects the most appropriate method for managing and maintaining accounts, manages the finances of the Council in accordance with Council Policy and assists in preparing the Budget. They also sign the Annual Governance Assurance Statement and work closely with the Internal Auditor. The Responsible Financial Officer reports to the Clerk.

In smaller Councils it is common that the Clerk and Responsible Financial Officer role is combined into a single position.

#### How these roles work in practice

Councillors take decision on matters of major policy at meetings of the Council, after having considered the recommendations of any Committee. If a Committee structure is in place, Committees may make the decision, after having considered the recommendations of the Clerk and depending on the Committee's delegated powers.

The Council may employ additional staff as advised by the clerk and managed on a daily basis by the Clerk, to support the Council in providing its services.

Council will have adopted a number of policies and procedures in relation to its activities and services, and those required by law. The Clerk keeps a list of the current policies and they should be fully available on your website.

A national working party have produced a series of useful templates and policies related to Civility and Respect and these include a excellent Officer Member Protocol/ Links to these documents can be found in D7.



## **SECTION D – RESPECTIVE ROLES OF MEMBERS AND THE TOWN CLERK cont/d ...**

### **In Summary**

Councillors are responsible for making Council policy, but do not have individual authority.

The Clerk is responsible for advising Members on the making of Council policy and for ensuring that such policy is carried out.

The Council's Terms of Reference determines which Committees, if any, deal with particular matters and at which level decisions are taken.

Many matters are delegated to the Clerk, who can make decisions on them working within established Council policies.

The day to day management of staff, offices and services is the responsibility of the Clerk.



## **SECTION E – MEETINGS OF TOWN, PARISH AND COMMUNITY COUNCILS**

### **Organisation of meetings generally**

Council meetings are held in public, but they are not public meetings. Members of the public are there to witness events and may participate during public participation time or at the express invitation of the chair of Council.

The Agenda, summons and invitation to meetings should be circulated with three clear days notice. A clear day does not include the day the notice is sent, or the day of the meeting, a Sunday, a Bank Holiday, a day of public mourning or any day of the Christmas or Easter Holidays. So for a meeting to take place on Wednesday, the notice, agenda and summons would all need to be delivered by midnight on Friday with the clear days being Saturday, Monday and Tuesday. If Monday happened to be a Bank Holiday, then the notice day would be midnight on Thursday

Meetings are run according to your Councils Standing Orders. Make sure you and your Chair of Council have a copy at the meeting in case you need to reference them.

Councillors should advise the Clerk or relevant Officer if they cannot attend the meetings. The Council will need to vote on whether or not it accepts the councillors apology. It is important to record this vote. Should it be necessary to exercise the six month rule, unless the Council has approved an absence, or there is statutory justification, then the Councillor will automatically be disqualified.

When wishing to speak at a meeting, Members are required to indicate to the Chair that they wish to speak by raising a hand, and when invited to do so, they should address Members through the Chair of Council. Only one person is permitted to speak at any one time, and by invitation of the Chair of Council.



## **1. The Annual Meeting of the Parish Meeting (Electors)**

This is a meeting of the town's electors and by law it is required to be held between March and June, Electors can set the agenda, and this is an opportunity to celebrate local activities and members of the community may debate current issues in the community. Members are not required to attend but this is a wonderful opportunity to engage with your electors.

The Chairman calls the Annual Parish Meeting and, if present, will Chair it. It is best practice to hold the Annual Meeting of the Council and the Annual Parish Meeting on different occasions to avoid confusion.

## **2. The Annual Meeting of the Parish Council**

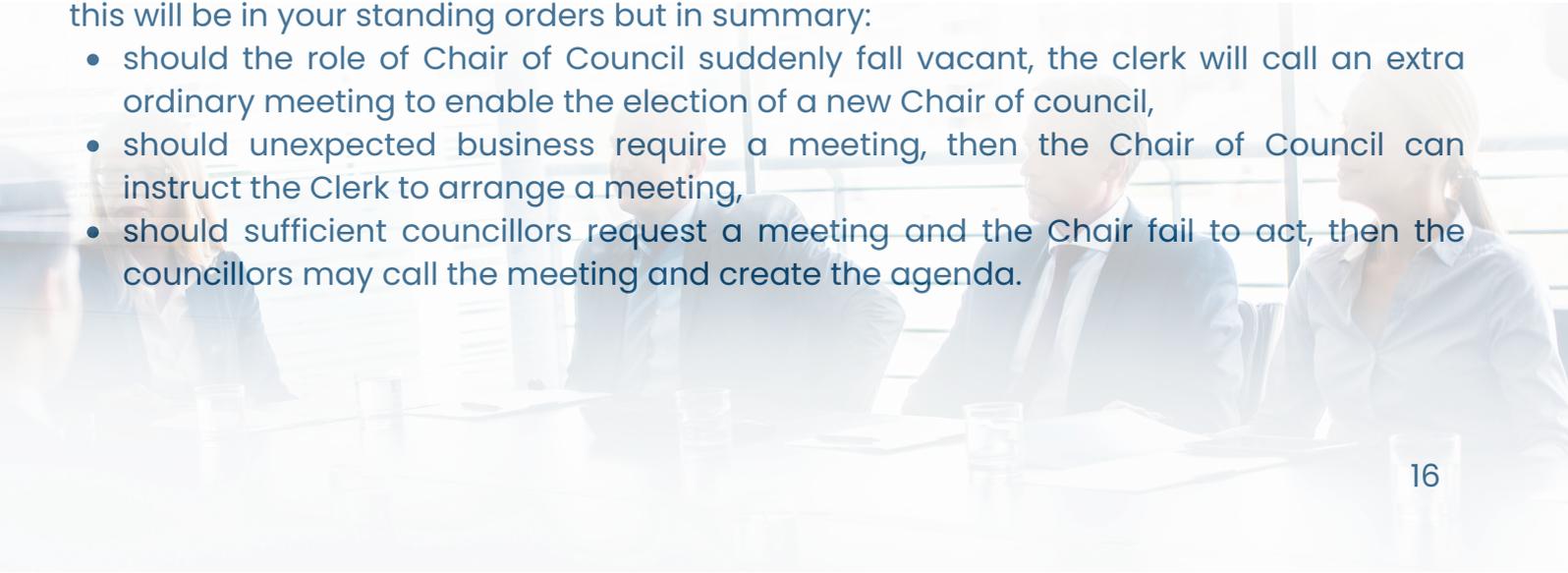
The Annual Meeting of the Council, also known as the Statutory Council meeting, must take place during May and is a meeting of the full Council. At this meeting the Council elects its Chairperson, potentially a Vice-Chairperson, formally adopts its Standing Orders, and sets its Committees and selects representatives to different bodies.

## **3. Ordinary Meetings**

A list of dates of forthcoming Council and Committee meetings should be available at the Annual Meeting of the Council and will be available to view on line and on notice boards.

## **4. Extra Ordinary Meetings**

From time to time it may be necessary to call an extra ordinary meeting. The rules for this will be in your standing orders but in summary:

- should the role of Chair of Council suddenly fall vacant, the clerk will call an extra ordinary meeting to enable the election of a new Chair of council,
  - should unexpected business require a meeting, then the Chair of Council can instruct the Clerk to arrange a meeting,
  - should sufficient councillors request a meeting and the Chair fail to act, then the councillors may call the meeting and create the agenda.
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## 5. Interest and Dispensations

If a Councillor has a disclosable pecuniary interest or disclosable non-pecuniary interest in an item under consideration at a meeting, they should declare that interest verbally and say what the nature of interest is. They should do this at the beginning of the meeting, under the agenda item 'Disclosure of Councillors Interests'. If at any time during the meeting you feel you have an interest in an item being discussed, you should declare it at that point. This is a requirement of Standing Orders, and is aimed at ensuring that all such declarations are properly recorded in the minutes of the meeting.

Unless the Councillor has been granted a dispensation, where a matter arises at a meeting which relates to a disclosable pecuniary interest, the Councillor shall not participate in a discussion or vote on the matter and shall withdraw from the meeting.

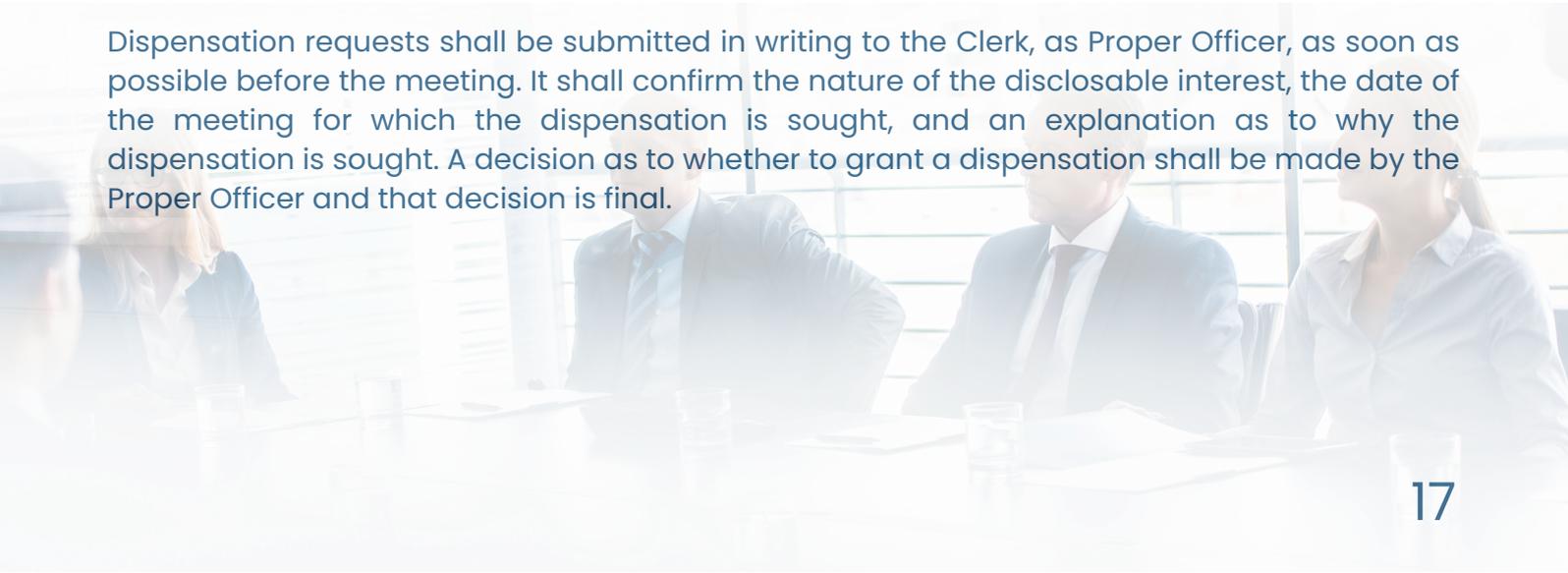
The circumstances in which a councillor may be required to disclose an interest are complex, and you must therefore read and become familiar with the specified interests detail. The rule of thumb is that it is not enough to avoid actual impropriety, but that you should avoid any occasion for suspicion or any appearance of improper conduct. If you are in any doubt whatsoever, it is better to err on the side of caution, and make a declaration of interest, and retire from the meeting if the type of interest so warrants.

The Clerk should be able to offer advice and guidance on such matters before the meeting, but the decisions on whether there is an interest to disclose is for the Councillor.

Advice and guidance on interests should not however be given to during meeting, as it is impractical to do so.

Paid Officers are not required to disclose or declare interests.

### Dispensations



Dispensation requests shall be submitted in writing to the Clerk, as Proper Officer, as soon as possible before the meeting. It shall confirm the nature of the disclosable interest, the date of the meeting for which the dispensation is sought, and an explanation as to why the dispensation is sought. A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.



## F. USEFUL DOCUMENT LIST

### FROM THE NATIONAL ASSOCIATION - (MEMBERS LOGIN REQUIRED)

[Model Code of Conduct](#)

[Model Standing Orders](#)

[Model Financial Regulations](#)

[Officer / Member Protocol](#)

### FROM YOUR LOCAL ASSOCIATION - BMKALC (MEMBERS LOGIN REQUIRED)

Good Practice Note - Powers and duties of a local Council

Good Practice Note - Aide Memoire for Councillors

Good Practice Note - Aide Memoire for Chair of Councils

Good Practice Note - Agenda, Summons and Minutes

Good Practice Note - Regulations Governing Agenda, Minutes and Procedures

#### Have a question?



**Email** us at [Balc@bucksalc.gov.uk](mailto:Balc@bucksalc.gov.uk) or **call us** on 01296 383154 or view our **FAQ Page** on our website.

#### Need expert advice?



As an established organisation we offer comprehensive and wide ranging support through our expert partner programme to our member councils. To access free initial consultation and preferential BMKALC member council rates visit our Members Services on our website.



**The Annual Council Business Calendar** and a range of **Good Practice Notes** to help support you in your role are available to view on our **website**

(you must be logged in to the Members Area of our website to access all resources)



#### Further reading

**The Local Council Clerk's Guide (3rd edition)** by Paul Clayden, published by Sweet and Maxwell.





## January

Ensure the precept request is submitted. Submit VAT return for the quarter. Review and dispose of records as necessary. Check procedures if an election year.



## February

Reflect, review and plan ahead. Consider the date for the annual parish meeting. Chase debts prior to end of year.



## March

Renew insurance cover. If election year advise councillors. Prepare end of year accounts. Book Annual Parish Assembly meeting between 1 March and 1 June, 7 clear days notice needed



## April

Prepare end of year accounts, end of year return for tax, national insurance and VAT. Prepare for internal audit and confirm appointment. Confirm date and arrangements for annual parish council meeting. If an election year- check and prepare.



## May

Annual meeting of the council to be held this month. Election of Chair and Declarations of acceptable of office to be signed by new Chair. Consider the election of council representatives to committees and other bodies. Undertake an annual review of documents. Approve end of year accounts and complete statement of accounts. Internal audit to be carried out. Undertake an annual review of the asset register.



## June

Last chance for internal audit. Submit completed annual return. Advertise for grant applications for next financial year for the autumn budget preparations.



## July

Ensure all relevant council business is included in the July meeting to enable councillors to take a summer break. Consider a review of risk assessments with insurance. Undertake an annual check of playground equipment, if necessary. Consider arrangements for summer break and any necessary temporary cover. Complete quarterly VAT return. Display notice of audit in prominent place.



## August

Summer break for most councils although a number do still meet especially in relation to planning matters. Consider all jobs that have been on hold and take the opportunity to review and re-organise documentation, update website etc., whilst it is quiet.



## September

External audit should be completed and notice posted. Initial consideration to be given in relation to forthcoming budget. Progress any business delayed by summer break. Further inspection work could be carried out, for example consider trees before bad weather..



## October

Prepare draft budget and present to council. Agree the meeting calendar for the next year. Quarterly VAT return. Consider poppy wreath for memorial services.



## November

Progress draft budget including salary reviews, donation requests and grant funding. Review arrangements for any Remembrance Day services. Consider planting or grounds maintenance projects.



## December

Finalise the budget and agree the precept. Consider arrangements for any Christmas events. Agree cover and emergency arrangements for the holiday.



# Useful Contacts

**BMKALC** - [bucksalc.gov.uk](http://bucksalc.gov.uk)

**Buckinghamshire Council** - Parish Liaison Officer - [gail.hudson@buckinghamshire.gov.uk](mailto:gail.hudson@buckinghamshire.gov.uk)

**Milton Keynes Council** - Parish Liaison Officer - [Kay.pettit@mkcc.gov.uk](mailto:Kay.pettit@mkcc.gov.uk)

**SLCC** - [slcc.gov.uk](http://slcc.gov.uk)

**HMRC** - [gov.uk/government/organisations/hm-revenue-customs](http://gov.uk/government/organisations/hm-revenue-customs)

**ICO** - [ico.org.uk](http://ico.org.uk)

**ROSPA** - [rospa.com](http://rospa.com)







# ABOUT BMKALC

The County Association is based at the County Offices in Aylesbury and is a long standing member of the National Association of Local Councils. The team is led by Mel Woof together with Lorraine Morton who manages our training, events and communications. We are experienced in Town and Parish matters serving currently or historically, as clerks, councillors and chair of councils.

As a not for profit organisation, we provide daily support on procedural elements and statutory regulations and provide educational and training services to both councillors and officers. We are the official contact point for Loan Applications to the Public Works Loan Board. Further services include the facilitation of communications across County, District and Local councils plus arbitration at meetings and bespoke onsite training.

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For further professional development opportunities and resources, visit our website and login to view the vast array of courses and resources which are available to our members

See also our [Jargon Buster](#) & [Planning Aid Jargon Buster](#) both accessible on the home page

VISIT [WWW.BUCKSALC.GOV.UK](http://WWW.BUCKSALC.GOV.UK)

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