

Reviewed Council Documents

As part of preparation for the Annual Audit the Clerk has reviewed the Parish Council's policies and procedures as listed below:

Document	Last Adopted	Appendix
Standing Orders	July 2020	A
Financial Regulations	July 2020	B
Estates Committee Terms of Reference	May 2020	C
Wickhambrook Parish Council Code of Conduct	May 220	D
Media Policy & Social Media Policy	May 2020	E
Requests for Information Policy (FOI)	May 2020	F
Publication Scheme	May 2020	G
Complaints Procedure	May 2020	H
Document Retention Policy	May 2020	I
Data Protection Policy	May 2020	J
Equal Opportunities Policy	May 2020	K
Health & Safety Policy	May 2020	L
Training Policy	May 2020	M

Proposed amendments are indicated as tracked changes within the documents.

Recommendation:

That the Council adopts the reviewed Council documents listed above for publication.

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MODEL STANDING ORDERS 2018 FOR ENGLAND

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Introduction

These model standing orders are taken from the updated National Association of Local Councils (NALC) model standing orders contained in *Local Councils Explained* by Meera Tharmarajah (© 2013 NALC).

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's 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 One Voice Wales (OVW).

Drafting notes

Model standing orders that are in bold type contain legal and statutory requirements and have been adopted 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.

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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.**

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- 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 5 minutes without the consent of the chairman of the meeting.**

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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 person(s) disregard 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 unless the meeting is convened at shorter notice**
- 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 45 minutes unless directed by the chairman of the meeting.

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- g) Subject to standing order 3(f), a member of the public shall not speak for more than 5 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 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.**

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- 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.**

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- 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.**

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- 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, any number of other ordinary meetings may 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;

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- 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 power of well-being.
- 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 may convene an extraordinary meeting of the committee at any time.
- d) If the chairman of a committee does not call an extraordinary meeting within seven days of having been requested to do so by two members of the committee any two members of the committee may convene an extraordinary meeting of the committee

7. Previous resolutions

This policy was reviewed on 26th September 2020 Parish Council Meeting and passed by resolution of the Wickhambrook Parish Council (Min. 20.09.9.5.2. Next review by May 2021.

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- a) A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 2 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 7 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 re-submits it, so that it can be understood, in writing, to the Proper Officer at least 3 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.

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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.**

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- 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.

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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.
- 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.
- 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.**

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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 a signed summons confirming the time, place and the agenda; 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) and publish electronically notice of the time and place and, as far as reasonably practicable, any documents relating to the business to be transacted at the meeting unless they relate to business which is likely to be considered in private or if their disclosure would be contrary to any enactment.**

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

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- 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 4 clear days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of 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 freedom of information and data protection 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 of the Council 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;
- 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.

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17. Accounts and accounting statements

- a) "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils in Wales – 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 and which 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;

This policy was reviewed on 26th September 2020 Parish Council Meeting and passed by resolution of the Wickhambrook Parish Council (Min. 20.09.9.5.2. Next review by May 2021.

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- 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.

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- 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 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 the Parish Council 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 absence occasioned by illness or other reason and that person shall report such absence to the Parish Council at its next meeting.
- c) The chairman 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 Clerk and Responsible Financial Officer. The reviews and appraisal shall be reported in writing and are subject to approval by resolution of the parish council.
- 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 parish council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of parish council.
- e) Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by Clerk and Responsible Financial Officer relates to the chairman or vice-chairman of the parish council this shall be communicated to another member of the parish council, which shall be reported back and progressed by resolution of the parish council.
- 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.

This policy was reviewed on 26th September 2020 Parish Council Meeting and passed by resolution of the Wickhambrook Parish Council (Min. 20.09.9.5.2. Next review by May 2021.

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- 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 Smaller Authorities (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.**

24. Communicating with county borough or county council councillors

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- 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 2 councillors to be given to the Proper Officer in accordance with standing order 9.
- 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.

Wickhambrook Parish Council**FINANCIAL REGULATIONS [ENGLAND]****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;

¹ Model standing orders for councils are available in Local Councils Explained © 2013 National Association of Local Councils

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- 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
 - 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,

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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.

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.

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- 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
 - have 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. The RFO must each year, by no later than **September**, 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 council.
- 3.2. 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.
- 3.3. 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.
- 3.4. The approved annual budget shall form the basis of financial control for the ensuing year.

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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 £1000; 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. To spend up to £1000 in situations where (s)he considers such expenditure to be justified after consultation with the Chairman of the Council or Chairman of the appropriate committee. Such authority is to be evidenced by a Minute or by an authorisation slip duly signed.

4.7. 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.

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

4.9. 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

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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.

- 4.10. 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. 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. The council shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council. 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.
- 5.2. 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.
- 5.3. 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 meeting.
- 5.4. 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. 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
 - b) 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.
- 5.5. 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 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.

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- 5.6. 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.

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- 5.7. 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.
- 5.8. 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.
- 5.9. 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.
- 5.10. 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 effected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council.
- 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 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. 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.

These Financial Regulations were reviewed and adopted by Wickhambrook Parish Council on 30th July 2020 and are scheduled for review May 2021.

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- a) The RFO may maintain a petty cash imprest balance of £50 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 amount 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. 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.
- 7.4. 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.
- 7.5. An effective system of personal performance management should be maintained for the senior officers.
- 7.6. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.7. Before employing interim staff the council must consider a full business case.

Wickhambrook Parish Council**8. LOANS AND INVESTMENTS**

- 8.1. All borrowings shall be effected 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 bi-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.

These Financial Regulations were reviewed and adopted by Wickhambrook Parish Council on 30th July 2020 and are scheduled for review May 2021.

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Wickhambrook Parish 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.

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 solicitors, accountants, surveyors and planning consultants;
 - 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

Wickhambrook Parish Council

- 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, ⁴ 18a(v) and 18c 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 £1000 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.
- 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.

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 £189,330

b. For public works contracts £4,733,252

⁴ Based on NALC's model standing order 18d in Local Councils Explained © 2013 National Association of Local Councils

Wickhambrook Parish Council**12. [PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS (PUBLIC WORKS CONTRACTS)]**

- 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. ASSETS, PROPERTIES AND ESTATES

- 13.1. 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.
- 13.2. 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.
- 13.3. 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).
- 13.4. 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).
- 13.5. 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.
- 13.6. 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.

Wickhambrook Parish Council**14. INSURANCE**

- 14.1. Following the annual risk assessment (per Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers.
- 14.2. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 14.3. 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.
- 14.4. 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.

15. RISK MANAGEMENT

- 15.1. 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.
- 15.2. When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

16. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 16.1. 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.
- 16.2. 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.

Wickhambrook Parish Council
Suffolk Local Code of Conduct for Members

*In accordance with S 26 to 37 of the Localism Act 2011 **Wickhambrook Parish Council** resolved to adopt the Suffolk Local Code of Conduct for the purposes of discharging its duty to promote and maintain high standards of conduct within its area.*

Until otherwise amended or replaced by a decision of the Council, the Suffolk Local Code of Conduct set out below shall hereafter apply to all elected members and any co-opted members entitled to vote on any decisions of the council or its committees, sub committees or joint committees when acting in their capacity as a member of the Council.

Preamble

The Suffolk Local Code of Conduct shall be interpreted in accordance with the following 7 principles of public life identified by the Committee on Standards in Public Life chaired by Lord Nolan:

Selflessness - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organizations that might seek to influence them in the performance of their official duties.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership - Holders of public office should promote and support these principles by leadership and example.

This policy was reviewed at the May 2020 Parish Council Meeting and passed by resolution of the Wickhambrook Parish Council on 28th May 2020. Next review by May 2021.

SUFFOLK LOCAL CODE OF CONDUCT

1. You must treat others with respect.
2. You must not —
 - (1) do anything which may cause your council to breach any of the Council's duties under the Equality Act 2010
 - (2) bully any person;
 - (3) intimidate or attempt to intimidate any person who is or is likely to be—
 - (a) a complainant,
 - (b) a witness, or
 - (c) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her council's code of conduct; or
 - (4) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your council.
3. You must not —
 - (1) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—
 - (a) you have the consent of a person authorised to give it;
 - (b) you are required by law to do so;
 - (c) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (d) the disclosure is reasonable, in the public interest, made in good faith and in compliance with the reasonable requirements of the council; or
 - (2) prevent another person from gaining access to information to which that person is entitled by law
4. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or council into disrepute.
5. You —
 - (1) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
 - (2) must, when using or authorizing the use by others of the resources of your council—
 - (a) act in accordance with your council's reasonable requirements;
 - (b) ensure that such resources are not used improperly for political purposes (including party political purposes); and
 - (3) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
6. (1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by—
 - (a) your council's chief finance officer; or
 - (b) your council's monitoring officer,where that officer is acting pursuant to his or her statutory duties.

This policy was reviewed at the May 2020 Parish Council Meeting and passed by resolution of the Wickhambrook Parish Council on 28th May 2020. Next review by May 2021.

6. (2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your council.

7. Registration of interests

- 7.1. You must register within 28 days of becoming a member of the Council (and notify the Council's Monitoring Officer of any changes within 28 days) any Disclosable Pecuniary Interests (DPIs) you may have for publication in the Register of Members' Interests. (See Appendix A to this Code.)
- 7.2. You may not at any time discharge any function or participate in any Council business or discussions, or vote on any issues that relate to or concern any of your DPIs where you are aware that you have a relevant DPI. You may not remain in the chamber or meeting room or in the public gallery when any matter that relates to any of your DPI is under discussion or debate unless you have requested and obtained a written dispensation from your Council's Monitoring Officer in advance of the relevant meeting.
- 7.3. You must register within 28 days of becoming a member of the Council (and notify your Council's Monitoring Officer of any changes within 28 days) any non statutory Local Non Pecuniary Interests (LNPIs) set out in Appendix A to this code but you may participate in any discussions or debates relating to or concerning any of your LNPIs after the date of registration.
- 7.4. You must declare any DPIs or LNPIs to a meeting where business is relevant to those interests, including those interests that are already registered with the Monitoring Officer or where registration is pending.
- 7.5. You must register, within 28 days, any gifts and hospitality received by you in accordance with the instructions issued within your Council by the Monitoring Officer.
- 7.6. The Council's Register of Interests will be available for inspection at the Council offices during normal office hours, and will be published on the Council's website.

8. Sensitive Interests

You may also apply to your Council's Monitoring officer for non publication of the full details of any of your DPIs or LNPIs where you reasonably believe that publication of the details of a particular DPI or LNPI could result in your being subjected to violence or intimidation. In considering such applications the Monitoring Officer shall have regard to any representations made by you in determining whether he or she considers the relevant DPI or LNPI should be treated as a Sensitive Interest and excluded from the published version of the Register of Members' Interests.

This policy was reviewed at the May 2020 Parish Council Meeting and passed by resolution of the Wickhambrook Parish Council on 28th May 2020. Next review by May 2021.

Part 1

Description of categories of Disclosable Pecuniary Interests

You have a Disclosable Pecuniary Interest in any business of the Council if it is of a description set out in 1 - 7 below and is either:

- (a) An interest of yours
- (b) An interest of your spouse or civil partner
- (c) An interest of a person with whom you are living as husband and wife or as civil partners and, in the case of paragraphs (b) and (c), you are aware that they have the interest.

In these descriptions the term "relevant person" is used to mean you as member and any such person as set out in paragraphs (b) and (c)

- 1 Any employment, office, trade, profession or vocation carried on for profit or gain.
- 2 Any payment or provision of any other financial benefit (other than from the Council) made or provided within the relevant period in respect of any expenses incurred in carrying out your duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 other than from a registered political party.
- 3 Any beneficial interest in securities of a body where -
 - (1) that body (to your knowledge) has a place of business or land in the area of the Council and
 - (2) either:
 - (a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - (b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
- 4 Any contract which is made between the relevant person, or a body in which they have a beneficial interest, and the Council-
 - (1) under which goods or services are to be provided or works are to be executed; and
 - (2) which has not been fully discharged.
- 5 Any beneficial interest in any land in the Council's area.
- 6 Any tenancy where to your knowledge (a) the landlord is the Council and (b) the tenant is a body in which a relevant person has a beneficial interest.
- 7 Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.

This policy was reviewed at the May 2020 Parish Council Meeting and passed by resolution of the Wickhambrook Parish Council on 28th May 2020. Next review by May 2021.

Part 2**Description of categories of Local Non Pecuniary Interests**

- (1) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;
- (2) Any body-
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);of which you are a member or in a position of general control or management;
- (3) Any person from whom you have received a gift or hospitality with an estimated value of at least £25.

This policy was reviewed at the May 2020 Parish Council Meeting and passed by resolution of the Wickhambrook Parish Council on 28th May 2020. Next review by May 2021.

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Media Policy

Introduction

1. Wickhambrook Parish Council ("the Council") is committed to the provision of accurate information about its governance, decisions and activities. Where this information is not available via the Council's publication scheme, please contact the Council's clerk.
2. The Council shall, where possible, co-operate with those whose work involves gathering material for publication in any form including use of the internet ("the media").
3. This policy explains how the Council may work with the media to meet the above objectives in accordance with the legal requirements and restrictions that apply.

Legal requirements and restrictions

4. This policy is subject to the Council's obligations which are set out in the Public Bodies (Admission to Meetings) Act 1960, the Local Government Act 1972, the Local Government Act 1986, the Freedom of Information Act 2000, the Data Protection Act 1998, other legislation which may apply and the Council's standing orders and financial regulations. The Council's financial regulations and relevant standing orders referenced in this policy are available via the Council's publication scheme.
5. The Council cannot disclose confidential information or information the disclosure of which is prohibited by law. The Council cannot disclose information if this is prohibited under the terms of a court order, by legislation or its statutory instruments and regulations, the Council's standing orders, under contract or by common law. Councillors are subject to additional restrictions about the disclosure of confidential information which arise from the code of conduct adopted by the Council, a copy of which is available via the Council's publication scheme.

Meetings

6. A meeting of the Council and its committees is open to the public unless the meeting resolves to exclude them because their presence at the meeting is prejudicial to the public interest due to the confidential nature of the business or other special reason(s) stated in the resolution. In accordance with the Council's standing orders, persons may be required to leave a meeting of the Council and its committees, if their disorderly behaviour obstructs the business of the meeting.
7. Where a meeting of the Council and its committees include an opportunity for public participation, the media may speak and ask questions. Public participation is regulated by the Council's standing orders.

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8. The photographing, recording, filming or other reporting of a meeting of the Council and its committees (which includes e.g. using a mobile phone or tablet, recording for a TV/radio broadcast, providing commentary on blogs, web forums, or social networking sites such as Twitter, Facebook and YouTube) which enable a person not at the meeting to see, hear or be given commentary about the meeting is permitted unless (i) the meeting has resolved to hold all or part of the meeting without the public present or (ii) such activities disrupt the proceedings or (iii) paragraphs 9 and 10 below apply.
9. The photographing, recording, filming or other reporting of a child or vulnerable adult at a Council or committee meeting is not permitted unless an adult responsible for them has given permission.
10. Oral reporting or commentary about a Council or committee meeting by a person who is present at the meeting is not permitted.
11. The Council shall, as far as it is practicable, provide reasonable facilities for anyone taking a report of a Council or committee meeting and for telephoning their report at their own expense.
12. The Council's standing orders will confirm if attendance by the public, their participation, photographing, recording, filming or other reporting is permitted at a meeting of a subcommittee.

Other communications with the media

13. This policy does not seek to regulate councillors in their private capacity.
14. The Council's communications with the media seek to represent the corporate position and views of the Council. If the views of councillors are different to the Council's corporate position and views, they will make this clear.
15. The Council's Clerk may contact the media if the Council wants to provide information, a statement or other material about the Council.
16. Subject to the obligations on councillors not to disclose information referred to in paragraph 5 above and not to misrepresent the Council's position, councillors are free to communicate their position and views.
17. Further advice on the Council's approach to the use of Social Media is set out in its Social Media policy.

This policy was reviewed at the May 2020 Parish Council Meeting and passed by resolution of the Wickhambrook Parish Council on 28th May 2020. Next review by May 2021.

Wickhambrook Parish Council

Social Media Policy

Policy statement

- 1.1. This policy is intended to help employees including clerks, RFO's, Executive Officers, part-time, fixed-term and casual employees (collectively referred to as employees in this policy), volunteers and members make appropriate decisions about the use of social media such as blogs, social networking websites, forums, message boards, or comments on web-articles, such as Twitter, Facebook, LinkedIn and Instagram.
- 1.2. This policy outlines the standards we require employees and volunteers to observe when using social media, the circumstances in which we will monitor your use of social media and the action we will take in respect of breaches of this policy.
- 1.3. This policy supplements our Media Policy.

2. The scope of the policy

- 2.1. All employees, volunteers and members are expected to comply with this policy at all times to protect the privacy, confidentiality, and interests of our council.
- 2.2. Breach of this policy by employees may be dealt with under our Disciplinary Procedure and, in serious cases, may be treated as gross misconduct leading to summary dismissal.

3. Responsibility for implementation of the policy

- 3.1. The council has overall responsibility for the effective operation of this policy.
- 3.2. The clerk is responsible for monitoring and reviewing the operation of this policy and making recommendations for changes to minimise risks to our work.
- 3.3. All employees, volunteers and members should ensure that they take the time to read and understand it. Any breach of this policy should be reported to The Clerk.
- 3.4. Questions regarding the content or application of this policy should be directed to The Clerk

4. Using social media sites in our name

- 4.1. Only the Clerk and Webmaster are permitted to post material on a social media website in the council's name and on our behalf.

5. Using social media

- 5.1. We recognise the importance of the internet in shaping public thinking about our council and community. We also recognise the importance of our employees, volunteers and members joining in and helping shape local government conversation and direction through interaction in social media.
- 5.2. Before using social media on any matter which might affect the interests of the council you must:
 - a) have read and understood this policy the Council's Media Policy; and
 - b) employees and volunteers must have sought and gained prior written approval to do so from The Clerk.

This policy was reviewed at the May 2020 Parish Council Meeting and passed by resolution of the Wickhambrook Parish Council on 28th May 2020. Next review by May 2021.

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6. Rules for use of social media

Whenever you are permitted to use social media in accordance with this policy, you must adhere to the following general rules:

- 6.1. Do not upload, post or forward a link to any abusive, obscene, discriminatory, harassing, derogatory or defamatory content.
- 6.2. Any employee, volunteer or member who feels that 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 Clerk in the first instance.
- 6.3. 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 Clerk.
- 6.4. Do not upload, post or forward any content belonging to a third party unless you have that third party's consent.
- 6.5. Before you include a link to a third party website, check that any terms and conditions of that website permit you to link to it.
- 6.6. When making use of any social media platform, you must read and comply with its terms of use.
- 6.7. Be honest and open, but be mindful of the impact your contribution might make to people's perceptions of the council.
- 6.8. You are personally responsible for content you publish into social media tools.
- 6.9. Don't escalate heated discussions, try to be conciliatory, respectful and quote facts to lower the temperature and correct misrepresentations.
- 6.10. Don't discuss employees without their prior approval.
- 6.11. Always consider others' privacy and avoid discussing topics that may be inflammatory e.g. politics and religion.
- 6.12. Avoid publishing your contact details where they can be accessed and used widely by people you did not intend to see them, and never publish anyone else's contact details.

7. Monitoring use of social media websites

- 7.1. 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.
- 7.2. Misuse of social media websites can, in certain circumstances, constitute a criminal offence or otherwise give rise to legal liability against you and us.
- 7.3. In particular a serious case of uploading, posting forwarding or posting a link to any of the following types of material on a social media website, whether in a professional or personal capacity, will probably amount to gross misconduct (this list is not exhaustive):
 - 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
 - d) criminal, discriminatory, derogatory or may cause embarrassment to the council, members, or our employees;

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- e) confidential information about the council or anyone else
- f) any other statement which is likely to create any liability (whether criminal or civil, and whether for you or the council); or
- g) 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 Disciplinary Procedure and for employees may result in summary dismissal.

- 7.4. Where evidence of misuse is found we may undertake a more detailed investigation in accordance with our Disciplinary Procedure, involving the 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.
- 7.5. If you notice any use of social media by other employees or volunteers in breach of this policy please report it to The Clerk in the first instance.

8. Monitoring and review of this policy

- 8.1. The Clerk shall be responsible for reviewing this policy bi-annually to ensure that it meets legal requirements and reflects best practice.

This policy was reviewed at the May 2020 Parish Council Meeting and passed by resolution of the Wickhambrook Parish Council on 28th May 2020. Next review by May 2021.

parishclerk@wickhambrook.org.uk

Wickhambrook Parish Council

Requests for Information Policy

Wickhambrook Parish Council has an obligation to make information available to the public under the Freedom of Information Act. The procedure for dealing with applications is as follows;

To make a request under the Freedom of Information Act please contact the Parish Council in writing to the Clerk by letter or email (Wickhambrookclerk@gmail.com).

Please ensure to include;

Your full name

Your address and postcode

Your email address and/or telephone number (in case of query)

Details of the information you are requesting. Please be as specific as possible to help reduce the time needed to deal with your request – this could affect any costs that you may incur.

Send your request to

Mrs Hilary Workman
Parish Clerk
123 York Road
Bury St Edmunds
Suffolk IP33 3EG

Or email parishclerk@wickhambrook.org.uk

Wickhambrook Parish Council will respond by;

Entering details of your request into its Freedom of Information log book and sending you an acknowledgement.

You will be informed of the date of commencement of the statutory 20 working day period.

You will be advised of the cost that you will need to pay for your request - the payment will be required before the information is provided.

The Parish Council will provide the information you have requested within 20 working days or explain why it is unable to do so.

A request may be refused where;

The request is vexatious or repeated

The cost of complying with the request exceeds the 'appropriate limit'

The information requested falls under one of the exemptions listed in Part II of the Freedom of Information Act.

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parishclerk@wickhambrook.org.uk

Wickhambrook Parish Council

Information available from Wickhambrook Parish Council under the model publication scheme

Information to be published	How the information can be obtained	Cost
Class1 - Who we are and what we do		
This will be current information only		
Who's who on the Council	Website Hard copy – parish notice boards Hard copy – contact Clerk	Free Free 15p per sheet
Contact details for Parish Clerk and Council members (including telephone number and email address)	Website Hard copy – parish notice boards Hard copy – contact Clerk	Free Free 15p per sheet
Location of main Council office and accessibility details	Website Hard copy – parish notice boards Hard copy – contact Clerk	Free Free 15p per sheet
Class 2 – What we spend and how we spend it		
Limited to current and previous financial years only		
Annual return form	Website Hard copy – contact Clerk	15p per sheet
Annual statutory report by auditor (internal and external)	Website Hard copy – contact Clerk	15p per sheet
Finalised budget	Website Hard copy – contact Clerk	15p per sheet
Precept request	Website Hard copy – contact Clerk	15p per sheet

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Wickhambrook Parish Council

Financial Standing Orders and Regulations	Website Hard copy – contact Clerk	Free 15p per sheet
Grants given and received	Hard copy – contact Clerk	15p per sheet
List of current contracts awarded and value of contract	Hard copy – contact Clerk	15p per sheet
Members' allowances and expenses	Hard copy – contact Clerk	15p per sheet
Class 3 – What our priorities are and how we are doing		
Parish Plan (summary document)	Website Hard copy – contact Clerk	Free 15p per sheet
Annual Report to Parish or Community Meeting	Website Hard copy – contact Clerk	Free 15p per sheet
Local charters drawn up in accordance with DCLG guidelines – (none at present)	Hard copy – contact Clerk	15p per sheet
Class 4 – How we make decisions		
Limited to current and previous year only		
Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)	Website Hard copy – parish notice boards Hard copy – contact Clerk	Free Free 15p per sheet
Agendas of meetings (as above)	Website Hard copy – parish notice boards Hard copy – contact Clerk	Free Free 15p per sheet
Minutes of meetings (as above)	Website Hard copy – parish notice boards Hard copy – contact Clerk	Free Free 15p per sheet
Reports presented to council meetings	Website Hard copy – contact Clerk	15p per sheet
Responses to consultation papers	Website Hard copy – contact Clerk	15p per sheet
Responses to planning applications (note these are reported in the minutes)	Available on West Suffolk Planning Portal	15p per sheet

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Wickhambrook Parish Council

	https://planning.westsuffolk.gov.uk/online-applications/ Hard copy – contact Clerk	
Bye-laws (none at present)	Hard copy – contact Clerk	15p per sheet
Class 5 – Our policies and procedures		
Current information only		
Policies and procedures for the conduct of council business:		
Procedural standing orders Code of Conduct Policy statements	Website Hard copy – contact Clerk	Free 15p per sheet
Policies and procedures for the provision of services and about the employment of staff:		
Policies and procedures for handling requests for information Complaints procedures (including those covering requests for information and operating the publication scheme)	Website Hard copy – contact Clerk	Free 15p per sheet
Records management policies (records retention, destruction and archive)	Website Hard copy – contact Clerk	15p per sheet
Schedule of charges (for the publication of information)	Website Hard copy – contact Clerk	Free 15p per sheet
Class 6 – Lists and Registers		
Currently maintained lists and registers only		
Any publicly available register or list	Hard copy – contact Clerk	15p per sheet
Assets Register	Website Hard copy – contact Clerk	Free 15p per sheet
Disclosure log	Available for inspection – contact Clerk	

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Wickhambrook Parish Council

Register of members' interests	Available on West Suffolk Website https://democracy.westsuffolk.gov.uk/mqParishCouncilDetails.aspx?ID=263&LS=5 Available for inspection – contact Clerk	
Register of gifts and hospitality	Available for inspection – contact Clerk	
Class 7 – The services we offer		
Current information only		
Burial grounds and closed churchyards	Website (for fees & charges & policies) Available for inspection – contact Clerk	
Play area and recreational facilities	Website Hard copy – contact Clerk	Free 15p per sheet
Seating, litter bins and memorials.	Hard copy – contact Clerk	15p per sheet
A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)	Website Hard copy – contact Clerk	Free 15p per sheet
Additional Information This will provide Councils with the opportunity to publish information that is not itemised in the lists above		
Members' Declarations of Acceptance of Office	Available for inspection – contact Clerk	
Job descriptions	Hard copy – contact Clerk	15p per sheet

Requests for Information:

Requests for information should be made to the Parish Clerk:

Hilary Workman

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parishclerk@wickhambrook.org.uk

Wickhambrook Parish Council

Telephone: 07508 039810
Post: 123 York Road, Bury St Edmunds, Suffolk IP33 3EG
Email: parishclerk@wickhambrook.org

Note that in the above scheme, for certain classes a limitation on the age of some documents has been stipulated. For the avoidance of doubt this does not mean information beyond that date cannot be obtained, it simply indicates that it is not available as a matter of course within the model publication scheme.

Charges will be raised for the provision of copies of the documents or information at 15p per sheet; being the actual cost incurred by the Parish Council to provide each copy. Postage, if required, will be charged at actual cost of Royal Mail standard 2nd class post. These charges are adopted for all Freedom of Information requests but those that include information not included in this model publication scheme may be subject to a £25.00 per hour charge for detailed research.

This guide to information available under the Model Publication scheme was adopted by Wickhambrook Parish Council at its Meeting held on 16th May 2019.

Review date: by May ~~2020~~
2022

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This policy was reviewed at the May 2020 Parish Council Meeting and passed by resolution of the Wickhambrook Parish Council on 28th May 2020. Next review by May 2021.

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Wickhambrook Parish Council

Complaints Procedure

Wickhambrook Parish Council believes that a complaints procedure demonstrates to its parishioners and other contacts that the Council:

- *wishes to provide a good service*
- *values feedback*
- *undertakes its business in an open and honest manner, and*
- *wishes to deal with complaints fairly.*

Complaints and suggestions provide a valuable opportunity for improving services and performance.

1. Pre-Meeting procedure

1. The Complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk¹.
2. If the Complainant indicates that they do not wish to put the complaint to the Clerk, they may be advised to address the complaint to the Chairman of the Council.
3. The Clerk shall acknowledge the receipt of the written complaint and advise the Complainant when the matter will be considered by the council within one week of its receipt.
4. The Complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
5. The Complainant shall provide the Council with copies of any documentation or other evidence which they wish to refer to at the meeting not less than seven clear working days prior to the meeting. The Council shall similarly provide the Complainant with copies of any documentation upon which they wish to rely at the meeting.

2. Meeting procedure

1. The Council shall consider whether the circumstances attending any complaint warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the Council meeting in public.
2. The Chairman will introduce everyone.
3. The Chairman will explain the complaints procedure.
4. The Complainant (or representative) should outline the grounds for complaint.
5. Members to ask any question of the Complainant.
6. If relevant, the Clerk will explain the Council's position.
7. Members to ask any question of the Clerk.
8. The Clerk and Complainant, in this order, will be offered opportunity of last word.

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Wickhambrook Parish Council

9. The Clerk and Complainant (or representative) will be asked to leave the room while Members decide whether or not the grounds for the complaint have been made. (If a point of clarification is necessary both parties will be invited back).

10. The Clerk and Complainant (or representative) will return to hear the decision, or to be advised when the decision will be made.

3. **Post Meeting procedure**

1. Within seven working days the Council will confirm its decision in writing to the Complainant together with details of any action to be taken.

ⁱ Complaints about an employee of the council (i.e. the clerk) should be dealt with as an employment matter. Complaints received from the clerk about the parish council should be handled in accordance with current advice issued by ACAS. When the parish council has an issue with the clerk there is a set procedure for handling discipline at work.

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WICKHAMBROOK PARISH COUNCIL

DATA PROTECTION POLICY

Wickhambrook Parish Council recognises its responsibility to comply with the Data Protection Act 1998. The act regulates the use of personal data. This does not have to be sensitive data, it can be as little as a name and address.

The Data Protection Act

The Data Protection Act 1998 sets out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates how information can be collected, handled and used. The Data Protection Act applies to anyone holding information about people electronically or on paper.

As a local authority Wickhambrook Parish Council has a number of procedures in place to ensure that it complies with The Data Protection Act 1998 when holding personal information. The Act stipulates that anyone processing personal data must comply with **Eight Principles** of good practice. These Principles are legally enforceable. When dealing with personal data, Wickhambrook Parish Council staff and Councillors must ensure that:

- **Data is processed fairly and lawfully.**
This means that information should only be collected from individuals if staff and Councillors have been open and honest about why they want the information.
- **Data is processed for specified purposes only.**
- **Data is relevant to what it is needed for.**
Data will be monitored so that too much or too little is not kept; only data that is needed should be held.
- **Data is accurate and kept up to date.**
Personal data should be accurate, if it is not it should be corrected.
- **Data is not kept longer than it is needed.**
- **Data is processed in accordance with the rights of individuals.**
This means that individuals must be informed, upon request, of all the information held about them.
- **Data is kept securely.**
This means that only staff and Councillors can access the data. It should be stored securely so members of the public cannot access it. S
- **Data shall not be transferred** to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

Storing and accessing data

Wickhambrook Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that staff must be honest about why they want a particular piece of information. If, for

example, a member of the public gives their phone number to staff or a member of Wickhambrook Parish Council, this will only be used for the purpose it has been given and will not be disclosed to anyone else. Wickhambrook Parish Council may hold information about individuals such as their

addresses and telephone numbers. These will be kept in a secure location at the Clerks Office and are not available for public access. Once data is not needed anymore, if it is out of date or has served its use, it will be shredded or deleted from the computer.

The Parish Council is aware that people have the right to access any information that is held about them. If a person requests to see any data that is being held about them;

- They must be sent all of the information that is being held about them.
- There must be explanation for why it has been stored.
- There must be a list of who has seen it
- It must be sent within 40 days

A fee to cover photocopying and postage charges will be charged to the person requesting the information. This fee will be agreed by the Council and amended in line with inflation from time to time.

Disclosure of information

If an elected member of the council, for example a Councillor needs to access information to help carry out their duties, this is acceptable. They are only able to access as much information as necessary and it should only be used for that specific purpose. If, for instance, someone has made a complaint about over hanging bushes in a garden, a Councillor may access an address and telephone number of the person who has made the complaint so they can help with the enquiry. They can only do this providing they represent the area that the subject lives in. However, before they access any sensitive information about a person, they would need consent to do this from the Parish Clerk. Data should never be used for political reasons unless the data subjects have consented.

Confidentiality

Wickhambrook Parish Council staff must be aware that when complaints or queries are made, they must remain confidential unless the subject gives permission otherwise.

When handling personal data, this must also remain confidential.

This policy was reviewed at the May 2020 Parish Council Meeting and passed by resolution of the Wickhambrook Parish Council on 28th May 2020

Next review by May 2021

Equal Opportunities Policy

LEGAL POSITION

It is unlawful to discriminate against an individual on the following grounds:

- **age**
- **disability**
- **gender reassignment**
- **marriage and civil partnership**
- **pregnancy and maternity**
- **race**
- **religion or belief**
- **sex**
- **sexual orientation**

Under the Equality Act 2010 these are known as “protected characteristics”.

PURPOSE

The purpose of this policy is to provide equal opportunities to all employees, irrespective of their characteristics (unless there are genuine occupational qualifications or objectively justified reasons for a different approach to be taken). We oppose all forms of unlawful and unfair discrimination whether it be direct or indirect discrimination, victimization or harassment on the grounds of any of the protected characteristics defined in the Equality Act 2010.

SCOPE

All employees whether full-time, part-time, fixed term contract, agency workers or temporary staff, will be treated fairly and equally. Selection for employment, promotion, training, remuneration or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the council.

OUR COMMITMENT

Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated. This is further defined in the Dignity at Work policy adopted by the council.

The commitment to equal opportunities in the workplace is good management practice and makes sound business sense as it seeks to utilise the talents available from the local community, representing Society as a whole.

Breaches of our equal opportunities policy will be regarded as serious misconduct and could lead to disciplinary proceedings. Employees are entitled to complain about discrimination or harassment or victimization through the council’s Grievance procedure.

This policy is fully supported by all Members of the council and adopts the model contract as devised by the employee professional body in the local government sector (the Society of Local Council Clerks).

The policy will be monitored and reviewed annually/bi-annually. Other Personnel policies will be reviewed against the values stated in this main Equal Opportunities policy to ensure that the council strives to remain an Equal Opportunities employer.

Uses of Policy – Staff Handbook, Induction of staff and Members, decisions relating to Recruitment and Selection, Training and Development, Promotion, Remuneration, Retirement, cross-referenced to Grievance, disciplinary and Dignity at Work Policies.

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Health and Safety Policy

General Statement;

Wickhambrook Parish Council recognizes and accepts its responsibilities as an employer for providing a safe and healthy working environment for all its employees, contractors, voluntary helpers and others who may be affected by the activities of the council.

The council will meet its responsibilities under the Health and Safety at Work etc Act 1974 and will provide, as far as is reasonably practicable, the resources necessary to fulfill this commitment.

Review of policy;

The policy will be regularly reviewed to determine its effectiveness and to take into account any changes within the parish council or statutory regulations which may affect it. Any weaknesses or recommendations should be referred to the parish council for consideration at the time of the review.

Accident Prevention;

Every employee, whilst at work, has a legal duty of care and will be expected to take reasonable care for the health and safety of him or herself and of other persons who may be affected by his or her acts or omissions.

When necessary the council will seek expert technical advice on health and safety to assist the clerk in fulfilling the council's responsibilities for ensuring safe working conditions.

It is the responsibility of the parish council to ensure, so far as is reasonably practicable, that the Clerk's working conditions and practices are safe, any necessary assessments are performed, and all relevant regulations are complied with.

It is the responsibility of the Clerk to the Council, when working from home, to take reasonable care for the safety of persons visiting his/her property.

It is the responsibility of Parish Council to eliminate and or control any potential hazards reported to them and to investigate the cause of any accidents so as to prevent repetition.

Accidents shall be reported to the Clerk who will record them and report to the next Parish Council meeting

It is the responsibility of all subcontractors to be vigilant and have regard for their own and other contractor's or member of the general public's health and safety and to report any potential or actual hazards.

It is the responsibility of Contractors Before being awarded any contract to

- provide evidence of their own £2m. Public Liability insurance cover, including details of insurer, policy number and expiry date.
- provide evidence of being competent to carry out the work, for example have appropriate qualifications, references and experience.

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- confirm that they have their own health and safety policy for their staff.
- provide the following information:
 - Name and address of contractor.
 - Contact details including mobile phone number.
 - Whether registered for VAT.
 - Proposed activity.
 - Risk assessment with details of how the work will be carried out safely.

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parishclerk@wickhambrook.org.uk

Wickhambrook Parish Council

Policy for Training New Staff and Councillors

New Staff (Clerk/Responsible Finance Officer)

A new Clerk will be encouraged to attend CiLCA training just as soon as he/she feels ready and will be offered the opportunity to attend other training that he/she, and the Councillors, feel is needed e.g. Information Technology.

New Councillors

New councillors will be encouraged to attend the SALC run two day Councillor Course. They will also be encouraged to take responsibility for at least one topic (e.g. Emergency Planning, the Cemetery, Highways matters, Neighbourhood Planning) and training will be provided to support this.

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