

NORTHSTOWE TOWN COUNCIL
TOWN COUNCIL MEETING – THURSDAY 20TH MAY
SUPPORTING DOCUMENTS

The following documents are provided in support of agenda items for the Annual Town Council Meeting

Agenda Item: No. 7/21-22 Transfer of Funds & Assets from Longstanton Parish Council – Report from the Interim Clerk

**Report by Rosie Hughes, Interim Clerk.
20th May 2021.**

1. A financial Sum of £33,953.68 has been transferred from LPC into NTC's bank account.
2. Assets that will be passed to NTC include:

- 1 x shelving unit
- 41 x Litter pickers
- 25 hoops (for litter picking)
- 1 Mobile Speed sign
- Christmas Decorations
- 1 Local Council Administration book.

3. Also to note for the asset inventory

- 1 x Mobile phone (purchased by funds allocated by South Cambs DC to set up Northstowe TC, for the use by the Interim Clerk)

NB: It is understood that some litter pickers have been given to residents to undertake litter picking.

**Agenda Item: No. 9/21-22 Provision of Interim Clerk until the appointment of
Permenant Clerk/RFO – Report from the Interim Clerk**

**Report by Rosie Hughes, Interim Clerk.
20th May 2021.**

Background

In December 2020, South Cambs DC tendered for Interim Clerk Services. The Cambridgeshire and Peterborough Association of Local Councils (CAPALC) was the successful organisation.

In January 2021 CAPALC appointed Rosie Hughes for the Interim Clerk service. Rosie Hughes is a qualified clerk, holding the Certificate in Local Council Administration, and a Degree in Community Engagement and Local Governance.

The Contract commenced on 11th January 2021, until 31st May 2021. It is funded by South Cambs District Council, as they hold funds to set up Northstowe Town Council following the reorganisation order. Rosie Hughes will be covering the interim clerk service until the end of this contract on the 31st May 2021.

From 31st May 2021

In order to receive an interim clerk service until a permanent clerk is employed by the Town Council, Northstowe Town Council will be required to set up a contract service agreement with CAPALC from 1st June 2021.

The hours are 15 hours per week, at a rate of £30.00 per hour and a fuel allowance of 0.45p per mile.

Northstowe Town Council has set a budget for the Town Clerk, allowing for the transfer of interim services to the employed Town Clerk.

NB: Draft contract provided for Councillors only.

Agenda Item: No. 10/21-22 To Exercise the General Power of Competence – Report from the Interim Clerk

**Report by Rosie Hughes, Interim Clerk.
20th May 2021**

BACKGROUND:

1.1 Parish (and latterly town) councils are corporate bodies that have accumulated powers through legislation since 1894. Their powers were constrained to specific and appropriate legislation. This means that before undertaking anything, members must be satisfied that a town council has the power (under a specified statute) to undertake that activity.

1.2 Town councils have many specific powers (e.g. the provision of open spaces and recreational facilities) in addition to section 137 of the Local Government Act 1972, permitting the expenditure up to certain limits for “purposes not otherwise authorised”. Typically, the expenditure on grants and sponsorship is covered by section 137 of the Local Government Act, 1972.

1.3 Despite the wide range of powers, town councils are always at risk of being challenged, especially if they undertake an unusual activity. For example, a recent court ruling pronounced that pre-meeting prayers by a town council was unlawful.

1.4 In consequence, the Government included a “general power of competence” in the Localism Act 2011 (Part 1, Chapter 1, ss 1-8). It was brought into force by SI 965 The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 in April 2012.

LEGISLATIVE BACKGROUND:

2.1 The intention of the legislation is that eligible local authorities will no longer have to identify specific powers to undertake an activity. As a result, the risk of legal challenge will be reduced. It is stated in the above Statutory Instrument that

“The Government’s intention in providing eligible parish councils with the general power of competency is to better enable them to take on their enhanced role and allow them to do things they have previously been unable to do under existing powers”.

2.2 Under the new legislation, eligible town councils have “the power to do anything that individuals generally may do” as long as they do not break other laws. It is intended to be the power of first, not last, resort. The eligible council has to ask itself if an individual is allowed to do it. If the answer is “yes”, then a town council is normally permitted to act in the same way.

TYPES OF ACTIVITIES:

3.1 Although the Government has given scant guidance on operation of the new power, some new activities covered by the legislation include:

- Running a community shop or post office
- Lend or invest money
- Establish a company or co-operative society to trade and engage in commercial activity
- Establishing a company to provide services such as local transport

- Providing grants to individuals.

3.2 The power is not restricted to use within the township — an eligible town council can use it anywhere.

RESTRICTIONS AND RISKS:

4.1 The only real limitation is that the general power of competence cannot be used to circumvent an existing restriction in an existing specific power. The general power of competence is a power; it cannot be used to raise the precept.

4.2 Existing duties remain in place, such as having regard to the likely effect on crime/disorder and biodiversity. There are also many existing procedural and financial duties that remain in place for the regulation of governance (e.g. no delegation to a single councillor). Furthermore, councils must comply with relevant existing legislation (e.g. employment law, health and safety, equality legislation and duties relating to data protection and freedom of information).

4.3 If another council has a statutory duty to provide a service (e.g. education, social service, highways, footpaths, rights of way), it remains their duty to provide it. Nonetheless, eligible town councils may assist. The eligible town council would need to ask itself whether an individual, private company or community trust could help. If the answer is “yes”, the town council can assist.

4.4 Whist councils are encouraged to be innovative, they should be aware of the risks of:

- Being challenged
- Their trading activities damaging other local enterprises
- Damage to the council’s reputation and public money if a project or investment goes wrong.

LOCAL GOVERNMENT ACT 1972 (s137):

5.1 Expenditure under the Local Government Act (s137) is limited and has to be budgeted for separately. Expenditure is restricted in that it cannot be used to give money to individuals and the amounts must be commensurate with the benefit. Section 137 is a power of last resort.

5.2 A council that is eligible to use the general power of competence can no longer use Section 137 as a power for taking action for the benefit of the area. However, Section 137 (3) which permits the council to contribute to UK charities, public sector funds and public appeals remains in place.

ELIGIBILITY:

6.1 The three conditions for eligibility are set out in the Statutory Instrument (paragraph 1.4 above) as follows:

1. **Resolution:** the council must resolve at a meeting that it meets the criteria for eligibility relating to the electoral mandate and relevant training of the clerk.
2. **Electoral mandate:** at the time the resolution is passed, at least two thirds of the council must hold office as a result of being declared elected (i.e. not co-opted).

3. **Qualified clerk:** At the time that the resolution is passed, the clerk must hold a recognised professional qualification (e.g. Certificate in Local Council Administration, Certificate of Higher Education in Local Policy) **AND** pass the 2012 CiLCA module relating to the general power of competence.

6.2 Having decided at a full meeting of the council that it meets the criteria for eligibility at that particular time, a resolution to this effect must be clearly written in the minutes. The council is then required to revisit that decision and make a new resolution at every 'relevant' annual meeting of the council to confirm that it still meets the criteria (if it does). A 'relevant' annual meeting is the annual meeting of the council after the next ordinary election has taken place (i.e. the next 'relevant' date for Northstowe Town Council is May 2022).

6.3 In consequence, eligibility remains in place until the 'relevant' annual meeting even if the conditions of the eligibility criteria have changed. If the council loses its qualified clerk or has insufficient elected councillors it must also record its ineligibility at the next 'relevant' meeting.

6.4 There is no requirement for members to be trained in the general power of competence.

Eligibility for Northstowe Town Council

Rosie Hughes FSLCC, CiLCA (BA (Hons), the Interim Clerk to Northstowe Town Council, is qualified to meet the criteria for Northstowe Town Council to be eligible to use the General Power of Competence.

Northstowe Town Council has met the electoral mandate, as all members of the council hold office as a result of being declared elected.

The Town Council can therefore resolve at its meeting on the 20th May 2021 (relevant annual meeting) that it has met the eligibility criteria.

Agenda Item: No.11/21-22 a) Consider and adopt policy documents (as approved by Interim Council) – Standing Orders



STANDING ORDERS

Northstowe Town Council



MAY 20, 2021
NORTHSTOWE TOWN COUNCIL

MODEL STANDING ORDERS 2018 FOR ENGLAND (REVISED 2020)

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Introduction

These model standing orders update the National Association of Local Council (NALC) model standing orders contained in “Local Councils Explained” by Meera Tharmarajah (© 2013 NALC). This publication contains new model standing orders which reference new legislation introduced after 2013 when the last model standing orders were published.

How to use model standing orders

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's standing orders.

The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council's Responsible Financial Officer. Model financial regulations are available to councils in membership of NALC.

Drafting notes

Model standing orders that are in **bold type** contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

For convenience, the word “councillor” is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

A model standing order that includes brackets like this ‘()’ requires information to be inserted by a council. A model standing order that includes brackets like this ‘[]’ and the term ‘OR’ provides alternative options for a council to choose from when determining standing orders.

1. Rules of debate at meetings

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient, but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since

- he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed (3) minutes without the consent of the chairman of the meeting.

2. Disorderly conduct at meetings

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If a person(s) disregards the request of the chairman of the meeting to moderate or

improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

- c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. Meetings generally

| | |
|------------------------|---|
| Full Council meetings | ● |
| Committee meetings | ● |
| Sub-committee meetings | ● |

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting.**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed (15) minutes unless directed by the chairman of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than (3) minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i [A person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort)] OR [A person shall raise his hand when requesting to speak and stand when speaking]

(except when a person has a disability or is likely to suffer discomfort)]. The chairman of the meeting may at any time permit a person to be seated when speaking.

j A person who speaks at a meeting shall direct his comments to the chairman of the meeting.

k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.

● l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**

● m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**

● n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

● o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**

● p **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**

● q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**

● r **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**

See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.

● s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present**

and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.

- t The minutes of a meeting shall include an accurate record of the following:
- i. the time and place of the meeting;
 - ii. the names of councillors who are present and the names of councillors who are absent;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - vi. if there was a public participation session; and
 - vii. the resolutions made.

- u **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's Code of Conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

- v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.

- w **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

- x A meeting shall not exceed a period of (3) hours.

4. Committees and sub-committees

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

- b **The members of a committee may include non-councillors unless it is a**

committee which regulates and controls the finances of the Council.

- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council may appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer (3) days before the meeting that they are unable to attend;
 - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
 - vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
 - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
 - ix. shall determine if the public may participate at a meeting of a committee;
 - x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - xii. may dissolve a committee or a sub-committee.

5. Ordinary council meetings

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall**

be held on such day in May as the Council decides.

- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
- f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
 - i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - vi. Review of the terms of reference for committees;

- vii. Appointment of members to existing committees;
- viii. Appointment of any new committees in accordance with standing order 4;
- ix. Review and adoption of appropriate standing orders and financial regulations;
- x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
- xi. Review of representation on or work with external bodies and arrangements for reporting back;
- xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
- xiii. Review of inventory of land and other assets including buildings and office equipment;
- xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- xv. Review of the Council's and/or staff subscriptions to other bodies;
- xvi. Review of the Council's complaints procedure;
- xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
- xviii. Review of the Council's policy for dealing with the press/media;
- xix. Review of the Council's employment policies and procedures;
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

6. Extraordinary meetings of the council, committees and sub-committees

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.

- d If the chairman of a committee [or a sub-committee] does not call an extraordinary meeting within (7) days of having been requested to do so by (2) members of the committee [or the sub-committee], any (2) members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

7. Previous resolutions

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least (5) councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. Voting on appointments

- a Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

9. Motions for a meeting that require written notice to be given to the proper officer

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least (14) clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least (7) clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

10. Motions at a meeting that do not require written notice

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular committee or sub-committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;
 - viii. to require a written report;
 - ix. to appoint a committee or sub-committee and their members;
 - x. to extend the time limits for speaking;
 - xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
 - xii. to not hear further from a councillor or a member of the public;
 - xiii. to exclude a councillor or member of the public for disorderly conduct;
 - xiv. to temporarily suspend the meeting;
 - xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
 - xvi. to adjourn the meeting; or
 - xvii. to close the meeting.

11. Management of information

See also standing order 20.

- a **The Council shall have in place and keep under review, technical and**

organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

- b The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

12. Draft minutes

Full Council meetings ●
Committee meetings ●
Sub-committee meetings ●

- a** If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b** There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c** The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d** If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."

- **e If the Council's gross annual income or expenditure (whichever is**
- **higher) does not exceed £25,000, it shall publish draft minutes on a**

- **website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**

- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. Code of conduct and dispensations

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made [by the Proper Officer] OR [by a meeting of the Council, or committee or sub-committee for which the dispensation is required] and that decision is final.
- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the

Council, or committee or sub-committee for which the dispensation is required].

- h A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
- i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - ii. granting the dispensation is in the interests of persons living in the Council's area; or**
 - iii. it is otherwise appropriate to grant a dispensation.**

14. Code of Conduct complaints

- a** Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b** Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).
- c** The Council may:
 - i.** provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii.** seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d** **Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

15. Proper Officer

- a** The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b** The Proper Officer shall:
 - i.** **at least three clear days before a meeting of the council, a committee or a sub-committee,**

- **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
- **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least (5) days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;
(*see also standing order 23*);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the [Chairman or in his

absence the Vice-Chairman (if there is one) of the Council] OR [Chairman or in his absence Vice-Chairman (if there is one) of the (Planning) Committee] within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of [the Council] OR [(Planning) committee];

- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(see also standing order 23).

16. Responsible financial officer

- a The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

17. Accounts and accounting statements

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council's receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported andwhich includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.

- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. Financial controls and procurement

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective

contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;

- iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

19. Handling staff matters

- a. A matter personal to a member of staff that is being considered by a meeting of [Council] OR [the (Personnel) committee] is subject to standing order 11.
- b. Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of [the (Personnel) committee] or, if he is not available, the vice-chairman (if there is one) of [the (Personnel) committee] of absence occasioned by illness or other reason and that person shall report such absence to [the (Personnel) committee] at its next meeting.
- c. The chairman of [the (Personnel) committee] or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the

work of the Proper Officer/Town Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by [the (Personnel) committee]

- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chairman of [the (Personnel) committee] or in his absence, the vice-chairman of [the (Personnel) committee] in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of [the (Personnel) committee]
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by Proper Officer/Town Clerk relates to the chairman or vice-chairman of [the (Personnel) committee] this shall be communicated to another member of [the (Personnel) committee] which shall be reported back and progressed by resolution of [the (Personnel) committee]
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

20. Responsibilities to provide information

See also standing order 21.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

21. Responsibilities under data protection legislation

Below is not an exclusive list. See also standing order 11.

- a The Council may appoint a Data Protection Officer.
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**

- d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f **The Council shall maintain a written record of its processing activities.**

22. Relations with the press/media

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

23. Execution and sealing of legal deeds

See also standing orders 15(b)(xii) and (xvii).

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **[Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.]**

The above is applicable to a Council without a common seal.

24. Communicating with district and county or unitary councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council OR Unitary Council representing the area of the Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the District and County Council OR Unitary Council shall be sent to the ward councillor(s) representing the area of the Council.

25. Restrictions on councillor activities

- a. Unless duly authorised no councillor shall:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect;
or
 - ii. issue orders, instructions or directions.

26. Standing orders generally

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of

an item on the agenda for a meeting.

- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least (5) councillors to be given to the Proper Officer in accordance with standing order
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

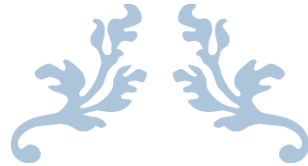
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The Model Standing Orders 2018 for England were revised in 2020.

Document History

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Agenda Item: No.11/21-22 b) Consider and adopt policy documents (as approved by Interim Council) – Financial Regulations



FINANCIAL REGULATIONS

Northstowe Town Council



MAY 20, 2021
NORTHSTOWE TOWN COUNCIL

NORTHSTOWE TOWN COUNCIL - MODEL FINANCIAL REGULATIONS 2019 FOR ENGLAND

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These Financial Regulations were adopted by the council at its meeting held on [enter date].

1. General

1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders¹ and any individual financial regulations relating to contracts.

1.2. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.

1.3. The council's accounting control systems must include measures:

- for the timely production of accounts;
- that provide for the safe and efficient safeguarding of public money;
- to prevent and detect inaccuracy and fraud; and
- identifying the duties of officers.

1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.

1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.

1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.

1.7. Members of council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.

1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. [The Clerk has been appointed as RFO for this council and these regulations will apply accordingly.]

1.9. The RFO;

- acts under the policy direction of the council;
- administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
- determines on behalf of the council its accounting records and accounting control systems;
- ensures the accounting control systems are observed;
- maintains the accounting records of the council up to date in accordance with proper practices;
- assists the council to secure economy, efficiency and effectiveness in the use of its resources; and

¹ Model Standing Orders for Councils (2018 Edition) is available from NALC (©NALC 2018)

- produces financial management information as required by the council.

1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.

1.11. The accounting records determined by the RFO shall in particular contain:

- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
- a record of the assets and liabilities of the council; and
- wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.

1.12. The accounting control systems determined by the RFO shall include:

- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
- procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
- identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
- procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
- measures to ensure that risk is properly managed.

1.13. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:

- setting the final budget or the precept (council tax requirement);
- approving accounting statements;
- approving an annual governance statement;
- borrowing;
- writing off bad debts;
- declaring eligibility for the General Power of Competence; and
- addressing recommendations in any report from the internal or external auditors, shall be a matter for the full council only.

1.14. In addition, the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve any grant or a single commitment in excess of £5,000; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

1.15. In these financial regulations, references to the Accounts and Audit Regulations or ‘the regulations’ shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

In these financial regulations the term ‘proper practice’ or ‘proper practices’ shall refer to guidance issued in *Governance and Accountability for Local Councils - a Practitioners’ Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

2. Accounting and audit (internal and external)

2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.

2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman [or a cheque signatory] shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the council [Finance Committee].

2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.

2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.

2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.

2.6. The internal auditor shall:

- be competent and independent of the financial operations of the council;
- report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;

- to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
- has no involvement in the financial decision making, management or control of the council

2.7. Internal or external auditors may not under any circumstances:

- perform any operational duties for the council;
- initiate or approve accounting transactions; or
- direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.

2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.

2.10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3. Annual estimates (budget) and forward planning

3.1. Each committee (if any) shall review its three-year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of November each year including any proposals for revising the forecast.]

3.2. The RFO must each year, by no later than November, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the [relevant committee and the] council.

3.3. The council shall consider annual budget proposals in relation to the council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.

3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.

3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

4. Budgetary control and authority to spend

4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the council for all items over £5,000;
- a duly delegated committee of the council for items over £500; or
- the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £500.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.

4.4. The salary budgets are to be reviewed at least annually in October for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.

4.5. In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.

4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.

4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.

4.8. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of £100] or 15% of the budget.

4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

5. Banking arrangements and authorisation of payments

5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.

5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to council [or finance committee]. The council / committee shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council [or finance committee]. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.

5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.

5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council [or Finance Committee] meeting.

5.5. The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:

- a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee];
- b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee]; or
- c) fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee].

5.6. For each financial year the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council [,or a duly authorised committee,] may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council [or Finance Committee].

5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.

5.8. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the council.

5.9. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct

payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.

5.10. The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.

5.11. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

6. Instructions for the making of payments

6.1. The council will make safe and efficient arrangements for the making of its payments.

6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.

6.3. All payments shall be affected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council [or duly delegated committee].

6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of council in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.

6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.

6.6. Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council [or Finance Committee] at the next convenient meeting.

6.7. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.

6.8. If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.

6.9. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.

6.10. If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.

6.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.

6.12. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.

6.13. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.

6.14. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.

6.15. Where internet banking arrangements are made with any bank, the Clerk [RFO] shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.

6.16. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.

6.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by the Clerk and a member. A programme of regular checks of standing data with suppliers will be followed.

6.18. Any Debit Card issued for use will be specifically restricted to the Clerk [and the RFO] and will also be restricted to a single transaction maximum value of £500 unless authorised by council or finance committee in writing before any order is placed.

6.19. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the council [Finance Committee]. Transactions and purchases made will be reported to the [council] [relevant committee] and authority for topping-up shall be at the discretion of the [council] [relevant committee].

6.20. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk [and RFO] and shall be subject to automatic

payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.

6.21. The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the Clerk [or RFO] (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

OR

6.22. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.

a) The RFO shall maintain a petty cash float of £250 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.

b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.

c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.]

7. Payment of salaries

7.1. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.

7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.

7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the [council] [relevant committee].

7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:

a) by any councillor who can demonstrate a need to know;

b) by the internal auditor;

c) by the external auditor; or

d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.

7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.

7.6. An effective system of personal performance management should be maintained for the senior officers.

7.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.

7.8. Before employing interim staff, the council must consider a full business case.

8. Loans and investments

8.1. All borrowings shall be affected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.

8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.

8.3. The council will arrange with the council's banks and investment providers for the sending of a copy of each statement of account to the Chairman of the council at the same time as one is issued to the Clerk or RFO.

8.4. All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.

8.5. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

8.6. All investments of money under the control of the council shall be in the name of the council.

8.7. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

8.8. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

9. Income

9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.

9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.

9.3. The council will review all fees and charges at least annually, following a report of the Clerk.

9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.

9.5. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.

9.6. The origin of each receipt shall be entered on the paying-in slip.

9.7. Personal cheques shall not be cashed out of money held on behalf of the council.

9.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.

9.9. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

[9.10. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting (see also Regulation 16 below).]

10. Orders for work, goods and services

10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.

10.2. Order books shall be controlled by the RFO.

10.3. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in Regulation 11.1 below.

10.4. A member may not issue an official order or make any contract on behalf of the council.

10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

11. Contracts

11.1. Procedures as to contracts are laid down as follows:

a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:

i. for the supply of gas, electricity, water, sewerage and telephone services;

- ii. for specialist services such as are provided by legal professionals acting in disputes;
- iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
- iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
- v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of council); and
- vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.

b) Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations².

c) The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)³.

d) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.

e) Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.

f) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.

g) Any invitation to tender issued under this regulation shall be subject to Standing Orders, and shall refer to the terms of the Bribery Act 2010.

h) When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £100 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.

² The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

³ Thresholds currently applicable are:

- a) For public supply and public service contracts 209,000 Euros (£181,302)
- b) For public works contracts 5,225,000 Euros (£4,551,413)

i) The council shall not be obliged to accept the lowest or any tender, quote or estimate.

j) Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

12. Payments under contracts for building or other construction works

12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).

12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.

12.3. Any variation to a contract or addition to or omission from a contract must be approved by the council and Clerk to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.

13. Stores and equipment

13.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.

13.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

13.3. Stocks shall be kept at the minimum levels consistent with operational requirements.

13.4. The RFO shall be responsible for periodic checks of stocks and stores at least annually.

14. Assets, properties and estates

14.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.

14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.

14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants)

together with a proper business case (including an adequate level of consultation with the electorate).

14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

14.5. Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.

14.6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15. Insurance

15.1. Following the annual risk assessment (per Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers in consultation with the Clerk.

15.2. The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.

15.3. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.

15.4. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.

15.5. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined [annually] by the council, or duly delegated committee.

16. Charities

16.1. Where the council is sole managing trustee of a charitable body the Clerk and RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

17. Risk management

17.1. The council is responsible for putting in place arrangements for the management of risk. The Clerk shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.

17.2. When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

18. Suspension and revision of Financial Regulations

18.1. It shall be the duty of the council to review the Financial Regulations of the council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.

18.2. The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

The Model Financial Regulations templates were produced by the National Association of Local Councils (NALC) in July 2019 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.

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Agenda Item: No.11/21-22 c) Consider and adopt policy documents (as approved by Interim Council) – Code of Conduct



CODE OF CONDUCT

Northstowe Town Council



MAY 20, 2021
NORTHSTOWE TOWN COUNCIL

Introduction

This code is based on South Cambridgeshire District Council's Model Code of Conduct.

Northstowe Town Council has adopted this Code of Conduct pursuant to Section 27 of the Localism Act 2011 to promote and maintain high standards of behaviour by its members and co-opted members whenever they are acting in their capacity as a member of the Authority or when they claim to act or give the impression of acting as a representative of the Authority.

This Code is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership ("the Nolan Principles").

1 Application

This Code of Conduct applies to you whenever you are acting, claim to act or give the impression you are acting in your capacity as a Member of the Authority, including:

- 1.1 at formal Meetings of the Authority
- 1.2 when acting as a representative of the Authority
- 1.3 in taking any decision as a Cabinet Member or a Ward Councillor
- 1.4 in discharging your functions as a Ward Councillor
- 1.5 when corresponding with the authority other than in a private capacity

2 Meeting

In this Code "Meeting" means any meeting organised by or on behalf of the Authority, including:

- 2.1 any meeting of the Council, or a Committee or Sub-Committee of Council
- 2.2 any meeting of the Cabinet and any Committee of the Cabinet
- 2.3 at any briefing by Officers; and
- 2.4 at any site visit to do with the business of the Authority

3 General Conduct

You must:

- 3.1 provide leadership to the authority and communities within its area, by personal example and
- 3.2 respect others and not bully or threaten or attempt to bully or threaten any person

- 3.3 respect the confidentiality of information which you receive as a Member by–
 - 3.3.1 not disclosing confidential information to third parties unless required by law to do so or where there is a clear and over-riding public interest in doing so; and
 - 3.3.2 not obstructing third parties' legal rights of access to information
- 3.4 not conduct yourself in a manner which is likely to bring the Authority into disrepute.
- 3.5 use your position as a Member in the public interest and not for personal advantage.
- 3.6 comply with the Authority's reasonable rules on the use of public resources for private and political purposes.
- 3.7 exercise your own independent judgement, taking decisions for good and substantial reasons by –
 - 3.7.1 attaching appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups
 - 3.7.2 paying due regard to the advice of Officers, and in particular to the advice of the statutory officers, namely the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer and
 - 3.7.3 stating the reasons for your decisions where those reasons are not otherwise apparent
- 3.8 do nothing that causes the Authority to act unlawfully.

4 Disclosable Pecuniary Interests

- 4.1 You have a disclosable pecuniary interest if it is of a description specified in regulations made by the Secretary of State and either:
 - (a) it is an interest of yours, or
 - (b) it is an interest of:
 - (i) your spouse or civil partner; or
 - (ii) a person with whom you are living as husband and wife; or
 - (iii) a person with whom you are living as if you were civil partners; and you are aware that other person has the interest.

4.2 You must:

4.2.1 comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which you have a disclosable pecuniary interest

4.2.2 ensure that your register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your disclosable pecuniary interests

4.2.3 make a verbal declaration of the existence and nature of any disclosable pecuniary interest at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent

4.2.4 Where you have a disclosable pecuniary interest, whether the interest is registered or not, you must not (unless you have obtained a dispensation from the Authority's Monitoring Officer)

(i) participate, or participate further, in any discussion of the matter at the meeting; or

(ii) remain in the meeting room whilst the matter is being debated or participate in any vote taken on the matter at the meeting.

5 Other Interests

5.1 In addition to the requirements of Paragraph 4, if you attend a meeting at which any item of business is to be considered and you are aware that you have a "non-disclosable pecuniary interest or non-pecuniary interest" in that item, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent

5.2 You have a "non-disclosable pecuniary interest or non-pecuniary interest" in an item of business of your authority where:

5.2.1 a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or

5.2.2 it relates to or is likely to affect any of the interests listed in the Table in the Appendix to this Code, but in respect of a member of your family (other than a "relevant person") or a person with whom you have a close association and that interest is not a disclosable pecuniary interest.

6 Gifts and Hospitality

- 6.1 You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 which you have accepted as a Member from any person or body other than the authority.
- 6.2 The Monitoring Officer will place your notification on a public register of gifts and hospitality.

Document History

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Agenda Item: No.11/21-22 d) Consider and adopt policy documents (as approved by Interim Council) – Officer/Member Protocol



MEMBER/OFFICER PROTOCOL

Northstowe Town Council



MAY 20, 2021
NORTHSTOWE TOWN COUNCIL
VERSION 1.0

Northstowe Town Council Member/Officer Protocol

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1. Introduction

This protocol supports and adds detail to both the Members' and Officers' Codes of Conduct.

It is based on a model drawn up by the Association of Council Secretaries and Solicitors and tailored to suit this Council.

Councillors are democratically accountable and have political affiliations. Officers must serve the whole Council objectively. Together they should balance a complex range of obligations and competing interests. For this to be effective, Councillors and Officers must have mutual trust and respect for each other's requirements and duties. There is also a need for a transparent consistency in everyday working relations.

2. Principles

- 2.1. Members and officers must at all times observe this protocol.
- 2.2. The protocol has been approved by the Council and will be monitored along with the Codes which it supports.
- 2.3. The protocol seeks to maintain and enhance the integrity (real and perceived) of local government which demands the highest of personal conduct.
- 2.4. Members and officers must always respect the roles and duties of each other. They must show respect in all their dealings by observing reasonable standards of courtesy, and by not seeking to take unfair advantage by virtue of their position.
- 2.5. Whilst members and officers are indispensable to one another, their responsibilities are distinct. Members are accountable to the electorate and serve only as long as their term of office lasts. Officers are accountable to the Council as a whole. Their job is to give advice to members (individually and collectively) and to carry out the Council's work under the direction of the Council.
- 2.6. The Council has adopted codes of conduct for both members and officers. Both represent best practice. The Members' Code follows the national code which in turn is based on the general principles governing members' conduct enshrined in law.

These principles underpin this protocol. Until such time as a national code appears, officers are bound by the Council's own code of conduct for staff.

3. The Roles of Members

- 3.1. Members have a number of roles and need to be alert to the potential for conflicts of interest which may arise between the roles. Where such conflicts are likely, members may wish to seek the advice of senior colleagues, the Town Clerk and/or the Borough Council's Monitoring Officer.
- 3.2. Collectively, members are the ultimate policy-makers determining the core values of the Council and approving the authority's policy framework, strategic plans and budget.
- 3.3. Members represent the community, act as community leaders and promote the social, economic and environmental well-being of the community often in partnership with other agencies.

- 3.4. Every elected-member represents the interests of, and is an advocate for his/her/their ward and individual constituents. He/she/they represents the Council in the ward, responds to the concerns of constituents, meets with partner agencies, and often serves on local bodies.
- 3.5. Some members have roles relating to their position as members of committees and sub-committees of the Council.
- 3.6. Members who serve on committees and sub-committees collectively have delegated responsibilities.
- 3.7. Some members may be appointed to represent the Council on local, regional or national bodies.
- 3.8. As politicians, members may express the values and aspirations of the party political groups to which they belong, recognising that in their role as members they have a duty always to act in the public interest.
- 3.9. Members are not authorised to instruct officers other than:
 - a) Through the formal decision-making process
 - b) To request the provision of consumable resources provided by the Council for members' use.
 - c) Individual Members are not authorised to initiate or certify financial transactions, or to enter into contract on behalf of the Council. Authorised signatories however may sign cheques.
- 3.10. Members must avoid taking actions which are unlawful, financially improper or likely to amount to maladministration. Members have an obligation under their code of conduct to have regard when reaching decisions, to any advice provided by officers.
- 3.11. Members must respect the impartiality of officers and do nothing to compromise it, e.g. by insisting that an officer change his/her/their professional advice.
- 3.12. Members have a duty under their code of conduct to promote equality by not discriminating unlawfully against any person and to treat others with respect.
- 3.13. Under the code, members must not, when acting as a member or in any other capacity bring the Council or his/her/their position as a member into disrepute, or use his/her/their position as a member improperly to gain an advantage or disadvantage for his/her/their or any other position.

4. The Roles of Officers

- 4.1. Officers are responsible for giving advice to members to enable them to fulfil their roles. In doing so, officers will take into account all available relevant factors.
- 4.2. Under the direction and control of the Council, officers, led by the Town Clerk, manage and provide the Council's services within the framework of responsibilities delegated to them. This includes the effective management of employees and operational issues.
- 4.3. Officers have a duty to implement decisions of the Council, committees and sub-committees which are lawful, and which have been properly approved in accordance with the requirements of the law and the Council's constitution, and are duly minuted.

- 4.4. Officers have a contracted and legal duty to be impartial. They must not allow their professional judgement and advice to be influenced by their own personal views.
- 4.5. Officers must assist and advise all parts of the Council. They must always act to the best of their abilities in the best interest of the authority as expressed in the Council's formal decisions.
- 4.6. Officers must be alert to issues which are, or are likely to be, contentious or politically sensitive, and be aware of the implications for members, the media or other sections of the public.
- 4.7. Officers have the right not to support members in any role other than that of members, and not to engage in actions incompatible with this protocol. In particular, there is a statutory limitation on officers' involvement in political activities.

5. The Relationship between Members and Officers: General

- 5.1. The conduct of members and officers should be such as to instil mutual confidence and trust.
- 5.2. The key elements of this relationship are recognition of and a respect for each other's roles and responsibilities. These should be reflected in the behaviour and attitude of each to the other, both publicly and privately.
- 5.3. Informal and collaborative two-way contact between members and officers is encouraged. But personal familiarity can damage the relationship, as might a family or business connection.
- 5.4. It is not enough to avoid impropriety. Members and officers should always be open about their relationships to avoid any reason for suspicion and any appearance of improper conduct. Where a personal relationship has been disclosed, those concerned should avoid a situation where conflict could be perceived. Specifically, member should not sit on a body or participate in any decision which directly affects the officer on a personal basis.
- 5.5. Officers serve the Council as a whole. They have a duty to implement the properly authorised decisions of the Council.
- 5.6. Officers work to the instructions of their senior officers, not individual members. It follows that, whilst such officers will always seek to assist a member, they must not be asked to exceed the bounds of authority they have been given by their managers. Except when the purpose of an enquiry is purely to seek factual information, members should normally direct their requests and concerns to the Town Clerk, at least in the first instance.
- 5.7. Officers will do their best to give timely responses to members' enquiries. However, officers should not have unreasonable requests placed on them. Their work priorities are set and managed by the Town Clerk. Members should avoid disrupting officers' work by imposing their own priorities.
- 5.8. Members will endeavour to give timely responses to enquiries from officers.
- 5.9. An officer shall not discuss with a member personal matters concerning him/her/themselves or another individual employee. This does not prevent an officer raising on a personal basis, and in his/her/their own time, a matter with his/her/their ward (division) member.

- 5.10. Members and officers should respect other's free (i.e. non-Council) time.

6. The Council as an Employer

- 6.1. Officers are employed by the Council as a whole.
- 6.2. Members' roles are limited to:
- a) The appointment of specified posts
 - b) Determining human resource policies and conditions of employment
 - c) Hearing and determining appeals.
- 6.3. If participating in the appointment of officers, members should:
- a) remember that the sole criterion is merit
 - b) never canvass support for a particular candidate
 - c) not take part where one of the candidates is a close friend or relative
 - d) not be influenced by personal preferences
 - e) not favour a candidate by giving him/her/them information not available to the other candidates.

7. The Mayor and Officers

- 7.1. Officers will respect the position of Mayor and provide appropriate support.

8. Members of Other Committees or Sub-committees and Officers

- 8.1. The appropriate senior officers will offer to arrange informal meetings with chairmen, vice-chairmen, and spokespersons of committees and sub-committees if required.
- 8.2. The Town Clerk has the right to present reports and give advice to committees and sub-committees.
- 8.3. Members of a committee or sub-committee shall take decisions within the remit of that committee or sub-committee, and will not otherwise instruct officers to act.
- 8.4. At some committee or sub-committee meetings, a resolution may be passed which authorises a named officer to take action between meetings in consultation with the chairman. In these circumstances it is the officer, not the chairman, who takes the action and is responsible for it. A chairman has no legal power to take decisions on behalf of a committee or sub-committee; neither should he/she/they apply inappropriate pressure on the officer.

9. Party Groups and Officers

- 9.1. The Town Clerk may properly be asked to contribute to deliberations of matters concerning Council business by party groups.
- 9.2. The Town Clerk has the right to refuse such requests, but will not attend a meeting of a party group where some of those attending are not members of the Council.
- 9.3. Officer support will not extend beyond providing factual information or professional advice in relation to matters of Council business. Officers must not be involved in advising on matters of party business, and therefore should not be

expected to be present at meetings or parts of meetings where such matters are to be discussed.

- 9.4. Party group meetings are not empowered to make decisions on behalf of the Council, and conclusions reached at such meetings do not rank as formal decisions. The presence of an officer confers no formal status on such meetings in terms of Council business and must not be interpreted as doing so.
- 9.5. Where officers provide factual information and advice to a party group in relation to a matter of Council business, this is not a substitute for providing all necessary information and advice when the matter in question is formally considered by the relevant part of the Council.
- 9.6. It must not be assumed that an officer is supportive of a particular policy or view considered at a party group meeting simply because he/she/they has attended or provided information to the meeting.
- 9.7. Officers will respect the confidentiality of any party group discussions at which they are present and, unless requested to do so by that party group, will not relay the content of such discussions to another party group or to any other members.
- 9.8. In their dealings with party groups, officers must treat each group in a fair and even-handed manner.
- 9.9. Members must not do anything which compromises or is likely to compromise officers' impartiality.
- 9.10. The duration of an officers' attendance at a party group meeting will be at the discretion of the group, but an officer may leave at any time if he/she/they feels it is no longer appropriate to be there.
- 9.11. The Town Clerk accepting an invitation to the meeting of one party group shall not decline an invitation to advise another group about the same matters. He/she/they must give substantially the same advice to each.
- 9.12. An officer should be given the opportunity of verifying comments and advice attributed to him/her/them in any written record of a party group meeting.
- 9.13. No member will refer in public or at meetings of the Council to advice or information given by officers to a party group meeting.
- 9.14. At a party group meeting where some of those present are not members of the Council, care must be taken not to divulge confidential information relating to Council business. Persons who are not members are not bound by the members' code of conduct. They do not have the same rights to Council information as members.

10. Local Members and Officers

- 10.1. To enable them to carry out their ward role effectively, members need to be fully informed about matters affecting their ward. The Town Clerk must ensure that all relevant staff are aware of the requirement to keep local members informed, thus allowing members to contribute to the decision-making process and develop their representative role.
- 10.2. This requirement is particularly important:
 - a) During the formative stages of policy development, where practicable
 - b) In relation to significant or sensitive operational matters

- c) Whenever any form of public consultation exercise is undertaken and may affect a single ward. Where they have a wider impact, a number of local members will need to be kept informed.
- 10.3. Whenever a public meeting is organised by the Council to consider a local issue, all the members representing the wards affected should be invited to attend the meeting as a matter of course.
- 10.4. If a local member intends to arrange a public meeting on a matter concerning some aspect of the Council's work, he/she/they should inform the Town Clerk. Provided the meeting has not been arranged on a party political basis:
 - a) An officer may attend but is not obliged to do so, and the meeting may be held in Council-owned premises.
 - b) No such meetings should be arranged or held in the immediate run-up to Council elections.
 - c) Whilst support for members' ward work is legitimate, staff should not be asked to accompany members to ward surgeries.
- 10.5. In seeking to deal with constituents' queries or concerns, members should not seek to jump the queue but should respect the Council's procedures. Officers have many pressures on their time. They may not be able to carry out the work required by members in the requested timetable, and may need to seek instructions from their managers.

11. Members' Access to Documents and Information

- 11.1. Members may request the Town Clerk to provide them with such information, explanation and advice as they may reasonably need to assist them to discharge their roles as members. This may range from general information about some aspect of the Council's services to specific information on behalf of a constituent. Where information is requested on behalf of a third party, it will only be provided if:
 - a) It is in the public domain, and
 - b) It is not barred by the Data Protection Act from being given.
- 11.2. Every member of a committee or sub-committee has a right to inspect documents about the business of that committee or sub-committee.
- 11.3. A member who is not a member of a specific committee or sub-committee, may have access to any document of that specific part of the Council provided:
 - a) He/she/they can demonstrate a reasonable need to see the documents in order to carry out his/her/their role as a member (the "need to know" principle), and
 - b) The documents do not contain "confidential" or "exempt" information as defined by the law.
- 11.4. Disputes as to the validity of a member's request to see a document on a need to know basis will be determined by the Town Clerk. Officers should seek his/her/their advice if in any doubt about the reasonableness of a member's request.
- 11.5. A member should obtain advice from the Town Clerk in circumstances where he/she/they wishes to have access to documents or information:
 - a) Where to do so is likely to be in breach of the Data Protection Act, or
 - b) Where the subject matter is one which he/she/they have an interest as defined in the members' code of conduct.

- 11.6. Information given to a member must only be used for the purpose for which it was requested.
- 11.7. Members and officers must not disclose information given to them in confidence without the consent of a person authorised to give it, or unless required by the law to do so.
- 11.8. When requested to do so, officers will keep confidential from other members advice requested by a member.
- 11.9. Members and officers must not prevent another person by gaining access to information to which that person is entitled to by law.

12. Media Relations

- 12.1. All formal relations with the media must be conducted in accordance with any Council agreed procedures and the law on local authority publicity.
- 12.2. Press releases or statements made by officers must promote or give information on Council policy or services. They will be factual and consistent with Council Policy. They cannot be used to promote a party group.
- 12.3. Officers will keep relevant members informed of media interest in the Council's activities, especially regarding strategic or contentious matters.
- 12.4. Before responding to enquiries from the media, officers will ensure they are authorised to do so.
- 12.5. If a member is contacted by, or contacts, the media on an issue, he/she/they should:
 - a) Indicate in what capacity he/she/they are speaking (e.g. as ward member, in a personal capacity or on behalf of the Council, or on behalf of a party group)
 - b) Be sure of what he/she/they wants to say or not say
 - c) If necessary, and always when he/she/they would like a press release to be issued, seek assistance from the Town Clerk, except in relation to a statement which is party to political nature
 - d) Consider the likely consequences for the Council of his/her/their statement (e.g. commitment to a particular course of action, image, allegations of jumping to conclusions)
 - e) Never give a commitment in relation to matter which may be subject to claims from third parties and/or are likely to be an insurance matter
 - f) Consider whether to consult other relevant members
 - g) Take particular care in what he/she/they say in the run-up to local or national elections to avoid giving the impression of electioneering, unless he/she/they have been contacted as an election candidate or political party activist.

13. Correspondence

- 13.1. Correspondence between an individual member and an officer should not be copied to another member unless the author expressly intends and states that this is the case or consents. Where correspondence is copied, this should always be made explicit, i.e. there should be no "blind" copies.
- 13.2. Official letters written on behalf of the Council should normally be in the name of the relevant officer.
- 13.3. The Mayor may initiate correspondence in his/her/their own name.

- 13.4. Letters which create legally enforceable obligations or which give instructions on behalf of the Council should never be sent in the name of a member.
- 13.5. When writing in an individual capacity as a ward, member, a member must make clear that fact.

14. Access to Premises

- 14.1. Officers have the right to enter Council land and premises to carry out their work.
- 14.2. Members have the right of access to Council land and premises to fulfil their duties/
- 14.3. When making visits as individual members, members should:
- a) Whenever practicable, notify and make advance arrangements with the appropriate manager or officer in charge
 - b) Comply with health and safety, security and other workplace rules
 - c) Not interfere with the services or activities being provided at the time of the visit
 - d) If outside his/her/their own ward notify the ward member(s) beforehand
 - e) Take special care at schools and establishments serving vulnerable sections of society to avoid giving any impression of improper or inappropriate behaviour.

15. Use of Council Resources

- 15.1. The Council provides all members with services such as typing, printing and photocopying, and goods such as stationery and computer equipment, to assist them in discharging their roles as members of the Council. These goods and services are paid for from the public purse. They should not be used for private purposes or in connection with party political or campaigning activities.
- 15.2. Members should ensure they understand and comply with the Council's own rules about the use of such resources, particularly:
- a) Where facilities are provided in members' homes at the Council's expense
 - b) In relation to any locally-agreed arrangements e.g. payment for private photocopying
 - c) Regarding ICT security
- 15.3. Members should not put pressure on staff to provide resources or support which officers are not permitted to give. Examples are:
- a) Business which is solely to do with a political party
 - b) Work in connection with a ward or constituency party political meeting
 - c) Electioneering
 - d) Work associated with an event by a member in a capacity other than as a member of the Council
 - e) Private personal correspondence
 - f) Work in connection with another body or organisation where a member's involvement is other than as a member of the Council
 - g) Support to a member in his/her/their capacity as a Councillor of another local authority.

16. Interpretation, Complaints and Allegations of Breaches

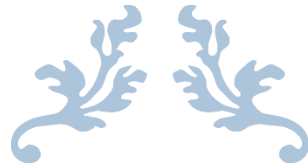
- 16.1. Members or officers with questions about the implementation or interpretation of any part of this protocol should seek guidance of the Town Clerk.

- 16.2. A member who is unhappy about the actions taken by, or conduct of, an officer should:
- a) Avoid personal attacks on, or abuse of, the officer at all times
 - b) Ensure that any criticism is well founded and constructive
 - c) Never make a criticism in public
 - d) Take up the concern with the officer or his/her/their line manager privately.
- 16.3. If direct discussion with the officer is inappropriate (e.g. because of the seriousness of the concern) or fails to resolve the matter, the member should raise the issue with the Town Clerk.
- 16.4. A serious breach of this protocol by an officer may lead to an investigation under the Council's disciplinary procedure.
- 16.5. An officer who believes a member may have acted other than in accordance with this protocol should raise his/her/their concern with the Town Clerk. He/she/they will consider how the complaint or allegation should be dealt with. At a minor level, this may be no more than informally referring the matter to the leader of the relevant party group. More serious complaints may involve alleged breaches of the members' code of conduct.

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Agenda Item: No.11/21-22 e) Consider and adopt policy documents (as approved by Interim Council) – Public Participation at Council Meetings Policy



POLICY FOR PUBLIC PARTICIPATION AT MEETINGS OF THE COUNCIL

Northstowe Town Council



MAY 20, 2021
NORTHSTOWE TOWN COUNCIL
VERSION 1.0

Northstowe Town Council Public Participation at Meetings of the Council Policy

Introduction

Northstowe Town Council meets and makes its decisions in public and is committed to community engagement. Therefore, the council would like to encourage members of the public to attend the meetings and contribute within this public forum.

However, a council meeting is not a public meeting; it is a meeting held in public and there is no requirement in law to provide an opportunity for the public to question the council.

This protocol exists to ensure that the public forum is conducted politely and in a structured, unemotional way that comes to a conclusion within a reasonable timeframe.

Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by the resolution, which shall give reasons for the public's exclusion.

There will be an agenda item for public participation for all meetings. This will be the opportunity for members of the public to discuss with councillors items that are listed on the agenda. The public will be allocated 15 minutes in total for this.

Public Participation Procedure

- 1) The right to speak on items listed on the agenda is available to any member for the public.
- 2) Before the start of the meeting they should indicate to the Chairman or the Clerk their desire to speak and the item they wish to speak on. They will be heard in order, for a maximum of 3 minutes each and for a maximum of 15 minutes in total at any meeting of the Council.
- 3) The public may only speak once on a topic or issue listed on the agenda for that night.
- 4) The public may, at their own expense, prepare and distribute background papers regarding their comments to Councillors. These must be given to the Town Clerk prior to the meeting for distribution.
- 5) The public may not use intemperate or foul language.
- 6) The public may not make insulting or offensive remarks to, or about, any person or identifiable groups or persons.
- 7) Any person speaking at a meeting shall address his/her/their comments to the Chairman only and not to individual Councillors.
- 8) The Chairman will respond or instigate further actions as directed by the Council.
- 9) If more than one member of the public wishes to speak about the same matter the Chairman may request that a spokesperson is nominated to address the matter on behalf of the individuals.

The Chairman of the Town Council Meeting

The Chairman of the meeting shall ensure the following:

- a) That members of the public are heard in the correct order;
- b) The public are heard politely and without interruption; and
- c) The guidelines on abusive and offensive remarks and foul or intemperate language are observed by the members of the public.

The Councillors

Councillors will listen to elector's addresses with good manners and without interruption.

Outcomes and Feedback

- 1) Members of the public should note that the council is only allowed to take decisions committing the council on topics that are publicised on the agenda. Therefore, the council will not enter into any substantive discussions on a question raised if it is not on the agenda.
- 2) The Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral or written response or to an officer for an oral or written response.
- 3) The Chairman may decide to carry the matter forward for inclusion on a future agenda depending on whether the question needs further investigation by the Town Clerk on behalf of the Council.
- 4) Individual Councillors may propose that a topic or issue addressed by an elector be placed on the next agenda of the Town Council or be referred to a committee of the Town Council.
- 5) The speaker will receive a verbal response at the time of the meeting from the Chairman of what action the Town Council can and will take on the matter.

How can a member of the public get an issue onto a council agenda for discussion?

Northstowe Town Council will consider requests from electors whose name appears on the current Register of Electors for Northstowe Wards. They must write to or email the Town Clerk no later than 7 days before the date of the council meeting.

The Town Clerk will consider the request and advise the elector within 3 days of receipt if it will become an agenda item and at which meeting.

The Town Clerk may reject a question/statement if it:

- a) Is not about a matter for which the local authority has a responsibility or which affects the Town of Northstowe;
- b) Is defamatory, frivolous or offensive;
- c) Is substantially the same question which has been put at a meeting of the Council in the past 6 months; or
- d) Requires the disclosure of confidential information.

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COMPLAINTS PROCEDURE GOVERNING ANY BREACH OF CODE OF CONDUCT

Northstowe Town Council



MAY 20, 2021
NORTHSTOWE TOWN COUNCIL
VERSION 1.0

Note that complaints pertaining to Disclosable Pecuniary Interests shall be referred to the Police. The complainant shall be notified of this action and the Town Clerk shall also notify the Monitoring Officer of the complaint and the referral.

General complaints regarding potential breach of the Code of Conduct:

1. Any and all complaints regarding the conduct of a Councillor or Co-opted Member of Northstowe Town Council should be made in writing to the Town Clerk by email townclerk@northstowetowncouncil.gov.uk
2. Upon receipt of a written complaint the Clerk will advise the Chairman (or Vice-Chairman if the Chairman is the subject of complaint) and the Councillor(s) against whom the complaint(s) is made.
3. The complainant will be advised that the Councillor(s) against whom the complaint(s) is made will, under normal circumstances¹, be given seven working days to offer a written response to the Chairman (or Vice-Chairman if the Chairman is the subject of complaint).
4. The Chairman (or Vice-Chairman if the Chairman is the subject of complaint) will copy the written response to the complainant within three working days of receipt.
5. If the complainant is not satisfied with the response they have the right to refer the matter to the South Cambridgeshire District Council Monitoring Officer.

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¹ Normal circumstances exclude absence through holiday or illness



COMPLAINTS PROCEDURE REGARDING COUNCIL ADMINISTRATION AND PROCEDURES

Northstowe Town Council



MAY 5, 2021
NORTHSTOWE TOWN COUNCIL
VERSION 1.0

Introduction

Northstowe Town Council is committed to providing good quality services for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from Northstowe Town Council, or are unhappy about an action or lack of action by Northstowe Town Council; this procedure sets out how you may make a complaint to the Town Council about its services, actions, processes and administration and how we shall try to resolve your complaint.

This Complaints Procedure applies to:

- a) complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.

This Complaints Procedure does not apply to:

- a) Complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
- b) Complaints against Councillors. Complaints against councillors are covered by the Code of Conduct for Members and the associated Complaints Procedure (Code of Conduct).

Making a complaint

1. If a complaint about procedures or administration is notified orally to a Councillor or Member of staff and it is not possible to satisfy the complainant fully forthwith, the complainant shall be asked to put their complaint in writing to the Town Clerk. The complainant shall be assured that the complaint will be dealt with promptly after receipt.
2. Complaints may be made in writing by completing the council's Complaints Form (available from the Town Council website) and emailing this to the Town Clerk on townclerk@northstowetowncouncil.gov.uk

If the complainant would prefer not to put the complaint to the Town Clerk, they shall be advised to put it to the Chairman who will report your complaint to the next Full Council meeting.

3. Upon receipt of a written complaint, the Town Clerk will, under normal circumstances¹, acknowledge the complaint within five working days.
4. Where the Town Clerk receives a complaint about their own actions it shall be referred to the Chairman.

¹ Normal circumstances exclude absences through holiday or illness

Where the Chairman receives a complaint about their own actions it shall be referred to the Council after first notifying the complainant of the manner in which it is intended to attempt to settle the complaint.

5. The Town Clerk or the Council will investigate each complaint obtaining further information as necessary from the claimant and/or from staff or members of the Council.
6. Where, in the opinion of the Town Clerk, a complaint cannot be resolved satisfactorily, it shall be referred to the next appropriate Council or Committee meeting. The complainant shall be notified of the date on which the complaint would be considered.

The Council or Committee shall determine whether the matter be discussed with the Exclusion of Press and Public and this decision shall be announced at the meeting in public.

7. The Town Clerk or Chairman will notify the complainant in writing within twenty working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.
8. If the complainant is dissatisfied with the response to the complaint, they may ask for the complaint to be referred to the full Council and (usually within eight weeks) the claimant will be notified in writing of the outcome of the review of their original complaint.

Document History

| Status | Date | Version |
|---------------------------------|---------------------------|---------|
| Draft by Interim Clerk. | May 2021 | V1 |
| Draft Full Council for approval | 20 th May 2021 | V1 |
| Date approved | | |
| Review Date | | |

Agenda Item: No. 12/21-22 c) Consider and adopt new policy documents – FOI Model Publication Scheme



NORTHSTOWE TOWN COUNCIL

ICO MODEL PUBLICATION SCHEME



MAY 20 2021
NORTHSTOWE TOWN COUNCIL



Information available from Northstowe Town Council under the model publication scheme

This guidance/template gives examples of the kinds of information that we would expect Parish/Community Councils to provide in order to meet their commitments under the model publication scheme.

We would expect Parish/Community Councils to make the information in this definition document available unless:

- it does not hold the information;
- the information is exempt under one of the FOIA exemptions or Environmental Information Regulations exceptions, or its release is prohibited by another statute;
- the information is readily and publicly available from an external website; such information may have been provided by the public authority or on its behalf. The authority must provide a direct link to that information;
- the information is archived, out of date or otherwise inaccessible; or,
- it would be impractical or resource-intensive to prepare the material for routine release.

The guidance is not meant to give an exhaustive list of everything that should be covered by a publication scheme. The legal commitment is to the model publication scheme, and public authorities should look to provide as much information as possible on a routine basis.

Publishing datasets for re-use

Public authorities must publish under their publication scheme any dataset they hold that has been requested, together with any updated versions, unless they are satisfied that it is not appropriate to do so. So far as reasonably practicable, they must publish it in an electronic form that is capable of re-use.

If the dataset or any part of it is a relevant copyright work and the public authority is the only owner, the public authority must make it available for re-use under the terms of a specified licence. Datasets in which the Crown owns the copyright or the database rights are not relevant copyright works.

The Datasets Code of Practice recommends that public authorities make datasets available for re-use under the [Open Government Licence](#).

The term 'dataset' is defined in section 11(5) of FOIA. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of FOIA. The ICO has published [guidance](#) on the dataset provisions in FOIA. This explains what is meant by "not appropriate" and "capable of re-use".

| Information to be published | How the information can be obtained | Cost |
|--|-------------------------------------|-----------------------|
| Class1 - Who we are and what we do (Organisational information, structures, locations and contacts) This will be current information only. N.B. Councils should already be publishing as much information as possible about how they can be contacted. | | |
| Who's who on the Council and its Committees | Website Hard Copy | Free 10p per sheet |
| Contact details for Town Clerk and Council members (named contacts where possible with telephone number and email address (if used)) | Website Hard Copy | Free 10p per sheet |
| Location of main Council office and accessibility details | Website | Free |
| Staffing structure | Website | Free 10p per sheet |
| | | |
| Class 2 – What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum | | |
| Annual return form and report by auditor | Website | |
| Finalised budget | Website | |
| Precept | Website | |
| Borrowing Approval letter | N/A | |
| Financial Standing Orders and Regulations | Website | |

| | | |
|--|--|--------------|
| Grants given and received | N/A | |
| List of current contracts awarded and value of contract | Hard Copy | 10p per copy |
| Members' allowances and expenses | N/A | |
| Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) | | |
| Current and previous year as a minimum | | |
| Parish Plan (current and previous year as a minimum) | Will be available on the website once produced by the Council. | |
| Annual Report to Parish or Community Meeting (current and previous year as a minimum) | Will be available on the website once produced by the Council. | |
| Quality status | N/A | |
| Local charters drawn up in accordance with DCLG guidelines | N/A | |
| Class 4 – How we make decisions (Decision making processes and records of decisions) | | |
| Current and previous council year as a minimum | | |
| Timetable of meetings (Council and any committee/sub-committee meetings and parish meetings) | Will be available on the website, once decided. | |
| Agendas of meetings (as above) | Website | Free |
| | Hard copy | 10p per copy |
| Minutes of meetings (as above) – nb. this will exclude information that is properly regarded as private to the meeting. | Website | Free |
| | Hard copy | 10p per copy |

| | | |
|--|----------------------|-----------------------|
| Reports presented to council meetings – nb. this will exclude information that is properly regarded as private to the meeting. | Website Hard copy | Free 10p per sheet |
| Responses to consultation papers | Hard copy | 10p per sheet |
| Responses to planning applications | Hard copy | 10p per sheet |
| Bye-laws | | |
| Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only | | |
| Policies and procedures for the conduct of council business: Procedural standing orders Committee and sub-committee terms of reference Delegated authority in respect of officers Code of Conduct Policy statements | Website Hard copy | Free 10p per sheet |
| Policies and procedures for the provision of services and about the employment of staff: Internal instructions to staff and policies relating to the delivery of services Equality and diversity policy Health and safety policy Recruitment policies (including current vacancies) Policies and procedures for handling requests for information Complaints procedures (including those covering requests for information and operating the publication scheme) | Hard copy | 10p per sheet |

| | | |
|--|-------------------------|---------------|
| Information security policy | Website, when available | Free |
| Records management policies (records retention, destruction and archive) | Website, when available | Free |
| Data protection policies | Website, when available | Free |
| Schedule of charges (for the publication of information) | Website | Free |
| | Hard copy | 10p per sheet |
| Class 6 – Lists and Registers | | |
| Currently maintained lists and registers only | | |
| Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice) | Hard copy | 10p per sheet |
| Assets register | Website | Free |
| | Hard copy | 10p per sheet |
| Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils) | N/A | |
| Register of members' interests | Website | |
| Register of gifts and hospitality | Hard copy | 10p per sheet |
| Class 7 – The services we offer | | |
| (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) | | |
| Current information only | | |
| Allotments | N/A | |
| Burial grounds and closed churchyards | N/A | |
| Community centres and village halls | N/A | |

| | | |
|---|------|--|
| Parks, playing fields and recreational facilities | N/A | |
| Seating, litter bins, clocks, memorials and lighting | N/A | |
| Bus shelters | N/A | |
| Markets | N/A | |
| Public conveniences | N/A | |
| Agency agreements | N/A | |
| Services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees) | N/A | |
| | | |
| Additional Information This will provide Councils with the opportunity to publish information that is not itemised in the lists above | None | |
| | | |
| | | |
| | | |
| | | |

Contact details:

Mrs R A Hughes BA (Hons) FSLCC
Interim Town Clerk

Phone: 07724588949

E-mail: Interimclerknorthstowe@capalc.org.uk

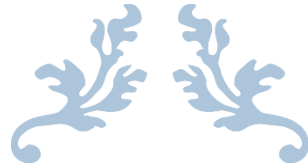
Website: www.northstowetowncouncil.gov.uk

SCHEDULE OF CHARGES

This describes how the charges have been arrived at and should be published as part of the guide.

| TYPE OF CHARGE | DESCRIPTION | BASIS OF CHARGE |
|--------------------------|---|--|
| Disbursement cost | Photocopying @ 10p per sheet (black & white) | Actual cost * |
| | Postage | Actual cost of Royal Mail standard 2 nd class |
| Statutory Fee | Locating information or documentation, retrieving and extracting the information or documentation | £25 per hour. |
| | | |

* the actual cost incurred by the public authority



EQUALITY AND DIVERSITY POLICY

Northstowe Town Council



NORTHSOWE TOWN COUNCIL EQUALITY AND DIVERSITY POLICY

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Our commitment

Northstowe Town Council (The Council) is committed to providing equal opportunities in employment and to avoiding unlawful discrimination.

This policy is intended to assist the council to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment.

The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

The council will not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

Types of unlawful discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic.

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic, by third parties.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Equal opportunities in employment

The council will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Recruitment

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

Working practices

The council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the council considers it has good reasons, unrelated to any protected characteristic, for doing so. The council will comply with its obligations in relation to statutory requests for contract variations. The council will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

Equal opportunities monitoring

The council will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

The council treats personal data collected for reviewing equality and diversity in accordance with the data protection policy. Information about how data is used and the basis for processing is provided in the council's privacy notices.

Dignity at work

The council has a separate dignity at work policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with.

People not employed by the council

The council will not discriminate unlawfully against those using or seeking to use the services provided by the council.

You should report any bullying or harassment by suppliers, visitors or others to the council who will take appropriate action.

Training

The council will [provide training in/raise awareness of] equal opportunities to those likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.

The council will [provide training to/raise awareness of] all staff engaged to work at the council to help them understand their rights and responsibilities under the dignity at work policy and what they can do to help create a working environment free of bullying and harassment. [The council will provide additional training to managers to enable them to deal more effectively with complaints of bullying and harassment.]

Your responsibilities

Every employee is required to assist the council to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the council for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the council's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Grievances

If you consider that you may have been unlawfully discriminated against, you should use the council's grievance procedure to make a complaint. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the dignity at work policy.

The council will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Monitoring and review

This policy will be monitored periodically by the council to judge its effectiveness and will be updated in accordance with changes in the law. [In particular, the council will monitor the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring. If changes are required, the council will implement them.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with relevant data protection legislation.]

This is a non-contractual procedure which will be reviewed from time to time.

Date of policy: December 2019

Approving committee:

Date of committee meeting:

Policy version reference:

Supersedes: [Name of old policy and reference]

Policy effective from:

Date for next review:

— policy ends here —

Notes

This is an example policy that should be adjusted to reflect the procedures and policy of the council. It is important that any commitment made in the policy is applied in practice.

1. Green Book terms

The Green Book sets out practical principles that councils can adopt and acknowledges that local councils will need to select the appropriate measures to match their circumstances.

The guidance covers:

- Developing and action plan to establish and monitor progress
- Recruitment and Selection Procedures
- Training
- Pay, Grading and Conditions of Service
- Dealing with Harassment

Guidance

Where there is text in [square brackets] this part may be updated or be deleted if not relevant. An alternative option may have been provided.

Important notice

This is an example of an employment policy designed for a small council adhering to statutory minimum requirements and does not constitute legal advice. As with all policies it should be consistent with your terms and conditions of employment.

This document was commissioned by the National Association of Local Councils (NALC) in 2019 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.

This document has been written by the HR Services Partnership – a company that provides HR advice and guidance to town and parish councils. Please contact them on 01403 240 205 for information about their services.

Agenda Item: No. 12/21-22 e) Consider and adopt new policy documents – Policy for dealing with the Press/Media



PRESS AND MEDIA POLICY

Northstowe Town Council



MAY 20, 2021
NORTHSTOWE TOWN COUNCIL
VERSION 1.0

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| 3. | The Legal Framework | 2 |
| 4. | Contact with the Media | 2 |
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| 6. | Press Releases | 3 |

1. Introduction

The purpose of this policy is to define the roles and responsibilities within the Council for working with the media and deals with the day-to-day relationships between the Council and the media.

It is not the intention of this policy to curb freedom of speech or to enforce strict rules and regulations. Rather, it provides guidance on how to deal with issues that may arise when dealing with the media.

2. Key Aims

- 2.1. The Council is accountable to the local community for its actions and this can only be achieved through effective two-way communications. The media – press, radio, TV, internet – are crucially important in conveying information to the community so the Council must maintain a positive, constructive media relations and work with them to increase public awareness of the services and facilities provided by the Council and to explain the reasons for particular policies and priorities.
- 2.2. It is important that the press have access to the Clerk/Members and to background information to assist them in giving accurate information to the public. To balance this, the Council will defend itself from any unfounded criticism and will ensure that the public are properly informed of all the relevant facts using other channels of communication if necessary.

3. The Legal Framework

- 3.1. The law governing communications in local authorities can be found in the Local Governments Acts 1986 and 1988. The Council must also have regard to the governments Code of Recommended Practice on Local Authority Publicity.
- 3.2. The Town Council's adopted Standing Orders should be adhered to.

4. Contact with the Media

- 4.1. The Clerk and Members should always have due regard for the long-term reputation of the Council in their dealings with the media.
- 4.2. Confidential documents, exempt Minutes, reports, papers and private correspondence should not be leaked to the media. If such leaks do occur, an investigation will take place to establish who is responsible and appropriate action was taken.
- 4.3. When the media wish to discuss an issue that is, or is likely to be, subject to legal proceedings then advice should be taken from the Council's solicitor before any response is made. Whenever possible any information given to the press shall be given in writing so as not to leave interpretation open to misunderstanding and misreporting.
- 4.4. There are a number of personal privacy issues for the Clerk and Members that must be handled carefully and sensitively. These include the release of personal information, such as home address and telephone number (although Member contact details are in the public domain); disciplinary procedures and long-term sickness absences that are affecting public service provision. In all these and similar situations, advice must be taken from the Clerk before any response is made to the media.
- 4.5. When responding to approaches from the media, the Clerk or the Chairman are authorised to make contact with the media.

- 4.6. Statements made by the Chairman and the Clerk should reflect the Council's opinion.
- 4.7. Other Councillors can talk to the media but must ensure that it is clear that the opinions given were their own and not necessarily those of the Council.
- 4.8. There are occasions where it is appropriate for the Council to submit a letter, for example to explain important policies or to correct factual; errors in letters submitted by other correspondents. Such letters should be kept brief and balanced in tone and correspondence should not be drawn out over several weeks. All correspondence must come from the Clerk.

5. Attendance of the Media at Council Meetings

- 5.1. The Local Government Act 1972 requires that agendas, reports and minutes are sent to the media on request.
- 5.2. The media are encouraged to attend Council meetings and seating and workspace will be made available.
- 5.3. Any filming or taping of Council proceedings by the media must be with prior notice to the Clerk and Chairman of the meeting (see Standing Orders).

6. Press Releases

- 6.1. The purpose of a press release is to make the media aware of a potential story, to provide important public information or to explain the Council's position on a particular issue. It is the responsibility of the Clerk and Members to look for opportunities where the issuing of a press release may be beneficial.
- 6.2. The Clerk or any Member may draft a press release, however they must all be issued by the Clerk in order to ensure that the principles outlined in section three (Legal Framework) are adhered to, that there is consistency of style across the Council and that the use of the press release can be monitored.

Document History

| Status | Date | Version |
|---------------------------------|---------------------------|---------|
| Draft by Interim Clerk. | May 2021 | V1 |
| Draft Full Council for approval | 20 th May 2021 | V1 |
| Date approved | | |
| Review Date | | |



SOCIAL MEDIA AND ELECTRONIC COMMUNICATIONS POLICY

Northstowe Town Council



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| 6. Rules for us of social media | Error! Bookmark not defined. |
| 7. Monitoring use of social media websites | 3 |
| 8. Monitoring and review of this policy | Error! Bookmark not defined. |

Introduction

The use of digital and social media and electronic communication enables Northstowe Town Council to interact in a way that improves the communications between the Council and the people, businesses and agencies it works with and serves.

Northstowe Town Council has a website, Facebook page and Twitter account and uses email to communicate. The Council will always try to use the most effective channel for its communications. Over time the Council may add to the channels of communication that it uses as it seeks to improve and expand the services it delivers.

1. Scope of the policy

- 1.1. This policy is intended to assist and direct Council employees, including the Town Clerk, Responsible Financial Officer, Officers, including part-time, fixed-term and casual employees, (collectively referred to as employees in this policy), volunteers and members to make appropriate decisions about the use of social media, such as blogs, social networking sites, forums, message boards, or comments on web-articles such as Twitter, Facebook and LinkedIn and other relevant social media websites.
- 1.2. In addition this policy outlines the standards Northstowe Town Council requires employees and volunteers to observe when using social media, the circumstances in which the Council will monitor an employee or volunteer's use of social media and the action the Council will take in respect to breaches of this policy.
- 1.3. All employees, volunteers and members are expected to comply with this policy at all times to protect the privacy, confidentiality, and interests of the Council.
- 1.4. Breach of this policy by employees will be dealt with under our Disciplinary Procedure and, in serious cases, may be treated as gross misconduct leading to summary dismissal.

2. Responsibility for policy implementation

- 2.1. The Council has overall responsibility for the effective operation of this policy.
- 2.2. The Town Clerk is responsible for monitoring and reviewing the operation of this policy and making recommendations for changes to minimise risk to the Council's work.
- 2.3. All employees, volunteers and members should ensure that they take the time to read and understand this policy. Any breach of this policy should be reported to the Town Clerk and/or Chairman.
- 2.4. Questions regarding the content or application of this policy should be directed to the Town Clerk.

3. Northstowe Town Council website

- 3.1. Where necessary, the Council and/or its employees may direct those contacting them to the Town Council website to provide the required information.
- 3.2. The Council will provide a link to a local groups own website.

4. Social media sites in Northstowe Town Council's name

- 4.1. When making use of any social media platform, you must read and comply with its terms of use.
- 4.2. Only the Town Clerk and nominated employees or volunteers (approved by the Town Clerk) are permitted to post material on a social media website in the Council's name or on behalf of the Council.
- 4.3. Communications from the Council must meet the following criteria:
 - a) Be civil, tasteful and relevant;
 - b) Not contain content that is knowingly unlawful, libellous, harassing, defamatory, abusive, threatening, harmful, obscene, profane, sexually orientated or racially offensive;
 - c) Not contain content knowingly copied from elsewhere, for which the Council do not own the copyright;
 - d) Never disclose commercially sensitive, personal private or confidential information. If you are unsure whether the information you wish to share falls within one of these categories you should discuss this with the Town Clerk and/or the Chairman.
 - e) Not contain any personal information;
 - f) Not used for the dissemination of any political advertising.
- 4.4. In order to ensure that all discussions on the Council's social media platforms are respectful and consistent with the Council's aims and objectives the following guidelines must be followed:
 - Be considerate and respectful of others. Vulgarly, threats or abusive language will not be tolerated.
 - Differing opinions and discussions of diverse ideas are encouraged but personal attacks on anyone, including the Council members or staff, will not be permitted.

- Any employee, volunteer or member who feels they have been harassed or bullied, or are offended by material posted or uploaded by a colleague onto a social media website should inform the Town Clerk and/or the Chairman.
 - Do not escalate heated discussions, try to be conciliatory, respectful and quote facts to lower the temperature and correct misrepresentations.
 - Do not discuss employees, volunteers or members without their prior approval.
 - Share freely and be generous with official Council posts, but be aware of copyright laws; be accurate and give credit where credit is due.
 - Stay on topic
 - Refrain from using the Council's social media pages and/or accounts for commercial purposes or to advertise, market or sell products.
 - Avoid publishing personal contact details where they can be accessed and used widely by unintended audiences.
 -
- 4.5. All images used within social media posts must be those for which the Council owns the copyright or has the express written consent of the image owner.
- 4.5.1. When publishing images of individuals, the Council must obtain explicit consent from the data subject, or a legal guardian, prior to the publication of the image.

5. Using social media (sites and accounts not in Northstowe Town Council's name)

- 5.1. The Council recognises the importance of the internet and social media in shaping public thinking about our council and community. The Council also recognises the importance of it's employees, volunteers ad members joining in and helping shape local government conversation and direction through interaction on social media.
- 5.2. Before using social media in any matter which might affect the interests of the Council you must:
- a) Have read and understood this policy.
 - b) Whether posting in a professional or personal capacity be considerate of the impact your contribution might have on people's perception of the Council.

6. Monitoring use of social media websites

- 6.1. Employees should be aware that any use of social media websites (whether or not accessed for Council purposes) may be monitored and, where breaches of this policy are found, action may be taken against employees under our Disciplinary Procedure.
- 6.2. Misuse of social media websites can, in certain circumstances, constitute a criminal offence or otherwise give rise to legal liability against you and the Council.

6.3. In particular a series case of uploading, posting forwarding or posting a link to any of the following types of material¹ on a social media website, whether in a professional or personal capacity, is likely to amount to gross misconduct:

- a) Pornographic material (that is writing, pictures, films and video clips of a sexually explicit or arousing nature);
- b) A false and defamatory statement about any person or organisation;
- c) Material which is offensive, obscene, criminal, discriminatory, derogatory or may cause embarrassment to the Council, it's members or employees;
- d) Confidential information about the council or anyone else
- e) Any other statement which is likely to create any liability (whether criminal or civil and whether for you or the Council); or
- f) Material in breach of copyright or other intellectual property rights, or which invades the privacy of any person.

Any such action will be addressed under the Disciplinary Procedure and for employees may result in summary dismissal.

6.4. Where evidence of misuse is found the Council may undertake a more detailed investigation in accordance with the Disciplinary Procedure, involving examination and disclosure of monitoring records to those nominated to undertake the investigation and any witnesses or managers involved in the investigation. If necessary such information may be handed to the police in connection with a criminal investigation.

6.5. If you notice any use of social media by other employees or volunteers in breach of this policy this must be reported to the Town Clerk and/or the Chairman.

DOCUMENT HISTORY

| Status | Date | Version |
|---------------------------------|---------------------------|---------|
| Draft by Interim Clerk. | May 2021 | V1 |
| Draft Full Council for approval | 20 th May 2021 | V1 |
| Date approved | | |
| Review Date | | |

¹ To note this list is not exhaustive

Agenda Item: No. 12/21-22 g) Consider and adopt new policy documents – Health and Safety Policy



HEALTH AND SAFETY POLICY

Northstowe Town Council



MAY 20, 2021
NORTHSTOWE TOWN COUNCIL
VERSION 1.0

This is the Health and Safety Policy Statement of Northstowe Town Council:

Northstowe Town Council recognises and accepts its responsibility for providing a safe and healthy environment for its members; staff; volunteers; visitors; and for anyone affected by its activities.

The Council maintains this policy for the management of health and safety as its top priority and will do all that is reasonably practicable to ensure effective organisation and planning are established and maintained. The Council will also ensure that appropriate and effective audit and review mechanisms are used to inform the work of the Council, which undertakes to commit appropriate resources to manage health and safety.

Our statement of general policy, below, is based upon that required by virtue of the Health and Safety at Work etc. Act 1974. Although the Council has a single employee, the principles of the Act and its underpinning regulations as later published are taken by the Council as a minimum requirement for the safe and effective management of the Council and its activities.

Our statement of general policy is:

- To provide adequate control of the health and safety risks arising from our activities;
- To consult with our staff on matters affecting their health and safety;
- To provide and maintain safe equipment;
- To provide sufficient information, instruction, and supervision of staff, volunteers and visitors as far as is reasonably practicable;
- To ensure all staff and volunteers are competent in their Council-related activities, and to provide adequate training as far as is reasonably practicable;
- To prevent accidents and activity-related ill health as far as is reasonably practicable;
- To maintain safe healthy conditions for conducting the Council's business and the public facilities it provides; and
- To review and revise this Policy as necessary at regular intervals, but at least annually.

DOCUMENT HISTORY

| Status | Date | Version |
|---------------------------------|---------------------------|---------|
| Draft by Interim Clerk. | May 2021 | V1 |
| Draft Full Council for approval | 20 th May 2021 | V1 |
| Date approved | | |
| Review Date | | |

**Agenda Item: No. 12/21-22 h) Consider and adopt new policy documents – Risk Assessment and Management Plan
Northstowe Town Council**

Risk Assessment and Management Plan

| Area | Risk | Level | Control (and agreed improvement) | Actioned by | Progress and Comments |
|----------------|--|-------|---|-------------|-----------------------|
| Assets | Protection of Physical Assets | | | | N/A |
| | Security of buildings and equipment | | | | N/A |
| | Maintenance of assets | | | | To be reviewed |
| Finance | Banking | M | <p>Town Council Accounts are administered by the Responsible Financial Officer (Clerk)</p> <p>Bank Account is with Unity Trust.</p> <p>Investments to be reviewed quarterly and reported to Finance Committee and annually to the Town Council.</p> <p>Two Councillor authorisation for payments made from Town Council bank accounts.</p> <p>Finance Committee Chairman to physically inspect and sign bank statements at every meeting.</p> | Town Clerk | |
| | Risk of consequential loss of income | M | <p>Insurance Cover.</p> <p>Fidelity Guarantee in place.</p> <p>Important documents backed up and kept in the cloud</p> | Town Clerk | |
| | Loss of cash through theft or dishonesty | H | No Cash will be held by the Town Council | Town Clerk | |
| | Financial controls and records | M | <p>Monthly bank reconciliation and management accounts prepared by RFO and reported to the Finance Committee by the Town Clerk.</p> <p>Monthly Bank statements will be checked by a Councillor independent of the Finance Committee</p> | Town Clerk | |

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|---------------------------|--|---|--|------------------------|--------------------------------|
| | | | Internal interim and year-end audit. Internal auditors check list reviewed annually. Financial Regulations reviewed annually. Last reviewed 20 th May 2021 | | |
| | Comply with VAT Regulations | H | VAT returns complied and submitted by Town Clerk online. Town Council to receive direct notification from HMRC regarding repayments due. HMRC account to be reviewed annually. | Town Clerk | |
| | Sound budgeting to underlie annual precept. | M | Finance Committee and Council to receive detailed budgets in the late autumn. Precept derived directly from this. Expenditure against budget reported to Finance Committee at every meeting. | Town Clerk/Councillors | |
| | Complying with borrowing restrictions | L | No borrowing at present. | Town Clerk | |
| Liability | Risk to third party, property or individuals. | M | Insurance in place. Risk assessments completed annually and kept on file. Risk assessments will be carried out for all Town Council events. | Town Clerk | |
| | Legal liability as consequence of asset ownership. | H | Insurance in place. Written reports are kept on file. | Town Clerk | |
| | Legal liability as consequence of approved civic events. | H | Insurance in place. All events are risk assessed prior to place. Written reports are kept on file. | Town Clerk | |
| Employer Liability | Comply with employment law | M | Membership to CAPALC, NALC and SLCC. Training courses attended by these organisations and other external providers. Legal and professional advice sought when required. | Town Clerk/Council | |
| | Safety of staff and visitors | M | Employees are advised to follow the Lone Worker policy when working alone both at and away from Council premises. | Town Clerk | No Council premises at present |

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|------------------------|--|---|--|------------|-------------------------|
| | | | <p>HSE information displayed in Council Offices in compliance with HSE legislation and guidance.</p> <p>Staff issued with a health and safety briefing relevant to their roles upon commencement of their employment and to be revisited during their yearly appraisal.</p> <p>First Aid kit kept in Council office. Contents of this kit should be reviewed annually.</p> <p>All incidents and accidents to be recorded and reviewed.</p> | | |
| Legal Liability | Ensuring activities are within legal powers | H | <p>Town Clerk clarifies the legal position on any new proposal.</p> <p>Legal advice to be sought where necessary.</p> | Town Clerk | |
| | Proper and timely reporting via the minutes. | M | <p>The Council meets monthly and receives and approves minutes of meetings held in interim.</p> <p>Minutes made available to press and public at the Town Council office and via the website.</p> | Town Clerk | Town Council Office N/A |
| | Proper document control | M | <p>Leases and legal documents in safe in the Town Council office.</p> <p>Other data storage to comply with GDPR.</p> <p>To use version control methods when filing documents electronically when appropriate.</p> <p>All hard copy documents to be scanned for electronic storage.</p> | Town Clerk | To be set up |
| | Provision of goods and services by third parties | H | <p>All reasonable efforts are made to establish third parties have appropriate qualifications, skills, insurance and public liability when working for or under the direction of the Town Council.</p> | Town Clerk | |

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|-----------------------------|---|---|--|------------------------|-------------------------------------|
| | Volunteering | H | Volunteers must be fully briefed as per the Town Council's Volunteering Policy. Insurance company to be contacted for advice if the volunteer job is complex. | Town Clerk/Members | Volunteer Policy to be established. |
| Councillor propriety | Registers of Interest and Gifts and Hospitality in place. | H | Register of interest completed and reviewed by members and officers annually. Last reviewed on May 2021 Gifts and hospitality register is available at each Council Meeting. Members are reminded of their obligation to declare interests and gifts at the Annual Meeting and one other meeting during the Town Council year. | Town Clerk/Councillors | |
| | Code of Conduct | H | The Town Council has adopted the current "Code of Conduct". | Members/Officers | |

The Risk Assessment and Management Plan was submitted to and approved by the Town Council on 20th May 2021

Signed.....

Name.....

Date.....

Agenda Item: No. 12/21-22 i) Consider and adopt new policy documents – Staff Recruitment Policy



STAFF RECRUITMENT POLICY

Northstowe Town Council



MAY 20, 2021

Northstowe Town Council

V1

Recruitment of staff is the responsibility of the Council.

Northstowe Town Council is an Equal Opportunities employer. The aim of the Council's Recruitment Policy is to ensure that the Council selects the most suitable person for the job on the basis of their relevant merits and abilities and that no employee/job applicant is unfairly treated on any grounds including:

- race
- colour
- nationality
- ethnic or national origins
- religion
- sex
- sexuality
- marital status
- age
- social background
- disability

Any vacancy will be advertised in the public domain using one or more of the following:

- Town Council notice board
- Town Council website
- Local newspaper(s)
- Any other appropriate publication or location

The Council accepts that although it may be necessary to appoint new employees at short notice, because of unforeseen circumstances, the recruitment process will always be approached in broadly the same way to ensure the most suitable person is selected.

The Council will ensure it appoints appropriately qualified and experienced staff by:

- deciding what skills and qualities it requires in a new employee
- the preparation of Job Description
- the preparation of Person Specification
- the preparation of an application form
- advertising the position internally and/or externally as widely as possible and in a manner that is designed to attract candidates with the required skills and qualities
- ensuring the candidates are legally entitled to work in the UK (Restriction on Employment) Order 2007
- drawing up a short list of suitable applicants whose skills and abilities match those required
- undertaking an interviewing process which ensures an objective assessment of the candidates
- interviewing candidates fully, keeping detailed notes and a proper record of the interview

The Council will ensure that it complies with the Immigration Act 2016 (part 7, sections 77 – 84), to ensure that all public sector workers in public-facing roles speak fluent English. The Council will refer to the statutory Code of Practice which supports public sector employers in complying with this duty.

On completion of the selection process the Council will:

- write to the best candidate offering employment and enclosing a Statement of Particulars, pending reference and Full Council approval.
- take up references and check them before confirming the appointment
- obtain the approval for the appointment at the next full Town Council meeting
- inform unsuccessful candidates in writing once the appointment has been confirmed.

Salary will be commensurate with the type of employment and experience of the person.

A staff appraisal will be conducted at the end of the probationary period and thereafter annually.

| Document History | | |
|-----------------------|---------------------------|---------|
| Status | Date | Version |
| Draft to Full Council | 20 th May 2021 | V1 |
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Agenda Item: No. 12/21-22 j) Consider and adopt new policy documents – Privacy Policy



PRIVACY POLICY

Northstowe Town Council



MAY 20, 2021
NORTHSTOWE TOWN COUNCIL
VERSION 1.0

NORTHSTOWE TOWN COUNCIL

PRIVACY NOTICE

Your personal data – what is it?

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data). The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the “GDPR”) and other legislation relating to personal data and rights such as the Human Rights Act.

Who are we?

This Privacy Notice is provided to you by Northstowe Town Council which is the data controller for your data.

Other data controllers the council works with:

- Other Local authorities
- Community groups
- Charities
- Other not for profit entities
- Contractors
- Credit reference agencies
- HMRC
- PAYE & Pension Providers

We may need to share your personal data we hold with them so that they can carry out their responsibilities to the council. If we and the other data controllers listed above are processing your data jointly for the same purposes, then the council and the other data controllers may be “joint data controllers” which mean we are all collectively responsible to you for your data. Where each of the parties listed above are processing your data for their own independent purposes then each of us will be independently responsible to you and if you have any questions, wish to exercise any of your rights (see below) or wish to raise a complaint, you should do so directly to the relevant data controller.

A description of what personal data the council processes and for what purposes is set out in this Privacy Notice.

The council will process some or all of the following personal data where necessary to perform its tasks:

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses, and email addresses;
- Where they are relevant to the services provided by a council, or where you provide them to us, we may process information such as gender, age, marital status,

nationality, education/work history, academic/professional qualifications, hobbies, family composition, and dependants;

- Where you pay for activities such as use of a council hall, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers;
- The personal data we process may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sexual life or orientation.

How we use sensitive personal data

- We may process sensitive personal data including, as appropriate:
 - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
 - your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
 - in order to comply with legal requirements and obligations to third parties.
- These types of data are described in the GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.
- We may process special categories of personal data in the following circumstances:
 - In limited circumstances, with your explicit written consent.
 - Where we need to carry out our legal obligations.
 - Where it is needed in the public interest.
- Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

Do we need your consent to process your sensitive personal data?

- In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

The council will comply with data protection law. This says that the personal data we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.

- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

We use your personal data for some or all of the following purposes:

- To deliver public services including to understand your needs to provide the services that you request and to understand what we can do for you and inform you of other relevant services;
- To confirm your identity to provide some services;
- To contact you by post, email, telephone or using social media (e.g., Facebook, Twitter, WhatsApp);
- To help us to build up a picture of how we are performing;
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury;
- To promote the interests of the council;
- To maintain our own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to our facilities, services, events and staff, councillors and other role holders;
- To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals, other new projects or initiatives;
- To process relevant financial transactions including grants and payments for goods and services supplied to the council
- To allow the statistical analysis of data so we can plan the provision of services.

Our processing may also include the use of CCTV systems for the prevention and prosecution of crime.

What is the legal basis for processing your personal data?

The council is a public authority and has certain powers and obligations. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of the council's statutory functions and powers. Sometimes when exercising these powers or duties it is necessary to process personal data of residents or people using the council's services. We will always take into account your interests and rights. This Privacy Notice sets out your rights and the council's obligations to you.

We may process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with the use of sports facilities, or the acceptance of an allotment garden tenancy

Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.

Sharing your personal data

This section provides information about the third parties with whom the council may share your personal data. These third parties have an obligation to put in place appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- The data controllers listed above under the heading “Other data controllers the council works with”;
- Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;
- On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

How long do we keep your personal data?

We will keep some records permanently if we are legally required to do so. We may keep some other records for an extended period of time. For example, it is currently best practice to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information. We may have legal obligations to retain some data in connection with our statutory obligations as a public authority. The council is permitted to retain data in order to defend or pursue claims. In some cases the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). We will retain some personal data for this purpose as long as we believe it is necessary to be able to defend or pursue a claim. In general, we will endeavour to keep data only for as long as we need it. This means that we will delete it when it is no longer needed.

Your rights and your personal data

You have the following rights with respect to your personal data:

When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

1) The right to access personal data we hold on you

- At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond within one month.
- There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

2) The right to correct and update the personal data we hold on you

- If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

3) The right to have your personal data erased

- If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

4) *The right to object to processing of your personal data or to restrict it to certain purposes only*

- You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.

5) *The right to data portability*

- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

6) *The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained*

- You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).

7) *The right to lodge a complaint with the Information Commissioner's Office.*

- You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Transfer of Data Abroad

Any personal data transferred to countries or territories outside the European Economic Area ("EEA") will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Changes to this notice

Contact Details

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

The Data Controller: Northstowe Town Council

| Document History | | |
|-----------------------|-------------|---------|
| Status | Date | Version |
| Drafted by Town Clerk | May 2021 | 1.0 |
| Draft to Full Council | 20 May 2021 | 1.0 |
| Council Approved | | |
| Review date | | |
| | | |
| | | |



SCHEME OF DELEGATION

Northstowe Town Council



Scheme of Delegation

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person), Standing Committees and Sub-committees of the Council to act with delegated authority in the specific circumstances detailed.

1. Proper Officer and Responsible Financial Officer – Duties and Powers

1.1. Responsible Financial Officer

The Town Clerk shall be the Responsible Financial Officer (Local Government Act 1972 S151) to the Council and shall be responsible for the Town Councils accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time.

2. Proper Officer

2.1. The Town Clerk shall be the Proper Officer of the Council and as such is specifically authorised to:

- 2.1.1.** Receive declarations of acceptance to office;
- 2.1.2.** Receive and record notices from Councillors disclosing interests;
- 2.1.3.** Receive and retain plans and documents;
- 2.1.4.** Sign Notices or other documents on behalf of the Council;
- 2.1.5.** Receive copies of By-laws made by the Unitary Council;
- 2.1.6.** Certify copies of By-laws made by the Council;
- 2.1.7.** Sign and issue summonses to attend meetings of the Council
- 2.1.8.** Give public notice of the time, place and agenda at least three clear days before a meeting of the Council (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them)
- 2.1.9.** Convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy on that office

2.2. In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council;

- 2.2.1.** The day to day administration of services, together with routine inspection and control.
- 2.2.2.** Day to day supervision and control of all staff employed by the Council.
- 2.2.3.** Authorisation of routine expenditure within the agreed budget.
- 2.2.4.** Emergency expenditure up to £500 outside of the agreed budget.

- 2.3. Delegated actions of the Town Clerk shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and with directions given by the Council from time to time.

3. Full Council

- 3.1. The following matters are reserved to the Council for decision, notwithstanding that the appropriate Committee(s) may make recommendation thereon for the Council's consideration.
- 3.1.1. Setting the Precept;
 - 3.1.2. Borrowing money;
 - 3.1.3. Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation;
 - 3.1.4. Making, amending or revoking By-laws;
 - 3.1.5. Making of Orders under any Statutory powers;
 - 3.1.6. Matters of principle or policy;
 - 3.1.7. Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved Conferences or meetings);
 - 3.1.8. Any proposed new undertakings;
 - 3.1.9. Prosecution or defence in a court of law;
 - 3.1.10. Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee;
 - 3.1.11. Approving the annual return;
 - 3.1.12. Confirming eligibility to exercise the General Power of Competence

4. Standing Committees

- 4.1. The Finance and Governance Committee shall be delegated to make decisions on behalf of the Council in the following matters:
- All matters relating to Finance with the exception of those at paragraph 3.1.
 - Partnership Working
 - Grants and Donations
 - To make recommendations to Council on the Budgets of all Standing Committees.
 - General Administration
 - Civic Activities/Local Democracy
 - Any other matter which may be delegated to it by the Council from time to time.

The following matters are reserved to the Council for decision but the Committee may make recommendations:

- Setting the Budget and Precept

The Committee may refer specific matters to the Council for a final decision if it so wishes.

4.2 The Planning Committee shall be delegated to make decisions on behalf of the Council in the following matters:

- To comment on planning applications received from the Planning Authority.
- Street naming
- Licensing matters
- Any other matter which may be delegated to it from time to time.
- To comment on behalf of the Council on Local Plans, Structure Plans, Mineral Plans, Waste Plans, Regional Plans and any other Plans or Studies as considered appropriate.
- To report to South Cambridgeshire District Council Enforcement any concerns relating to compliance of planning conditions.

4.3 The Assets and Asset Transfer Committee shall be delegated to make decisions on behalf of the council in the following matters:

- To approve maintenance of the Councils assets, in line with the current budget.
- To consider any offers of transfer of assets to the Council, and then to report findings to Full Council.

4.4 The Personnel Committee shall be delegated to make decision on behalf of the council in the following matters:

- Grievances that cannot be dealt within the Personnel Committee will be transferred to the Grievance Committee, and Appeals Committee if required.
- Appraisal of the Town Clerk.
- Make recommendations on:
 - Salaries;
 - Conditions of Service;
 - Staff levels;
 - Consideration of staffing reviews.

4.5 The Grievance Committee is delegated to make decisions on the behalf of the Council in the following matters:

- Hearings for Grievance, Disciplinary and Capability matters in accordance with the Council's Grievance and Disciplinary Procedure.

- Dealing with any Grievance, Disciplinary and Capability matters to a final conclusion, only reporting to Council when the time for any Appeal has passed.

4.6 The Appeals committee is delegated to make decisions on the behalf of the Council in the following matters:

- Appeals against decisions made by the Personnel committee in Grievance, Disciplinary and Capability matters.
- Dealing with Appeals to a final conclusion, only reporting to Council the actions it has taken at the end of the process.

It is vital that the Personnel, Grievance and Appeals Committees keeps confidential its deliberations and decisions in cases of Grievance, Disciplinary and Capability hearings, because if an Appeal against a decision is received it must, legally and in the interest of fairness, be heard again by elected members with no prior knowledge of the case.

4.7 The Events and Markets Committee is delegated to make decisions on behalf of the council in the following matters:

- Seek grants and sponsorship and report findings to the Town Clerk to make the applications.
- Set up and review contracts relating to events and markets, and report findings to the Town Clerk to establish legalities.

Document History

| Status | Date | Version |
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| Draft by Interim Clerk. | May 2021 | V1 |
| Draft to Council for approval | 20 th May 2021 | V1 |
| Date approved | | |
| Review Date | | |



TERMS OF REFERENCE FOR COMMITTEES

Northstowe Town Council



TERMS OF REFERENCE OF COMMITTEES

Committee Structure

The Town Council has the following Committee Structure:

Finance and Governance Committee
Personnel Committee
Grievance Committee
Staffing Appeals Committee
Events and Markets Committee
Asset and Asset Transfer Committee
Planning Committee

Finance and Governance Committee

Membership: Eight members of Full Council

Quorum: Four

Reports to: Full Council

Role of the committee: The overall purpose of this standing committee is to ensure that the council's finances, and its statutory obligations are conducted in accordance with legislation, statutory regulations and good practice, and to administer services, which are not the responsibility of the other standing committees.

- 1 To conduct effectively the Council's budgetary, financial and precepting responsibilities in accordance with statutory requirements, and to keep the smooth functioning of the Council's work under review.
- 2 To consider and keep under review:
 - (i) The strategic vision/main objectives of the Council.
 - (ii) All major issues of policy affecting the Town Council's area.
 - (iii) The development of existing, and introduction of new, services.
 - (iv) The order of priorities between services or projects, and to advise other committees accordingly.
- 3 To consider the resources available to meet the Council's objectives in terms of land, finance and manpower and to advise other committees and the Council as required.
- 4 To have charge of the financial and accounting arrangements of the Council.
- 5 To consider the financial implications of the Council's plans and to recommend to the Council levels of expenditure in connection therewith.
- 6 To consider estimates of this committee and of other committees of income and expenditure on continuing services and payments on capital account for the next and future financial years.
- 7 To review all charges and fees made or proposed by all committees.
- 8 To submit to the Council estimates of income and expenditure of the Council on continuing services and of payments on capital account for the next financial year and make a recommendation as to the Council's Precept.
- 9 To appoint internal & external auditors and receive annual reports and act on any recommendations.
- 10 To oversee the preparation of the End of Year Accounts and the Annual Governance and Accounts Return including the Council's commitment to its Governance Statement for recommendation to Full Council.
- 11 To be responsible for the Councils' Revenue & Capital Budget and any works scheduled therein.
- 12 To be responsible for expenditure within the limits previously approved by the Council.

- 13 To consider and approve as appropriate requests from other committees to incur expenditure greater than already approved by the Council, and also to consider any such requirement in respect of its own expenditure.
- 14 To review Policies & Procedures, Internal Controls, Standing Orders & Financial Regulations, terms of reference of committees and terms of delegation to officers recommend amendments to the Council.
- 15 To consider applications for grants and to approve any such grants.
- 16 To manage any external funding receipts including s106/Community Infrastructure.
- 17 To approve all tenders above which delegated authority has not been given to officers.
- 18 To be responsible for council's market rights and investment properties and other premises owned or leased to the council (save for council properties reserved to other committees according to their responsibilities).
- 19 To be responsible for the council's electronic governance arrangements, including the council's website and social media platforms
- 20 To be responsible for public relations and major civic hospitality and ceremonies.
- 21 To oversee the civic arrangements of the Council.
- 22 To review the Council's risk including provision of insurance (including any potential claims).
- 23 To initiate and oversee any legal proceedings on behalf of the Council.

Staffing Committees

Personnel Committee

Membership: Five members of Full Council

Reports to: Full Council

Role of the committee: The overall purpose of this committee is to effectively and efficiently discharge the Council's duties as an Employer.

- 1 To deal with disciplinary and capability matters **only** reporting to Council when the time for any appeal has passed.
- 2 To be responsible for appraisal of the Town Clerk.
- 3 To review Terms & Conditions of service and salaries of staff
- 4 To oversee any job evaluation process.
- 5 To review the organisational structure and necessary staffing levels.
- 6 To consider staffing reviews.
- 7 To prepare and maintain employment policies and procedures and the Staff Handbook.
- 8 To prepare and review Job Descriptions and Person Specifications.
- 9 To prepare and review Contracts of Employment.
- 10 To develop Health & Safety Policies and Procedures.
- 11 To consider any other matters delegated to the Committee by Council.
- 12 To oversee the recruitment of principal officers of the Council.
- 13 To develop the Council's training policy and needs.
- 14 To develop the Council's approach to apprenticeships, job creation and training programmes.
- 15 To consider the provisions of the National Joint Council.

Grievance Committee

Membership: Three members of Full Council

Reports to: Full Council

Role of the committee: The overall purpose of this committee is to maintain a level of fairness in relation to staff grievances in order to discharge the Council's duties as an Employer.

- 1 To undertake hearings for Grievance matters in accordance with the Council's Grievance and Disciplinary Procedures.
- 2 To deal with Grievance matters to a final conclusion, **only** reporting to Council when the time for any appeal has passed.
- 3 To make final decisions on any outcomes of grievance or personnel matters including individually, financially and procedurally.
- 4 To consider any other matters delegated to the Committee by the Council.

Staffing Appeals Committee

Membership: Three members of Full Council

Reports to: Full Council

Role of the committee: The overall purpose of this committee is consider any appeals in relation to decisions made at Grievance Committee or Personnel Committee.

- 1 To consider any individual appeals from current members of staff against decisions made by either Grievance Committee and or Personnel Committee.
- 2 To deal with grievance or personnel matters to a final conclusion. This Committee forms the last line of appeal.
- 3 To make final decisions on any outcomes of grievance or personnel matters including individually, financially and procedurally.
- 4 To consider any other matters delegated to the Committee by the Council.

Events and Markets Committee

Membership: Five members of Full Council

Reports to: Full Council

Role of the committee: The overall purpose of this committee is to agree and oversee a programme of regular and one-off Civic and Community events organised by Northstowe Town Council.

- 1 To agree expenditure within predetermined budgets set by the Council, referring requests for additional or non-budgeted expenditure to the Finance and Governance Committee for authorisation.
- 2 To set up and review contracts for services relating to the events programme
- 3 To agree fees relating to events and markets, including, but not limited to pitch/stall fees
- 4 To seek grants and sponsorship for events whenever possible.
- 5 To ensure that all decisions are in accordance with Northstowe Town Council's adopted policies and financial regulations.

Assets and Asset Transfer Committee

Membership: Eight members of Full Council

Quorum: Four

Reports to: Full Council

Role of the committee: The overall purpose of this standing committee is to monitor the operation of all town council property, ensuring a high standard of provision and maintenance. The committee is responsible for working in partnership with other organisations to discuss future asset transfers to the Town Council

1. To manage the use, maintenance, improvement, development and good management of all council owned or lease buildings.
2. To manage the use, maintenance, improvement, development and good management of all other council owned or leased assets.
3. To consider the amenities of the town generally and to liaise as necessary with other bodies and to make recommendations for change as appropriate.
4. To work with Local Authorities, Developers, Management Companies and other Stakeholders to establish transfer of assets to the Town Council.

Planning Committee

Membership: Eight members of Full Council

Quorum: Four

Reports to: Full Council

Role of the committee: The overall purpose of this standing committee is: (a) to ensure informed local knowledge is brought to bear on planning and licensing applications and to convey those views in a timely way to the appropriate authority; (b) to ensure local knowledge is brought to bear in relation to highway, road safety and transportation matters affecting the Town Council's geographical area and (c) to contribute to the formation of planning policies both locally and nationally

- 1 To consider all applications received for planning and pre-planning consent within the town, other than those emanating from the Town Council itself, and to submit comments and/or objections thereon to South Cambs District Council (SCDC) /Cambridgeshire County Council (CCC) within appropriate time limits; also to consider any applications for planning consent in adjacent areas where such application would affect the well-being of the town and its residents.
- 2 To consider all appeals against planning refusal, non-determination or the imposition of conditions by the SCDC and CCC within the town and to submit comments to the appropriate government department.
- 3 To consider any proposals relating to national, regional, or SCDC or CCC including Additions and Amendments to Conservation Areas and to submit comments to the appropriate body on behalf of the Council.
- 4 To consider key development and planning policies and issues and make recommendations to the relevant body or the Council.
- 5 To consider within the appropriate time limits whether to comment on behalf of interested parties to the Licensing Authority on applications for new or amended licences made under the Licensing Act 2003 or for any other licences.
- 6 To liaise as necessary with other bodies on traffic, and transport, including public transport and road safety, and to make proposals as necessary.
- 7 To receive and consider any representations or consultations in relation to the provisions of the Localism Act
- 8 To consider and submit to the Finance and Governance estimates of income and expenditure on continuing services and on capital account for the following year.
- 10 To respond to any street naming/numbering requirements.

Agenda Item: No. 19/21-22 Provision of Town Council Noticeboards – Report from the Interim Clerk

**Report by Rosie Hughes, Interim Clerk.
20th May 2021**

Background

The Interim Clerk has sourced suitable Noticeboards for the Town Council. It was identified that South Cambs DC holds section 106 monies for noticeboards for the town, however this funding is allocated for phase II of the town, and they are not able to re-allocated to phase I.

The Interim Clerk has made use of the Community Notice Board located on the square. (Opposite the mail box). This noticeboard his highly used by community groups, and the Town Council statutory notices have to be made available and seen, so it is deemed of importance that the Town Council has its own noticeboards.

The Interim Clerk made contact with L & Q to see if they would allow a Town Council notice board to be provided on their land on phase I. At the same time an email was received from Jon London (Friends of the wing community group), who were also looking to establish a noticeboard (exactly the same one as the interim clerk was looking to purchase)

Jon is in the process of applying for funding for the noticeboard, and it was agreed that the Friends of The Wing and the Town Council could purchase 50% each of the board. Jon is happy for the board to have 'Northstowe Town Council' on the top, and when the Wing is relinquished back to the school, the Town Council will take full ownership of the notice board.

The board is 3 bay, and it was agreed that the Town Council has a bay, the Friends of the Wing a bay, and a shared bay in the middle.

Rampton Drift

The Interim Clerk met with the Management Team representatives at Rampton Drift, they would be happy to have a Town Council notice board located on their land. It is envisaged that this would be a 2 bay board, for the Town Council use only. As phase II will be addressing noticeboards nearly by when the development commences, community boards will form part of that agreement.

The Notice boards that the Interim Clerk has sourced are:

- Man-made Timber (Recycled Plastic) noticeboards.
- Post mounted
- Glazed
- Key lockable
- Magnetic or pin board

1 x 2 bay noticeboard with post and fixings £1900.25 (approx.)

1 x 3 bay noticeboard with post and fixings £2198.87 (approx.)

Prices are approximate as specification can be altered as council wishes.

Costs include posts and fixings.

Shipping costs will need to be added.

<https://www.greenbarnes.co.uk/external-lockable-noticeboards-in-man-made-timber/>

The Town Council does not have a budget allocation for Noticeboards, however it can consider funding from the transfer budget from Longstanton parish Council.

Agenda Item: No. 20/21-22 Re-location of SCDC Table Tennis Tables – Report from the Interim Clerk

**Report by Rosie Hughes, Interim Clerk.
20th May 2021**

South Cambridgeshire District Council has now removed the 2 table tennis tables from Pioneer Park. They are currently in a consultation period with residents and other stakeholders, and would like Northstowe Town Council to consider new locations for the table tennis tables.

It is felt that the two tables should remain together in one location, as this then allows for competitions. However, they are open to the fact that they could be one per location.

The council is also asked to put any suggestions into an order of preference.

A copy of the letter sent to residents and the plan is for reference.

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA
www.scambs.gov.uk
03450 450 500



**South
Cambridgeshire**
District Council

Delivered by hand

Our ref: PP0421
Your ref: PP0421VR
12 April 2021

Transformation
Contact: Jeff Mambery
Email: jeff.mambery@scambs.gov.uk

Dear Occupier

Pioneer Park – removal of table tennis tables

We have arranged for a contractor to remove the table tennis tables in Pioneer Park; this work will commence 22 April and will take a couple of days. We wanted to let you know in advance as there may be a little noise when the work is carried out.

Due to slopes on part of the land where we planned to install the outdoor gym and table tennis tables, it was necessary to agree with the landowner, L&Q, for the equipment to be installed in the most suitable position. Since the installation we have listened to concerns raised by some residents about the proximity of the table tennis tables to nearby homes and done a survey of the site. This has shown the table tennis tables are closer to nearby homes than originally planned. Although we could have chosen to keep the table tennis tables in the current position, we have taken the decision to remove them as we feel this is the right thing to do at this stage.

The outdoor gym will remain in its current position, but as it was necessary to move it across slightly from the original location, we will be seeking approval by the Council's Cabinet's on the agreement we have with the landowner. This will take place at their meeting on 24 May 2021. We have decided to keep the outdoor gym closed until this has been done.

The table tennis tables will be stored whilst we engage with the interim Town Council for Northstowe, Longstanton Parish Council and the local community in order to find a long-term

