



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 @fairoakandhortonheathparishcouncil

CONSTITUTION

CHAPTER 1 INTRODUCTION

Date Adopted 19 July 2021

1. Introduction

- 1.1 Fair Oak & Horton Heath is a large parish within the Borough of Eastleigh. It has a population of approximately 11,000 people. Fair Oak and Horton Heath are semi-rural villages set in the heart of south Hampshire, situated 4 miles from the main town of Eastleigh.

2. The Council

- 2.1 Fair Oak & Horton Heath Parish Council has 15 elected Members covering three wards, Fair Oak & Horton Heath North, South & Stoke Heights. The last election took place in 2019.

3. Responsibilities

- 3.1 Fair Oak & Horton Heath Parish Council is responsible for several local services. It must provide some of these services by law; others are discretionary. Our key services include:

Public Open Spaces:

Knowle Hill Conservation Area
New Century Park
Knowle Park
Lapstone Playing fields (includes cricket wicket, three football pitches & tennis courts)
Daisy Dip
Oak Walk
Dean Road
Wyvern Meadow
Lapstone Farm/Community Orchard
Upper Barn Copse

Play Areas:

New Century Park
Meadowsweet Way
Knowle Park (including a skate park)
Upper Barn Copse
Pembers Hill

Buildings:

Pavilion
Cricket store
Horton Heath Community Centre
Woodland Community Centre
Parish Office
Library (run by an independent Charity)

Allotments:

Campbell Way
Knowle Park

Other:

Fair Oak Cemetery, Bus shelters (x3) & Village Clock

4. Parish Council & Committees

- 4.1 Fair Oak & Horton Heath Parish Council is a statutory corporation - that is, a body created by government under an Act of Parliament.
- 4.2 The Council makes all policy and other decisions within the powers given to a parish council

by law such as setting the annual budget and parish precept element of council tax. The council also has an Asset Committee who are responsible for overseeing the operational management of the council and a Finance & Staffing Committee who oversee the financial & staffing management. The terms of reference for these committees are set out in the Council's standing orders, Annex B.

- 4.3 The council also fulfils the responsibility of a commenting authority for planning applications within the parish. The council has delegated the Deputy Clerk with powers to respond to minor applications following consultation with all members and these comments are published monthly on the Council's website. The Full Council considers major applications.
- 4.4 Finally, the council has several task & finish groups which meet on an ad hoc basis. The Council has a standing Budget Task & Finish Group responsible for scrutinising the council's budget and examining key projects to form part of future budgets.
- 4.5 Fair Oak & Horton Heath Parish Council's role is to deliver its services to the people of Fair Oak and Horton Heath in an open, transparent and cost-effective way, acting in the best interests of its citizens. This sometimes means that the 'greater good' is more important than individual or group's interests, but this is what democratic local government is all about. Taking those decisions, after listening to the community, is the job of the Parish Councillors acting collectively as Fair Oak & Horton Heath Parish Council.
- 4.6 Staff deliver the Council's services in line with policies or directions as determined by Councillors, collectively in Council, a Committee or a Sub-Committee. They can advise Councillors on policy issues and statutory requirements the Council must meet. They carry out the day-to-day detailed management of the Council's services.

5. The Constitution

- 5.1 The Constitution is the Council's internal rule book. It sets out how the Council will operate and how decisions are made. Some of the processes are required by law, while others are a matter for the Council to choose.
- 5.2 The Constitution contains procedural rules which apply to the conduct of meetings of the Council.
- 5.3 In order to ensure the sound management of the Council's financial affairs and good corporate governance, the Constitution includes financial regulations and rules that apply to all contracts for works and the supply of goods and services to the Council.
- 5.4 The Constitution is a living document. It is kept under continual review and is re-examined annually by Council.
- 5.5 The Constitution is split into several different chapters which form the Constitution for Fair Oak & Horton Heath Parish Council. The chapters are set out below.

6. Your rights and how you can get involved

- Contact a councillor about any matter you are concerned about. There is information about councillors on our website. You can also phone us on 02380 692403 or e-mail us on enquiries@fairoak-pc.gov.uk
- Come to Council meetings. We will advertise the dates, times and places of council meetings beforehand on the Council's website and social media pages. You can get more information from our website (www.fairoak-pc.gov.uk).
- Inspect agendas and minutes for formal meetings and see reports and background papers

(except confidential ones) You can see public agendas, minutes and reports on our website (www.fairoak-pc.gov.uk).

- Look at the Work Programme & Corporate Action Plan to find out and have your say on the key decisions councillors and officers are due to make. You can look at this on our website (www.fairoak-pc.gov.uk).
- Complain to us if you think that we have failed to deliver a service that we promised or that we have not treated you politely and fairly. To make a complaint follow the procedure set out on our website (www.fairoak-pc.gov.uk)
- Have your say on our proposals so that we can provide the right services and plan for the Parish, we need to know what you think about our services and priorities. We regularly consult local people via online surveys and facebook polls*. If we ask you for your views, please take the time to give them to us.
- People who live in Eastleigh Borough also have the right to vote at local elections (as long as you are on the electoral register) If you would like to register or apply for a postal vote for future elections, please contact Eastleigh Borough Council's Electoral Services by calling 02380 688201

7. Further information

7.1 For further information the Council can be contacted using the contact details on the cover page of this document.

CHAPTER LIST

Chapter	Content	Adoption/Review Date
1	Introduction	July 2021
2	Standing Orders	May 2021
3	Financial Regulations	July 2021
4	Employee Handbook	March 2021
5	Health and Safety Policy	March 2021
6	Councillor and Officer Relations Protocol	July 2021
7	RFO Protocol	July 2021
8	Councillor Code of Conduct	May 2021
9	Complaints Policy	July 2021
10	Training Policy	July 2021
11	Financial Risk Assessment	July 2021
12	Access to Information Policy	July 2021
13	Information Policy	July 2021
14	Publication Scheme	July 2021
15	Information Retention and Disposal Policy	July 2021
16	Community Engagement Strategy	July 2021
17	Media Communication Protocol	July 2021
18	Data Protection Policy/GDPR Privacy Information	July 2021
19	Children & Vulnerable Adult Protection Policy	July 2021
20	Volunteer Policy	July 2021
21	Investment Strategy	March 2021

*paper copies can be made available upon request.



Fair Oak & Horton Heath Parish Council

STANDING ORDERS

Version: May 2021

Contents

Meetings.....	4
Annual Council Meeting.....	4
Chairman of the Meeting.....	4
Proper Officer.....	4
Quorum of the Council.....	5
Voting.....	5
Order of Business.....	5
Adjournment.....	6
Urgent Business.....	6
Resolutions Moved On Notice.....	6
Resolutions Moved Without Notice.....	7
Questions.....	8
Draft Minutes.....	8
Rules of Debate.....	9
Closure.....	10
Disorderly Conduct.....	10
Right of Reply.....	11
Alteration of Resolution.....	11
Rescission of Previous Resolution.....	11
Voting On Appointments.....	11
Discussions and Resolutions Affecting Employees of the Council.....	11
Resolutions on Expenditure.....	12
Inquorate Meetings.....	12
Handling Confidential or Sensitive Information.....	12
Expenditure.....	12
Sealing of Documents.....	13
Committees and Sub Committees.....	13
Special Meeting.....	13
Reporting to Council.....	13
Sub-Committees.....	13
Advisory Committees.....	14
Voting in Committees.....	14
Presence of Non-Members of Committees at Committee Meetings.....	14
Terms of Reference of Committees and Working Groups.....	15
Accounts and Financial Statement.....	15

Estimates / Precepts.....	15
Annual Budget and Precept Setting Process.....	15
Code of Conduct and Dispensations.....	15
Canvassing of and Recommendations by Members.....	17
Inspection of Documents.....	17
Unauthorised Activities	17
Admission of thePublic and Press to Meetings	18
Confidential Business.....	18
Requests for Information.....	18
Liaison with Borough Councillors	18
Planning and Licensing Applications.....	20
Contracts.....	20
Code of Conduct Complaints.....	20
Variation, Revocation and Suspension of Standing Orders.....	21
Standing Orders to be given to Members.....	21
Annex A: Code of Conduct	22
General obligations.....	23
Registering and Declaring Interests	
Registering and Declaring Interests – General Requirements	
Sensitive Interests.....	
Disclosable Pecuniary Interests	
Other Interests – Personal Interests	
Other Interests – Prejudicial Interests.....	
Pre-Determination and Bias	
Further Information	
Dispensations	
Annex B: Terms of Reference.....	34
Asset Committee	34
Community Events Sub-Committee	35
Finance & Staffing Committee.....	35
Annex C: Working Group Terms of Reference	37

Meetings

1. Meetings of the Council shall be held in each year on such dates and times and at such place as the Council may direct.

Annual Council Meeting

2. **In an election year the Annual Council Meeting shall be held on or within 14 days following the day on which the councillors are elected and/or take office**
3. **In a year which is not an election year, meetings shall be held on such day in May as the Council may direct.**
4. **In addition to the Annual Meeting at least three other meetings shall be held in each year.**

Chairman of the Meeting

5. **The person presiding at a meeting may exercise all the powers and duties of the Parish Council Chairman in relation to the conduct of the meeting.**

Proper Officer

6. Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases, they shall be the Parish Clerk or nominated officer:
 - a) To receive declarations of acceptance of office.
 - b) To receive and record notices disclosing pecuniary and non-pecuniary interests.
 - c) To receive and retain plans and documents.
 - d) To sign notices or other documents on behalf of the Council.
 - e) To receive copies of bylaws made by a District Council.
 - f) To certify copies of bylaws made by the Council.
 - g) To sign summons to attend meetings of the Council.
 - h) To keep proper records for all Council meetings.

Quorum of the Council

- 7. Three members or one-third of the total membership, whichever is thereafter, shall constitute a quorum. (One third of membership of the Council is 5)**
8. If a quorum is not present or if during a meeting the number of councillors present falls below the required quorum (the quorum does not include those temporarily debarred by virtue of a pecuniary interest), the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Parish Council Chairman may fix.

Voting

9. Members shall vote by show of hands or, if at least two members so request, by signed ballot.
- 10. If a member so requires, the Parish Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request may be made before the vote but in any event before moving on to the next business.**
11. Subject to (a) and (b) below the Parish Council Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not they gave an original vote.
 - a) If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Parish Council Chairman and Vice-Chairman, Parish Council Chairman, until the end of their term of office, they may not give an original vote in an election for Parish Council Chairman.
 - b) The person presiding must give a casting vote whenever there is an equality of votes in an election for Parish Council Chairman.

Order of Business

12. At each Annual Council Meeting the first business shall be:
 - a) To elect a Chairman of the Council
 - b) To receive the Parish Council Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
 - c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.

- d) To elect a Vice-Chairman of the Council.
 - e) To receive the Vice-Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
 - f) To appoint committees and sub-committees. and shall thereafter refer to SO 16
13. **At every meeting other than the Annual Council Meeting the first business shall be to appoint a chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received, to decide when they shall be received.**
14. In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees. Standing Order 47 must be read in conjunction with their requirement.
15. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall, if necessary, include the following:
- a) To read and consider the minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
 - b) After consideration to approve the signature of the minutes by the person presiding as a correct record.**
 - c) To deal with business expressly required by statute to be done.**
 - d) To decide when any declarations of acceptance of office and written undertakings to comply with the Code of Conduct (Annex A) adopted by the Council which have not been received as provided by law shall be received**
 - e) To answer questions from Councillors.
 - f) To receive and consider reports and minutes of committees.
 - g) To receive and consider resolutions or recommendations in the order in which they have been notified.
 - h) To authorise the sealing of documents.
 - i) If necessary, to authorise the signing of orders for payment.

Adjournment

16. After each ninety-minute period the Chairman shall normally adjourn the meeting for a five- minute recess to afford those present a comfort break.

Urgent Business

17. The Chairman may, at their discretion, alter the order of business as specified on the agenda. In addition, a motion to vary the order of business on the grounds of urgency may be proposed by any member and after being seconded shall be put to the vote without discussion.

Resolutions Moved On Notice

18. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the agenda by the Parish Clerk or the

mover has given notice in writing (notice of motion) of its terms and has delivered the notice to the Parish Clerk at least **6 working days** prior to the next meeting of the Council.

19. The Parish Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that they intend to move at some later meeting or that they withdraw it.
20. The Parish Clerk may before including a motion on the agenda correct obvious grammatical or typographical errors in the wording of the motion. If the Parish Clerk considers the wording of a motion received is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing so that it can be understood at least 5 clear days before the meeting.
21. If the wording or subject of a proposed motion is considered improper, the Parish Clerk 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 motions shall be included in the agenda or rejected.
22. If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
23. If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if they consider it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
24. Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties which affects its area.

Resolutions Moved Without Notice

25. Resolutions dealing with the following matters may be moved without notice:
 - a) To appoint a Chairman of the meeting
 - b) To correct the minutes
 - c) To approve the minutes
 - d) To alter the order of business
 - e) To proceed to the next business
 - f) To close or adjourn the debate
 - g) To refer a matter to a committee
 - h) To appoint a committee or any members thereof
 - i) To adopt a report
 - j) To authorise the sealing of documents
 - k) To amend a motion
 - l) To give leave to withdraw a resolution or amendment

- m) To extend the time limit for speeches
- n) To exclude the public. (see Standing Order 93)
- o) To silence or eject from the meeting a member named for misconduct. (see Standing Order 40)
- p) To give the consent of the Council where such consent is required by these Standing Orders.
- q) To suspend any Standing Order. (see Standing Order 113 below)
- r) To adjourn the meeting.

Questions

- 26. A member may ask the Parish Council Chairman or the Parish Clerk any question concerning the business of the Council. The Parish Council Chairman or Parish Clerk may respond immediately or within an agreed timescale.
- 27. No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- 28. Every question shall be put and answered without discussion.
- 29. A person to whom a question has been put may decline to answer.

Draft Minutes

- 30. 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.
- 31. 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 25C
- 32. 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.
- 33. If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of their meeting does not believe that the minutes of the meeting of the() held on [date] in respect of () were a correct record but their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- 34. Following the preparation of draft minutes, the Parish Clerk shall issue them to the relevant chairman for comment prior to publication in draft form on the council's website.

Rules of Debate

35.

- a) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Parish Council Chairman, be reduced to writing and handed to them before it is further discussed or put to the meeting.
- b) A member when seconding a resolution or amendment may, if they then declare their intention to do so, reserve their speech until a later period of the debate.
- c) A member shall direct their speech to the question under discussion or to a personal explanation or to a question of order.
- d) No speech by a mover of a resolution shall exceed 5 minutes and no other speech shall exceed 5 minutes except by consent of the Council.
- e) An amendment shall be either to:
 - i. leave out words.
 - ii. leave out words and insert others
 - iii. insert or add words.
- f) An amendment shall not have to effect of negating the resolution before the Council.
- g) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- i) The mover of a resolution or of an amendment shall have a right of reply, not exceeding 5 minutes.
- j) A member may make a point of order or a personal explanation. A member stating verbally 'point of order' or 'personal explanation' shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by them which may have been misunderstood.
- k) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- l) When a resolution is under debate no other resolution shall be moved except the following:
 - i. To amend the resolution.
 - ii. To proceed to the next business.

- iii. To adjourn the debate.
- iv. That the question be now put.
- v. That a member named be not further heard.
- vi. That a member named do leave the meeting.
- vii. That the resolution be referred to a committee.
- viii. To exclude the public and press.
- ix. To adjourn the meeting.

36.

- a) The ruling of the Parish Council Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- b) Members shall address the Parish Council Chairman.
- c) If two or more members wish to speak, the Parish Council Chairman shall call upon one of them to speak first, the others shall be called in turn.
- d) Whenever the Parish Council Chairman invites a Member to speak during a debate all other members shall be seated and silent.

Closure

37. At the end of any speech a member may, without comment, move “that the question be now put”, “that the debate be now adjourned” or “that the Council do now adjourn”.

If such motion is seconded, the Parish Council Chairman/Chairman shall put the motion but, in the case of a motion “that the question be now put”, only if they are of the opinion that the question before the Council has been sufficiently debated.

If the motion “that the question be now put” is carried, they shall call upon the mover to exercise or waive their right of reply and shall put the question immediately after that right has been exercised or waived.

The adjournment of a debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

Disorderly Conduct

38. **All members must behave in a manner required by the Code of Conduct, which was adopted by the council on 3 June 2019, a copy of which is annexed to these Standing Orders.**
39. No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or **in such a manner as to bring the Council into disrepute. If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach in line with the code of conduct.**

40. If, in the opinion of the Chairman, a member has broken the provisions of Standing Orders 38 or 39, the Chairman shall express that opinion to the meeting and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
41. If either of the motions mentioned in paragraph 40 is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

Right of Reply

42. The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

Alteration of Resolution

43. A member may, with the consent of the seconder; move amendments to their/her own resolution.

Rescission of Previous Resolution

44. A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least 5 members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
45. When a special resolution or any other resolution moved under the provisions of Standing Order 44 has been disposed of, no similar resolution may be moved within a further six months.

Voting On Appointments

46. Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.
 - a) in the event there is no casting vote available then the matter shall be decided by the toss of a coin.

Discussions and Resolutions Affecting Employees of the Council

47. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be)

has decided whether or not the public shall be excluded. (see Standing Order 93)

Resolutions on Expenditure

48. Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance Committee or of another committee after recommendation by the Finance Committee) and which, if carried, would, in the opinion of the Chairman substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon (and the Finance Committee shall report on the financial aspect of the matters).

Inquorate Meetings

49. If a meeting is inquorate and a decision must be made prior to the next scheduled meeting consideration must be given to calling an additional meeting. If:

- a) It is not possible to hold a quorate meeting within the required timescale; AND
- b) a decision will incur costs of less than £3,000 within a budget line OR less than £1000 within an overall budget; AND
- c) a decision does not require a risk assessment as set out in Financial Regulations

the Parish Clerk shall have delegated authority to make any necessary decisions having taken soundings from members. Such action shall be reported back to the next scheduled committee meeting and Council meeting.

Handling Confidential or Sensitive Information

50. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
51. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

Expenditure

52. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations
53. Payments shall not be made prior to authorisation either by Council, the Finance Committee or in accordance with delegated authority to the Parish Clerk as set out in Financial Regulations.
54. All payments authorised by the Finance Committee shall be presented to the next ordinary meeting of the Council for noting.

55. All payments authorised by the Parish Clerk shall be detailed in the schedules of payments presented to the next Council or Finance Committee and annotated to indicate that they have been made.

Sealing of Documents

56. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.

Committees and Sub Committees

57. The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary clearly defining roles of the committees and any delegated powers, but subject to any statutory provision on that behalf:
- a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting
 - b) May appoint persons other than members of the Council to any Committee
 - c) May, subject to the provisions of Standing Order 38 above, at any time dissolve or alter the membership of committee.
58. The Parish Council Chairman shall be members of every committee; for the sake of clarity their is to allow them voting rights at all committees either or both may attend.
59. The Chairman and Vice-Chairman of Committees will be elected by the Full Council at its Annual Meeting.

Special Meeting

60. The Chairman of a committee or the Parish Council Chairman may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

Reporting to Council

61. The minutes of committee meetings shall be presented to the next practicable meeting of the Council where members may ask the Chairman of the committee to report further on the proceedings of the same.

Sub-Committees

62. Every committee may appoint sub-committees/Task & Finish Groups for purposes to be specified by the committee.

63. The Chairman or Vice-Chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.
64. The Standing Orders on rules of debate and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.
65. Without prejudice to the powers of committees under Standing Order 63, the Council may direct a committee whether in its terms of reference or otherwise to establish a sub-committee for the purposes specified by the Council. For the avoidance of doubt, the power of the Council under their standing order to direct a committee to establish a sub-committee also applies to the establishment of Working Parties or Groups by committees.

Advisory Committees

66. The Council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
67. The Clerk shall inform the members of each advisory committee of the terms of reference of the committee.
68. An advisory committee may make recommendations and give notice thereof to the Council.
69. An advisory committee may consist wholly of persons who are not members of the Council.

Voting in Committees

70. Members of committees and sub-committees entitled to vote (see relevant terms of reference) shall by show of hands, or, if at least two members so request, by signed ballot.
71. **Chairman of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**

Presence of Non-Members of Committees at Committee Meetings

- a) A member who has proposed a resolution which has been referred to any committee of which they are not a member, may explain the resolution to the committee but shall not vote. Except as otherwise provided by the Terms of Reference of a committee, any member of the council may attend any committee or sub-committee of the council of which they are not a member.

A member attending under their standing order may speak, but not vote. A resolution passed under Standing Order 93 excluding the press and public from a meeting shall not apply to a member attending under their standing order.

Terms of Reference of Committees and Working Groups

- b) Unless the Council at any time determines to the contrary, the Committees of the Council to be appointed in each year shall be the
- Finance
 - Assets
 - Community Events Sub- Committee
 - Budget Task & FinishGroup

These committees shall have the matters referred to them, the delegated powers and be constituted in the manner described in the Terms of reference contained in Annex B to these Standing Orders.

- c) All working groups established by the Council or a committee shall have a terms of reference in the format as prescribed by Appendix C.

Accounts and Financial Statement

72. The Responsible Financial Officer shall supply to each member at the ordinary meeting next after the end of the Financial Year a Financial statement of receipts and payments for the Council.

Estimates / Precepts

73. The council shall approve written estimates for the coming financial year at its meeting at its meeting in January.
74. Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than the end of October.

Annual Budget and Precept Setting Process

75. Ordinarily in line with the terms of reference of committees, those committees with budget responsibilities will meet to produce a recommendation to Budget Task & Finish Group/Finance Committee as to their budget requirements by the end of October, such that Finance Committee can meet ordinarily in November to review a consolidated budget and make a precept recommendation to the Parish Council prior to the deadline for precept submissions (normally late January/beginning of February).

The Finance Committee may at the outset of the process each year agree revised process timescales to take account of the circumstances pertaining at that time. The

Finance Committee must however ensure the timetable allows proper consideration of the budget by Council prior to precept submission deadlines.

Code of Conduct and Dispensations

76. **All councillors with voting rights shall observe the code of conduct adopted by the Council**

77. A member who has declared a pecuniary or prejudicial interest may not participate in any discussion on the matter at the meeting or in any vote taken on the matter at the meeting and is required to leave the room where the meeting is taking place during the discussion and vote.

A member may attend the meeting and make representations, answer questions or give evidence provided that the public are also allowed to attend the meeting for the same purpose and you leave the meeting immediately after having done so.

78. **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.
79. A decision as to whether to grant a dispensation shall be made by the Proper Officer in consultation with the Chairman of the Council or, failing that, the Committee chairman and that decision is final. 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.
80. Subject to Standing Orders 81 and 82, dispensations requests shall be considered by the Proper Officer in consultation with the Chairman of the Council or, failing that, the Committee chairman before the meeting or, if their is not possible, at the start of the meeting for which the dispensation is required.
81. **A dispensation may be granted in accordance with Standing Order 82 if having regard to all relevant circumstances the following applies:**
- a. **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 or**
 - b. **granting the dispensation is in the interests of persons living in the council's area or**
 - c. **it is otherwise appropriate to grant a dispensation.**
82. **The Parish Clerk shall hold a copy of the Register of Member's Interests in accordance with instructions received from the Monitoring Officer of the Responsible Authority and/or as required by statute. The registers of Member's Interests will also be published on the Council website.**

83. If a candidate for any appointment under the Council is to their knowledge related to any member of or the holder of any office under the Council, they and the person to whom they are related shall disclose the relationship in writing to the Parish Clerk.

A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Parish Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a member is disclosed this Standing Order shall apply.

The Parish Clerk shall make known the purpose of their Standing Order to every candidate.

Canvassing of and Recommendations by Members

84. Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Parish Clerk shall make known the purpose of their sub-paragraph of their Standing Order to every candidate.
85. A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
86. Standing Orders 86, 87 and 88 shall apply to tenders as if the person making the tender were a candidate for an appointment.

Inspection of Documents

87. A member may for the purpose of their duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
88. **All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

The minutes of the Council and its committees shall be open to inspection by any local government elector of the Parish without charge.

Unauthorised Activities

89. No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:
- a) Inspect any lands or premises which the Council has a right or duty to inspect; or
 - b) Issue orders, instructions or directions unless authorised to do so by the Council or the relevant committee or sub-committee.

Admission of the Public and Press to Meetings

90. **The public shall be admitted to all meetings of the Council and its committees** and sub- committees, **which may, however, temporarily exclude** the public by means of the following resolutions:

“That in view of the[special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw”

91. The Council shall state the special reason for exclusion.
92. At all meetings the Chairman may at their discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.
93. All Council meetings shall permit an opportunity for time to be allocated to allow members of the public to make statements and ask questions.
94. The Parish Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
95. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that they be removed from the meeting.

Confidential Business

96. No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.
97. Any member in breach of the provisions of paragraph 99 of their Standing Order shall be removed from any committee or sub-committee of the Council.

Requests for Information

98. Requests for information held by the Council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000 and Data Protection Act 1998.
99. Correspondence from, and notices served by the Information Commissioner shall be referred by the Proper Officer to the chairman of the Finance & Staffing Committee and the Parish Council Chairman. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

Liaison with Borough/County Councillors

100. At the start of every committee year, Borough/County Councillors will be sent a notice of meeting dates for all Council & Committee meetings with a link to the Council's website to view agendas and minutes.

Planning and Licensing Applications

101. The Deputy Clerk shall refer every planning application received via email to all members of the Council for comment. The Deputy Clerk, having taken soundings from members, shall respond to any planning application received for consultation except for controversial/large scale applications (5 or more dwellings) which shall automatically be referred to the Full Council for consideration.
102. All comments made on behalf of the Council under its delegated powers above shall be published on the Council's website and submitted to the next full council meeting for noting only.
103. Any member of the council may require the Deputy Clerk to refer any planning or licensing application to the council rather than express an opinion on behalf of the Council under its delegated powers.

Contracts

104. Every contract shall comply with the financial regulations, and no exceptions shall be made other than in an emergency provided that these regulations shall not apply to contracts which relate to items (a) to (f) below:
 - a) for the supply of gas, electricity, water, sewerage and telephone services.
 - b) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants.
 - c) 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.
 - d) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - e) for additional audit work of the external Auditor up to an estimated value of £250 (in excess of their sum the RFO shall act after consultation with the Parish Council Chairman and Vice-Chairman of Council);
 - f) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.

Code of Conduct Complaints

105. Upon notification by Eastleigh Borough 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 Orders 50 and 51 above, report to the council.
106. Where the notification in Standing Order 109 above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Parish Council Chairman of their fact, and the Parish Council 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 112 below.

107. The Council may:

- a) provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
- b) seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;

108. Upon notification by Eastleigh Borough 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 them. Such action excludes disqualification or suspension from office.

Variation, Revocation and Suspension of Standing Orders

- 109. Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.
- 110. A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

Standing Orders to be given to Members

- 111. A copy of these Standing Orders shall be given to each member by the Parish Clerk upon delivery to them of the member's declaration of acceptance of office and written undertaking to comply with the Code of Conduct adopted by the Council and at other times when the Standing Orders are amended.
- 112. These standing orders and in particular the Terms of Reference of Committees shall be reviewed annually.

Annex A: Code of Conduct

Introduction and Interpretation

As a Cllr and representative of this Council it is your responsibility to comply with this Code when you undertake or claim to be undertaking Council business or give the impression that you are undertaking Council business.

As a representative of this Council your actions impact on how the Council is viewed by the public. It is important, therefore, that you don't do anything when undertaking Council business which you could not justify to the public. It is not enough to avoid actual impropriety; you should always avoid any occasion for suspicion or appearance of improper conduct.

This Code is based upon the seven principles of public life which are set out at Appendix 1. You shall have regard to those principles when fulfilling your role.

An explanation of the terms used in this Code can be found in Appendix 2.

1 General Obligations

When undertaking Council business, you must:

- 1.1 Treat others with respect,
- 1.2 Not use or attempt to use your position as a Cllr improperly to give yourself or any other person, an advantage or disadvantage,
- 1.3 When reaching decisions on any matter, consider any relevant advice provided to you by:
 - a. the Council's Responsible Finance Officer (RFO); or
 - b. the Monitoring Officer, or
 - c. the Parish Clerk

in accordance with his or her statutory duties.

- 1.4 Give reasons for decisions in accordance with any statutory requirements and the Standing Orders of the Council,
- 1.5 Act in accordance with the Council's Standing Orders, procedures and any other relevant Council policies,
- 1.6 Not use Council resources improperly (including political purposes),
- 1.7 Avoid doing anything which may cause the Council to breach a statutory duty or any of the equality enactments (as defined in section 149 of the Equality Act 2010),
- 1.8 Not bully any person,
- 1.9 Not intimidate or attempt to intimidate any person who is or is likely to be:
 - a. a complainant
 - b. witness
 - c. involved in the administration of any investigation or proceedings, or
 - d. any other person carrying out the functions of the Council,
- 1.10 Avoid doing anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council,
- 1.11 Not 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 legal advice provided that the third party agree not to disclose the information to any other person; or

- d. the disclosure is:
 - i. reasonable and in the public interest; and
 - ii. made in good faith and in compliance with the reasonable requirements of the Council; and
 - e. you have consulted the Parish Clerk and then, as appropriate, the Monitoring Officer prior to its release.
- 1.12 Not prevent another person from gaining access to information to which that person is entitled by law; and
- 1.13 Not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.

2. Interests

Disclosable Pecuniary Interests

- 2.1 You must register and declare any Disclosable Pecuniary Interests that relate to your public duties as required by this Code and set out in Appendix 3.
- 2.2 You must, within 28 days of this Code being adopted by the Council or your taking office as a Cllr or co-opted Cllr, register any Disclosable Pecuniary Interests with the Parish Clerk who will then share this information with Eastleigh Borough Council's Monitoring Officer, where the Disclosable Pecuniary Interest is yours, your spouse's or civil partner's, or is the Disclosable Pecuniary Interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners. Disclosable Pecuniary Interests will be recorded in the Council's Register of Cllrs' Interests and made available for public inspection. Cllr interest forms will also be published on the Council's website.
- 2.3 Within 28 days of becoming aware of any new Disclosable Pecuniary Interest or change to any such interest already registered, you must register details of that new interest or change in writing to the Parish Clerk.
- 2.4 Where any business of the Council relates to or affects a Disclosable Pecuniary Interest whether registered under 2.2 or 2.3 above or not and you attend the meeting of the Council, any Committees or Sub-Committee which that business is to be considered, you must:
- a. not seek to influence a decision about that business
 - b. disclose to that meeting the existence and nature of that interest no later than the start of the consideration of the business in which you have that interest, or (if later) the time at which the interest becomes apparent to you. The exception to the requirement to disclose an interest is if the matter is a sensitive interest under paragraph 2.16
 - c. withdraw from the meeting room as soon as it becomes apparent that the business is being considered at that meeting, unless you have obtained a dispensation from the Parish Clerk.
- 2.5 Following any disclosure at a meeting or as part of a decision record, of a Disclosable Pecuniary Interest not on the Council's register or the subject of pending notification, you must notify the Parish Clerk of the interest within 28 days beginning with the date of the disclosure at the meeting or in the decision record in order for the interest to be included in the register.

- 2.6 Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a Disclosable Pecuniary Interest. Additionally, you must observe the restrictions the Council places on your involvement in matters where you have a Disclosable Pecuniary Interest as defined by the Council and set out in this Code.

3. Other Interests

NOTE: It is conceivable that an interest could be categorised as both a Disclosable Pecuniary Interest and a personal or a personal and prejudicial interest and comply with the requirements set out in paragraphs 2.1-2.6 inclusive.

- 3.1 In addition to the Disclosable Pecuniary Interests notifiable under the Localism Act 2011, you must, within 28 days of this Code being adopted by or applied to the Council, or your election or appointment to office (where that is later), give written notification to the Parish Clerk of the details of your other personal interests, as defined in 3.2 and 3.3 below, for inclusion in the register of interests. The exception to this requirement is if the detail of the personal interest is classified as sensitive.
- 3.2 You must, within 28 days of becoming aware of any new personal interest or change to any such registered interest, notify the Parish Clerk of the details of that new change.

4. Personal Interests

- 4.1 You have a personal interest in any business of the Council where it relates to or is likely to affect:
- a. anybody 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;
 - b. anybody exercising functions of a public nature; establish for charitable purposes; or one of whose principle purpose 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;
 - c. a decision in relation to any business of the Council might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a significant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division, as the case may be, affected by the decision.
- 4.2 Subject to paragraphs 4.3 and 4.4 below, where you are aware of a personal interest described in paragraph 4.1a above in any business of the Council and you attend a meeting of the Council at which the business is considered you must disclose to that meeting the existence and nature of that interest at the start of the consideration of that business, or when the interest becomes apparent to you.
- 4.3 Where you have a personal interest in any business of the Council which relates to or is likely to affect a significant person (see paragraph 4.1a) above, you need only disclose to the meeting the existence and nature of that interest if and when you address the meeting on that business.

- 4.4 Where you have a personal interest but the interest is not detailed in the Council's register of Cllrs interest because of the sensitive nature of the interest, you must indicate to the meeting that you have a personal interest, but need not to disclose the sensitive information to the meeting.
- 4.5 Any personal interests notified to the Parish Clerk/Monitoring Officer will be included in the register of interests.
- 4.6 A copy of the register will be available for the public inspection.

5. Prejudicial Interests

- 5.1 Where you have a personal interest in any business of your Council you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business:
 - 5.1.1 affects your financial position or the financial position of a person or body described in paragraph 4.1 or;
 - 5.1.2 relates to determining any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 4.1
- 5.2 Where you have a prejudicial interest in any business of your Council:
 - 5.2.1 You may not participate in any discussion of the matter at a meeting.
 - 5.2.2 You may not participate in any vote taken on the matter at a meeting.
 - 5.2.3 You must disclose the existence and nature of the interest to the meeting and leave the room where the meeting is held while any discussion or voting takes place on the matter. The exception to the requirement to disclose the detail of the interest is if the matter is a sensitive interest under paragraph 5.1. In these circumstances you need only state that you have a prejudicial interest and that the details are withheld because of the sensitive information involved.
- 5.3 Where you have prejudicial interest in any business of your Council, you may attend a meeting but only for the purpose of making representation, answering questions or giving evidence relating to the business, and you leave the meeting room immediately after making representations, answering questions or giving evidence.
- 5.4 Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a prejudicial interest that relates to the functions of your Council in respect of:
 - 5.4.1 statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - 5.4.2 an allowance, payment or indemnity given to Cllrs;
 - 5.4.3 any ceremonial honour given to Cllrs; and
 - 5.4.4 setting Council Tax or a Precept under the Local Government Finance Act 1992.

6. Receipts of Gifts and Hospitality

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

7. Sensitive Interests

- 7.1 If you have a Disclosable Pecuniary Interest or a Personal or Personal and Prejudicial Interest but you consider that disclosure of the interest could lead to you or a person connected with you being subject to violence or intimidation AND the Parish Clerk/Monitoring Officer agrees with that assessment then instead of disclosing the interest you need only disclose that you have a Disclosable Pecuniary Interest or Personal or Personal and Prejudicial Interest (as the case maybe). In such instances any published version of the register of interests will exclude details of the interest but may state that you have an interest, the details of which are withheld.

8. Pre-determination or Bias

Guidance on Pre-determination or Bias

- 8.1 Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life you may participate in a decision on the issue in your political role as a Cllr. However, you must not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- 8.2 When making a decision, consider the matter with an open mind and on the facts made available to the meeting at which the decision is to be taken.

Appendix 1 - The seven principles of public life

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 organisations 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.

APPENDIX 2 - Council's Code of Conduct interpretation

In the Council's Code of Conduct the following words shall have the following meanings ascribed to them:

- "the Act" means the Localism Act 2011.
- "Disclosable Pecuniary Interest" is as defined in Appendix 3.
- "meeting" means any meeting of the Council, any of the Council's Committees or Sub-Committees; whether or not the press and public are excluded from the meeting in question by a resolution of Cllrs.
- "Cllr" includes a co-opted Cllr and an appointed Cllr.
- "sensitive information" means information relating to a Cllr's interests that the Parish Clerk/Monitoring Officer has determined need not be included in the Cllr's registration of an interest or any change to that interest, by virtue of the fact that its availability for inspection by the public is likely to create a serious risk that any person may be subjected to violence or intimidation.
- "bullying" means offensive, intimidating, malicious, insulting or humiliating behaviour based on abuse or misuse of power or Council which attempts to undermine.
- "disrepute" means a lack of good reputation or respectability which can be reasonably regarded as reducing the public's confidence in that Cllr being able to fulfil their role or adversely affecting the reputation of Cllrs generally in being able to fulfil their role.
- "significant person" in relation to personal and personal and prejudicial interests means
 - a member of your family or any person with whom you have a close association; or
 - any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
 - any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - anybody:
 - 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;
 - exercising functions of a public nature;
 - established for charitable purposes;
 - 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
- "well-being" means a condition of contentedness, healthiness and happiness. Anything that could be said to affect a person's quality of life, either positively or negatively, is

likely to affect their well-being. It is not restricted to matters affecting a person's financial position.

- "close association" means someone that you are in regular contact with over a period of time who is more than an acquaintance or colleague. It may be a friend, a business associate or someone you know through general social contacts. It is someone who a reasonable member of the public might think you would be prepared to favour or disadvantage when discussing a matter that affects them.
- "member of your family" means partner, i.e. someone you are married to, your civil partner, or someone you live with in a similar capacity, a parent, a parent-in-law, a son or daughter, a stepson or stepdaughter, the child of a partner, a brother or sister, a brother or sister of your partner, a grandparent, a grandchild, an uncle or aunt, a nephew or niece, and the partners of any of these people.

APPENDIX 3 - Disclosable Pecuniary Interests

This note explains the requirements of the Localism Act 2011 (Ss 29-34) in relation to Disclosable Pecuniary Interests.

These provisions are enforced by criminal sanction.

1 Notification of Disclosable Pecuniary Interests

Within 28 days of becoming a Cllr or co-opted Cllr, you must notify the Monitoring Officer of any 'Disclosable Pecuniary Interests'.

A Disclosable Pecuniary Interest is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the following descriptions:

<i>Interest</i>	<i>Description</i>
Employment, office, trade, profession or vocation	An employment, office trade profession or vocation carried on for profit or gain.
Sponsorship	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 by M in carrying out duties as a Cllr, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contract	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the Council: (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the Council.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge): (a) the landlord is the Council; and (b) the tenant is body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where: (a) that body (to M's knowledge) has a place of business or land in the area of the Council; and (b) either: (i) the total nominal value of the securities exceeds

	<p>£25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) 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.</p>
--	--

These descriptions on interests are subject to the following definitions:

- "The Act" means the Localism Act 2011.
- "Body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;
- "Director" includes a member of the committee of management of an industrial and provident society;
- "Land" includes an easement, servitude, interest or right in or over land which carries with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;
- "M" means the person M referred to in section 30 of the Act;
- "Cllr" includes a co-opted Cllr;
- "Relevant authority" means the Council of which M is a Cllr;
- "Relevant period" means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) of the Act;
- "Relevant person" in relation to Disclosable Pecuniary Interests means M or M's spouse or civil partner or a person with whom M is living as husband and wife or a person with whom M is living as if they were civil partners;
- "Securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

APPENDIX 4 - Email & Monitoring Policy for Councillors

1. Purpose

Cllrs are strongly encouraged to use only the fairoak-pc.gov.uk email account for all Council activity. This helps protect Cllrs and the Council from malware. It also helps with ways of working and requirements under the General Data Protection Regulations and Data Protection Act.

If followed, this policy ensures the proper use by Cllrs of Fair Oak & Horton Heath Parish Council's email system and makes them aware of what the Council deems acceptable and unacceptable use.

2. Requirements for use

The following rules **MUST** be adhered to by all Cllrs. It is prohibited to:

- a. Send or forward emails containing libellous, defamatory, offensive, racist or obscene remarks. If Cllrs receive an email of this sort, they must notify the Parish Clerk immediately.
- b. Forward an email containing 3rd party data (identity, contact information) without their express consent
- c. Forward a sensitive or controversial message without acquiring explicit permission from the sender first.
- d. Forge or attempt to forge email messages.
- e. Disguise or attempt to disguise Cllrs' identity when sending mail.
- f. Send email messages using another person's email address without permission.
- g. Copy a confidential message or attachment belonging to another user without permission of the originator.

3. System Monitoring

In order to protect Cllr's and the Council from charges of inappropriate use of email, it is possible to monitor Cllr's and staff emails. Monitoring would only be carried out by either Council's Office 365 provider at the request of the Parish Clerk. Monitoring may also be carried out during prolonged periods of Cllr absence and only when they have reasonable grounds to do so.

If there is evidence that a Cllr may not be adhering to the guidelines set out in this policy, the Parish Clerk will discuss this with the Cllr. If it is felt appropriate the Parish Clerk will then discuss the evidence with the Borough Monitoring Officer about the need for further action if necessary.

Dispensations

The Council or Parish Clerk may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a Disclosable Pecuniary Interest.

Offences

It is a criminal offence to:

- Fail to notify the Monitoring Officer/Clerk of any Disclosable Pecuniary Interest within 28 days of election
- Fail to disclose a Disclosable Pecuniary Interest at a meeting if it is not on the register
- Fail to notify the Monitoring Officer/Clerk within 28 days of a Disclosable Pecuniary Interest that is not on the register that you have disclosed to a meeting
- Participate in any discussion or vote on a matter in which you have a Disclosable Pecuniary Interest
- Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer/Clerk of a Disclosable Pecuniary Interest or in disclosing such interest to a meeting

The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a Councillor for up to 5 years.

Annex B: Terms of Reference

Assets Committee

The Committee has delegated authority to deal with the following matters to conclusion: -

1. Administration, maintenance and use of Fair Oak & Horton Heath Parish Council (FOPC) existing facilities and assets:
 - All public open spaces;
 - All FOPC properties including Parish Office, Community Centres & Sports buildings;
 - Children's play areas and skate parks;
 - Parks;
 - Community Orchard;
 - Cemetery;
 - Allotments;
 - Footpaths & public rights of way
 - Implement of play areas and other project enhancements within approved budgets;
 - Vehicles and street furniture.
2. Setting terms and conditions of use and provision of relevant equipment for areas under its control.
3. Liaison with community organisations which have an interest in recreational facilities in FOPC's control.
4. Responsible for all communications, marketing & promotions of facilities and assets.
5. Working with statutory partners, key stakeholders and community groups to support them in providing services in the community.
6. To maintain existing FOPC bus shelters and street furniture.
7. To purchase new street furniture within approved budgets.
8. To consider all youth matters including the partnership agreement with Eastleigh Borough Council and Bishopstoke Parish Council in relation to the Y-Zone.
9. To receive recommendations put forward by the Community Events Task & Finish Group.
10. To set up and disband Task & Finish Groups as and when necessary and agree their terms of reference.
11. To consider recommendations put forward by Task & Finish Groups reporting to the Committee.
12. To deal with consultations which time prevents being presented to Full Council.
13. To consider matters relating to the organisation of community events.
14. Consider requests by residents/community organisation regarding use of assets.
15. To consider annual health & safety, inspections and risk assessments.
16. To agree all income and expenditure relating to their Committee within approved budgets.
17. Any other matter deemed to be the responsibility of their committee or at the request of the full council.

Referred Business

To consider and make recommendations to Full Council on the following matters: -

1. Prepare budget estimates for the Finance Committee
2. To consider proposals for the transfer of Public Open Space and other community assets from Eastleigh Borough Council and make recommendation to the Full Council.
3. Provision of additional recreational facilities
4. Upgrading/improvements of FOPC facilities
5. For unbudgeted items, recommend expenditure relating to all assets and facilities.

Finance & Staffing Committee

The Committee has delegated authority to deal with the following matters to conclusion: -

1. Allocation of grants and donations within the agreed criteria and budget.
2. To agree Service Level Agreements with external agencies and to deal with any resulting issues arising under the terms of the Service Level Agreements/Agreements.
3. All financial and accounting matters.
4. Undertake an annual review of the Council's assets register.
5. Complete Annual Financial Risk Management.
6. Staffing, administration and governance matters.
7. Leases and licences.
8. To set up and disband Task & Finish Groups as and when necessary and agree their terms of reference.
9. To consider recommendations put forward by Task & Finish Groups reporting to the Committee.
10. Annual review of fees and charges of FOPC facilities and properties.
11. To review the FOPC insurance policy document premium charge.
12. To annually review the Council's Investment Policy.
13. To review the Community Investment Programme and make recommendations to Full Council on the use of Section 106 monies received by the Parish Council.
14. To consider any fundraising projects.
15. To support the Clerk in the appointment and management of staff, with 3 nominated councillors to participate in recruitment for senior officers.
16. To support the Clerk in the appointment and management of consultants
17. To agree terms and conditions of employment for all staff.
18. To consider any staffing matters including staffing structure, levels of pay & Clerk appraisal.
19. To consider all other personnel and administration matters not dealt by other Committees and make recommendations to Full Council where appropriate.
20. Any other matter deemed to be the responsibility of their committee or at the request of the full council.

Referred Business

To consider and make recommendations to Full Council on the following matters: -

1. Prepare annual budget and precept request
2. Monitor income and expenditure within the budget estimates approved by FOPC and make necessary recommendations.
3. To make recommendations on use of reserves.
4. To consider expenditure proposed by the Asset Management Committee
5. To consider all reports from the Internal & External Auditors
6. To consider all aspects of financial administration of FOPC business (such as banking arrangements and investments) and make recommendations to Full Council.

Annex C:

Community Events Task & Finish Group

The Committee has delegated authority to deal with the following matters to conclusion: -

1. Organise public events on behalf of the Parish Council.
2. Consider the promotion and communication matters for the parish including the Newsletter, website and social media.
3. Liaise with local community organisations and statutory partners in the organisation of key parish events including the annual carnival and remembrance Sunday.
4. Consider nominations for the annual Chairman's Citizen/Community Group Award.
5. Formulate & submit proposals to the Finance Committee in respect of income and expenditure relating to community matters, events and communications.
6. Any other matter deemed to be the responsibility of their sub-committee or at the request of the full council.

Task & Finish Group Terms of Reference

[insert name] Task & Finish Group Terms of Reference

1. The Group will consist of [insert no.] councillors, determined by the [insert committee name or Council] and the [officer] in an advisory capacity. Membership to be determined by the parent body. The group may invite members of the public to attend meetings in an advisory capacity on an ad-hoc usually temporary basis.
2. At its first meeting the group members shall:
 - a. Review these terms of reference / complete the skeleton Terms of Reference for approval as appropriate.
 - b. Appoint an elected member as Lead Member who should ensure the entire group's members are kept informed and involved with progress and act as the primary reporting channel back to the parent body.
3. In line with the task set by the [Council / committee], the purpose and remit of the group is to :
 - a. [insert remit]
 - b. [insert remit]
 - c. [insert remit]
4. The group does not have delegated powers to make decisions on behalf of the [insert committee if applicable] or the Parish Council nor should exceed its purpose and remit (above) without the parent body's sanction to a change to their Terms of Reference
5. The group reports to the [committee/council]
6. The group shall provide timely reports to the parent body in the following manner:
 - a. [insert manner of reports]
7. Meetings of the working group are not usually but may be a public meeting.



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 [@fairoakandhortonheathparishcouncil](https://www.facebook.com/fairoakandhortonheathparishcouncil)

CHAPTER 3

FINANCE REGULATIONS

Date Adopted 19 July 2021

FAIR OAK & HORTON HEATH PARISH COUNCIL
FINANCIAL REGULATIONS ENGLAND

INDEX

1. GENERAL.....	2
2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)	5
3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING	7
4. BUDGETARY CONTROL AND AUTHORITY TO SPEND	8
5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS	10
6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS.....	12
7. PAYMENT OF SALARIES	15
8. LOANS AND INVESTMENTS.....	16
9. INCOME.....	17
10. ORDERS FOR WORK, GOODS AND SERVICES	18
11. CONTRACTS.....	19
12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS.....	21
13. STORES AND EQUIPMENT	22
14. ASSETS, PROPERTIES AND ESTATES	23
15. INSURANCE	24
16. RISK MANAGEMENT.....	24
17. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS	25

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 orders 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.
- 1.9. The RFO;
 - acts under the policy direction of the council;

- administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of the council its accounting records and accounting control systems;
 - ensures the accounting control systems are observed;
 - maintains the accounting records of the council up to date in accordance with proper practices;
 - assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
 - produces financial management information as required by the council.
- 1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.
- 1.11. The accounting records determined by the RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
 - a record of the assets and liabilities of the council; and
 - wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12. The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
 - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
 - procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
 - measures to ensure that risk is properly managed.

- 1.13. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:
- setting the final budget or the precept (council tax requirement);
 - approving accounting statements;
 - approving an annual governance statement;
 - borrowing;
 - writing off bad debts;
 - declaring eligibility for the General Power of Competence; and
 - addressing recommendations in any report from the internal or external auditors,
- shall be a matter for the full council only.

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

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

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

2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

- 2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.
- 2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the Council/Finance Committee.
- 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- 2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.6. The internal auditor shall:
 - be competent and independent of the financial operations of the council;
 - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - 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 Finance Committee shall review its yearly forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of November each year including any proposals for revising the forecast.
- 3.2. The RFO must each year, by no later than November, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the Finance Committee/Council.
- 3.3. The council shall consider annual budget proposals in relation to the council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
- the council for all items over £5,000;
 - a duly delegated committee of the council for items over £3000; or
 - the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £1000.

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.

During a UK emergency for example a pandemic any unbudgeted spends by the Clerk (in consultation with the Chairman and Vice-Chairman of the Council) will be documented via an officer decision list and published on the Council's website.

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 (with exception of spends made during Covid-19 using the process highlighted in 4.1 above). 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 November 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 **£5,000**. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.
- 4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.

- 4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.8. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of 15% of the budget.
- 4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

- 5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
- 5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to council or finance committee. The council or Finance Committee shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council or finance committee. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting. The exception to this is during UK emergency, all payments will be approved at monthly virtual Council meetings which will be signed at a later date. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.
- 5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.
- 5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council or Finance Committee meeting.
- 5.5. The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
 - a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee];
 - b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council or finance committee; or
 - c) fund transfers within the councils banking arrangements up to the sum of £50,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council or finance committee.
- 5.6. For each financial year the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund

and regular maintenance contracts and the like for which the 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 or Finance Committee.

- 5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.
- 5.8. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the council.
- 5.9. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
- 5.10. The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.
- 5.11. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- 6.1. The council will make safe and efficient arrangements for the making of its payments.
- 6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.
- 6.3. All payments shall be effected by BACS or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council or duly delegated committee.
- 6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of the council in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.
- 6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 6.6. Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council or Finance Committee at the next convenient meeting.
- 6.7. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.
- 6.8. If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.
- 6.9. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.

- 6.10. If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.
- 6.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.
- 6.12. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.
- 6.13. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 6.14. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.
- 6.15. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.16. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 6.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by the RFO. A programme of regular checks of standing data with suppliers will be followed.
- 6.18. Any Debit Card issued for use will be specifically restricted to the Clerk, Deputy Clerk and the RFO and will also be restricted to a single transaction maximum value of £500 unless authorised by council or finance committee in writing before any order is placed.
- 6.19. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the Finance Committee. Transactions and purchases made will be

reported to the council and authority for topping-up shall be at the discretion of the council.

- 6.20. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk, Operations Manager and RFO and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.
- 6.21. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses.
- a) The RFO shall maintain a petty cash float of £150 for the purpose of defraying operational and other expenses.
 - b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
 - c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.

7. PAYMENT OF SALARIES

- 7.1. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.
- 7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the council or Finance Committee.
- 7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
 - a) by any councillor who can demonstrate a need to know;
 - b) by the internal auditor;
 - c) by the external auditor; or
 - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.6. An effective system of personal performance management should be maintained for the senior officers.
- 7.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.8. Before employing interim staff the council must consider a full business case.

8. LOANS AND INVESTMENTS

- 8.1. All borrowings shall be 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 annually, following a report of the Clerk.
- 9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.
- 9.5. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 9.6. The origin of each receipt shall be entered on the paying-in slip.
- 9.7. Personal cheques shall not be cashed out of money held on behalf of the council.
- 9.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.9. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

10. ORDERS FOR WORK, GOODS AND SERVICES

- 10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2. Order books shall be controlled by the RFO.
- 10.3. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11.1 below.
- 10.4. A member may not issue an official order or make any contract on behalf of the council.
- 10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

11. CONTRACTS

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

- a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
 - i. for the supply of gas, electricity, water, sewerage and telephone services;
 - ii. for specialist services such as are provided by legal professionals acting in disputes;
 - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
 - v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of council); and
 - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations².
- c. The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)³.
- d. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- e. Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each

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

³ Thresholds currently applicable are:

- a. For public supply and public service contracts 209,000 Euros (£164,176)
- b. For public works contracts 5,225,000 Euros (£4,104,394)

tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.

- f. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- g. Any invitation to tender issued under this regulation shall be subject to Standing Orders and shall refer to the terms of the Bribery Act 2010.
- h. When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is above £3,000 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.

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. STORES AND EQUIPMENT

- 13.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3. Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4. The Operations Manager shall be responsible for periodic checks of stocks and stores at least annually.

14. ASSETS, PROPERTIES AND ESTATES

- 14.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £1,000.
- 14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.5. Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.
- 14.6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15. INSURANCE

- 15.1. Following the annual risk assessment (per Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers in consultation with the Clerk.
- 15.2. The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.3. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 15.4. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.
- 15.5. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or duly delegated committee.

16. RISK MANAGEMENT

- 16.1. The council is responsible for putting in place arrangements for the management of risk. The Clerk with the RFO 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.
- 16.2. When considering any new activity, the Clerk with the RFO shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

17. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 17.1. 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.
- 17.2. 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.

* * *



Employee Safety Handbook



EMPLOYEE SAFETY HANDBOOK

This handbook has been prepared to provide you with information about our Health and Safety Policy, procedures and arrangements. It also includes information about your duties as an employee and will help you to understand health and safety issues which affect you at work.

WHAT THE LAW REQUIRES

As an employer we must prepare a written health and safety policy statement explaining how we intend to protect the health and safety at work of our employees and anyone else who might be affected by our work activities. Our Health and Safety Policy and Arrangements reflect our commitment to the provision of a safe working environment. They also meet a requirement to identify the duties and responsibilities for employees with responsibilities for managing health and safety in our workplace.

We also have a responsibility and duty to ensure that you are:

- aware of and understand our Health and Safety General Policy;
- aware of and understand the health and safety rules relating to your work;
- provided with adequate information, instruction, training and supervision;
- made aware of the significant risks associated with your work activities and how they may affect others;
- provided with Safe Systems of Work; and
- provided with a safe and healthy working environment.

The policy is reviewed at regular intervals.

We ask you to acknowledge that you have read and understood the rules set out in this handbook, that you will obey them and any other rules or changes that are drawn to your attention. We will also provide, as appropriate, additional documents, training and instruction to help you to carry out your work safely and without risk to your health.

Health and Safety General Policy Statement

Fair Oak & Horton Heath Parish Council recognises that it has responsibilities for the health and safety of our workforce whilst at work and others who could be affected by our work activities. We will assess the hazards and risks faced by our workforce in the course of their work and take action to control those risks to an acceptable, tolerable level.

Our Managers and Supervisors are made aware of their responsibilities and required to take all reasonable precautions to ensure the safety, health and welfare of our workforce and anyone else likely to be affected by the operation of our business.

This business intends meeting its legal obligations by providing and maintaining a safe and healthy working environment so far as is reasonably practicable. This will be achieved through:

- providing leadership and adequate control of identified health and safety risks;
- consulting with our employees on matters affecting their health and safety;
- providing and maintaining safe plant and equipment;
- ensuring the safe handling and use of substances;
- providing information, instruction, training where necessary for our workforce, taking account of any who do not have English as a first language;
- ensuring that all workers are competent to do their work, and giving them appropriate training;
- preventing accidents and cases of work related ill health;
- actively managing and supervising health and safety at work;
- having access to competent advice;
- aiming for continuous improvement in our health and safety performance and management through regular (at least annual) review and revision of this policy; and
- the provision of the resource required to make this policy and our health and safety arrangements effective.

We also recognise;

- our duty to co-operate and work with other employers when we work at premises or sites under their control to ensure the continued health and safety of all those at work; and

- our duty to co-operate and work with other employers and their workers, when their workers come onto our premises or sites to do work for us, to ensure the health and safety of everyone at work.

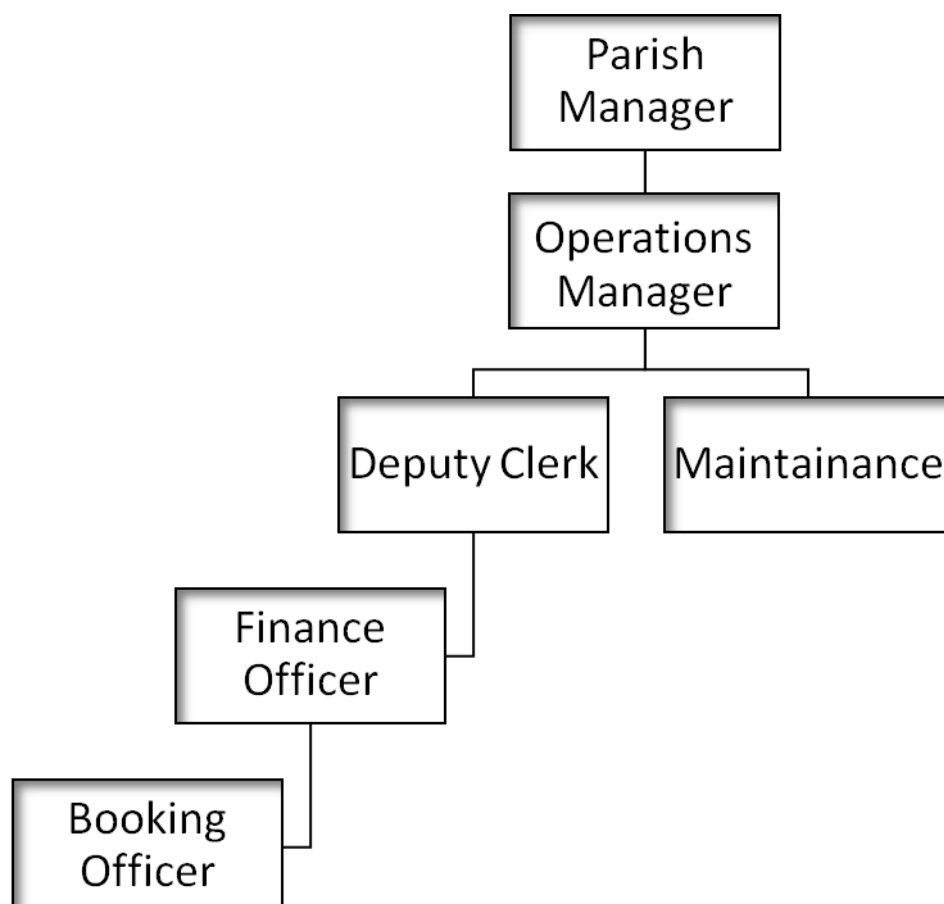
To help achieve our objectives and ensure our employees recognise their duties under health and safety legislation whilst at work, we will also remind them of their duty to take reasonable care for themselves and for others who might be affected by their activities. These duties are explained on first employment at induction and also set out in an Employee Safety Handbook, given to each employee, which sets out their duties and includes our specific health and safety rules.

In support of this policy we have prepared a responsibility chart and specific arrangements.

[A signed and dated copy of this policy is available from your manager by request.]

HEALTH AND SAFETY ORGANISATION

In support of our Health and Safety Policy the Parish Manager has identified key personnel for its implementation and allocated specific responsibilities as set out here and in the following pages.



RESPONSIBILITIES

Responsibilities are allocated to key management personnel as below.

Key

PM - Parish Manager
 OM - Operations Manager
 MA - Maintainance
 DC - Deputy Clerk
 FO - Finance Officer
 BO - Booking Officer

SAFETY ARRANGEMENTS	PM	OM	MA	DC	FO	BO
Managing Safety & Health at Work	✓					
Accident, Incident, Ill Health Reporting and Investigation	✓	✓	✓	✓	✓	✓
Workplace H&S Consultation - One-to-one	✓	✓				
Risk Assessment and Hazard Reporting		✓		✓		
Occupational Health and Health Surveillance	✓	✓	✓			
Substance & Alcohol Abuse	✓					
Purchasing		✓	✓	✓		
New and Expectant Mothers	✓	✓		✓		
Employing Children & Young Persons	✓	✓	✓			
Lone Working	✓	✓	✓	✓		
Health & Safety Training	✓	✓	✓			
Health & Safety of Visitors	✓	✓				
Personal Protective Equipment	✓	✓	✓	✓		
Safe Systems of Work	✓	✓	✓	✓	✓	✓
Action on Enforcing Authority Reports	✓	✓				
Equality and Disability Discrimination Compliance	✓	✓		✓		
H&S Information for Employees	✓	✓		✓		
Fire Safety - Arrangements and Procedures	✓	✓	✓	✓		
First Aid	✓	✓	✓	✓	✓	✓
Welfare, Staff Amenities, Rest Rooms & the Working Environment	✓	✓				
Housekeeping and Cleaning	✓	✓				

SAFETY ARRANGEMENTS	PM	OM	MA	DC	FO	BO
Building Services	✓	✓				
The Control of Hazardous & Non Hazardous Waste	✓	✓	✓			
Access, Egress, Stairs & Floors	✓	✓	✓	✓	✓	✓
Windows, Glass & Glazing in the Workplace	✓					
Workplace Signs	✓	✓	✓	✓	✓	✓
Working in the Open Air. Working in the Sun	✓	✓	✓			
Water Temperature Control	✓	✓	✓			
Premises	✓					
Electrical Safety	✓	✓	✓			
The Provision, Use & Maintenance of Work Equipment	✓	✓	✓			
Hand Tools		✓	✓			
Office Equipment	✓	✓				
Storage of Chemical Substances & Agents	✓	✓	✓			
Slips, Trips & Falls	✓	✓	✓	✓	✓	✓
Special Events	✓	✓		✓		
The Provision & Use of Machinery		✓	✓			
The Safe Use of Machinery		✓	✓			
Work at Height		✓	✓			
Access Equipment			✓			
Isolation & Lock-Off Procedures		✓	✓			
Welding & Flame Cutting		✓	✓			
Workplace Transport & Pedestrian Control		✓	✓			
Occupational Road Safety	✓	✓	✓			
The Prevention of Sharps and Needlestick Injuries		✓	✓			
Hand Arm Vibration	✓	✓	✓	✓		
Work Related Upper Limb Disorders WRULD	✓	✓	✓	✓	✓	✓
Manual Handling	✓	✓	✓	✓		
Display Screen Equipment & DSE User Eye Tests & Spectacles	✓	✓		✓		
Legionella Control	✓	✓		✓		
Asbestos at Work-2000+ Premises Clear & Off Site Risk	✓					
Control of Noise at Work		✓	✓			
Stress in the Workplace	✓					
Aggression & Violence in the Workplace	✓	✓	✓	✓	✓	✓

SAFETY ARRANGEMENTS	PM	OM	MA	DC	FO	BO
Occupational Asthma	✓		✓			
Dermatitis			✓			
Playgrounds	✓	✓	✓	✓		
Skate Parks	✓	✓	✓	✓		
Contractor Control & Management	✓	✓	✓	✓		
Street Works and Road Works		✓	✓			
Mobile Workforce		✓	✓			
Protection of Public		✓	✓			
Site Security and Visitors	✓	✓	✓			

KEY HEALTH AND SAFETY RESPONSIBILITIES

Introduction

Health and safety legislation places specific duties on employers to make arrangements to protect the health, safety and welfare of their employees whilst at work and anyone else (visitors, contractors, etc) who might be affected by their business activity.

To help us comply with these duties we have assigned specific health and safety responsibilities to Key Personnel as shown on the previous page.

In addition, we have a health and safety management system that includes:

- our Health and Safety Policy;
- safety responsibilities for key personnel;
- safety arrangements to deal with health and safety issues in our workplace;
- risk assessments;
- procedures to deal with emergencies;
- employee safety rules; and
- additional information such as documented Safe Systems of Work, specific safety rules and fire precautions, are also provided.

Other health and safety information provided to employees includes:

- the official Health and Safety Law poster;
- a current Employer's Liability Insurance Certificate;
- health and safety booklets and information sheets;
- information about significant findings from risk assessments and action to be taken; and
- information relating to Safe Systems of Work and work procedures.

EMPLOYEES' LEGAL RESPONSIBILITIES

All employees have a legal duty to take reasonable care for themselves and others and to co-operate with management on all aspects of health and safety.

You must co-operate with and follow all emergency arrangements.

You must ensure that you report all accidents, near misses or damage to equipment and property as soon as possible. You must co-operate and assist with accident or incident investigations when asked.

You must refrain from deliberate acts or interference with anything provided in the interests of health, safety and welfare. This includes alteration, removal or deliberate disablement of guards and other safety devices and unauthorised alteration or repair of equipment.

You must carry out your tasks in a safe manner and follow any instructions, procedures or Safe Systems of Work given to you by managers and supervisors. If you identify a hazard or hazardous situation, you must immediately, or as soon as possible report, it to the person managing the work.

You also have a duty to ensure that all personal protective equipment provided for you is worn as directed, kept clean, maintained and stored in the correct manner.

Remember that these are statutory duties. The Enforcing Authorities can prosecute individual employees who fail to comply. Prosecution can result in heavy penalties - fines and or imprisonment.

SAFETY RULES

This section outlines some of the general health and safety rules that apply while you are working for us. There may be other more specific procedures where particular working practices apply and for which training and instruction will be provided.

Accident Procedures

All work related injuries, however minor, must be reported to management and recorded in the Accident Book.

Report all accidents, incidents, near misses and dangerous occurrences to management immediately.

Report all instances of damage to any property or articles to management immediately.

Working Practices

Do not operate any equipment or use hazardous substances unless you have been trained and authorised.

Use all work equipment in accordance with your training and instruction.

Report any fault, damage, defect or malfunction in any equipment to management immediately or, if this is not possible, as soon as reasonably practicable.

Do not repair any work equipment unless you have been trained and authorised.

When cleaning work equipment you must use the correct procedure as instructed.

Work equipment must not be left switched on without someone in control of it.

If under 18 years old you must not operate or clean dangerous machinery without direct supervision and instruction.

Use all hazardous substances in accordance with written assessments and instructions.

All hazardous, flammable or explosive substances that are not in use must be stored correctly in their designated safe storage areas.

Always follow our Drugs and Alcohol Policy.

Carry out manual handling tasks as instructed and according to your training.

You must comply with all of our safe working procedures.

When at work you must always wear suitable footwear.

Working Conditions and Working Environment

Always use the correct tools provided for your work.

Clear up spillages as soon as possible, clean as you go. If the spillage is of a hazardous substance report it to a manager.

All hazardous waste must be disposed of in a safe and approved manner.

Do not allow hazardous substances to enter drains or sewers.

Keep floors and other work areas free from obstruction and all other areas clean and tidy. Clean as you go.

Dispose of all rubbish and waste materials as instructed.

Disinfection procedures must be followed as instructed.

You must report any hazardous conditions to management.

Fire Precautions

You must report any use of fire fighting equipment to management.

Do not attempt to fight fires unless you have been trained how to do so.

You must comply with all established emergency procedures.

You must not obstruct any fire escape route, fire equipment or fire doors at any time. Locked or obstructed fire escape routes must be reported immediately to management.

You must not interfere with or misuse any fire equipment provided.

Fire doors should be kept closed at all times, unless fitted with an automatic release device.

Hygiene

You must maintain high standards of personal hygiene at all times when at work.

You must protect all open wounds with a suitable dressing, whilst at work.

You must not consume food or drinks in a place where it may become contaminated.

You are expected to use and treat the toilets, washing and welfare facilities with care and respect, keeping them clean and tidy so that the risk of contamination and cross-infection are minimised.

Health

You must report to management any medical condition or use of medication which could affect your safety or the safety of others.

You must cooperate with our health surveillance provisions.

You must inform management, as soon as possible, if you are pregnant.

You must inform management of any infections or illness immediately. Decisions to keep you away from work, due to illness, will only be taken after careful consideration.

You must not attend work under the influence of either alcohol or illegal drugs.

Hazard Warning Signs, Signals and Notices

You must comply with all workplace warning signs, signals and notices displayed.

Vehicles

Regular safety checks must be carried out on all work vehicles.

Do not drive or operate any work vehicles without approval.

You must not allow unauthorised passengers in work vehicles.

You must not use work vehicles for unauthorised purposes.

You must not overload work vehicles.

You must promptly report to management any medical condition that could affect your ability to drive.

You must promptly report to management any endorsements or changes to your driving licence.

If you drive your own vehicle on our business we will use the DVLA website to check that it is taxed and, where applicable, has been MoT tested.

You must also provide proof that the vehicle is appropriately insured and that you have a full current EU driving licence.

You must not use a hand held mobile phone whilst driving.

Smoking is not permitted in work vehicles.

Protective Clothing and Equipment

You are required to use all personal protective equipment as instructed.

You must not damage or misuse personal protective equipment.

Personal protective equipment must be stored correctly.

You must inform management of any personal protective equipment defects or loss.

Gross Misconduct

You will be liable to summary dismissal if you are found to have acted in either of the following ways:

- Serious breaches of the preceding health and safety rules, which endanger the lives of or may cause serious injury to employees or any other person.
- Interference with or misuse of any equipment for use at work, such that it may cause harm.

HAZARD REPORTING

If you have concerns about health or safety hazards in the workplace you should raise them with your supervisor or manager so that they do not go unnoticed and remedial action can be taken.

Recognising that some people can feel uncomfortable about raising hazard issues we also have a system which allows you to report your concerns in writing and (should you choose) anonymously. Complete the Hazard Log form at the back of this handbook, put it in an envelope and place it in the mail box.

Should you need additional Hazard Log forms or would rather not use the one in this booklet you can get additional copies by asking your line manager.

We encourage your participation in reporting hazards, so that defects or hazards can be quickly identified and remedied before they can cause injury or ill-health to you or your colleagues.

CONSULTATION

To promote your involvement in the health and safety of the organisation we provide various formal opportunities for employee consultation. Between those opportunities you should raise any general concerns about health and safety at work with your supervisor or manager.

Every effort will be made to provide consultation and communication on important health and safety issues such as:

- risk assessments and subsequent safe systems of work;
- workplace hazards;
- emergency procedures;
- new working practices and new work equipment; and
- workplace welfare issues.

OCCUPATIONAL HEALTH

Hazards that have the potential to harm your health, or anyone connected with our business, are identified in our risk assessments.

It is our policy that we only use substances hazardous to health where there is no alternative safe substance that could be used. Where we have to use hazardous substances we always try to use those that present the lowest level of risk to people who use them.

Where risk assessment identifies the presence of Occupational Health hazards and risks we will always implement suitable control measures. Where occupational health surveillance is recognised as being able to recognise and protect against ill-health appropriate systems will be implemented. You will be informed of any requirement for your involvement in this health monitoring.

We anticipate that you will cooperate and take part in health monitoring which will be for your benefit. The specific results of any monitoring carried out by medical qualified assessors will always be confidential.

RISK ASSESSMENTS

We carry out the process of risk assessment to reduce the risk of injury and ill health, and identify:

- the significant hazards that employees may be exposed to;
- who could be harmed and how;
- the likelihood of someone being harmed by the hazard;
- existing control measures;
- what (if any) further actions are required; and
- appropriate Safe Systems of Work and necessary training.

For further information on risk assessment and to view those relevant to your work you should speak to your supervisor or manager.

GENERAL SAFETY RULES

Applicable to all Employees, Visitors and Contractors

- 1. Obey all rules, signs and instructions.**
- 2. Attend for health and safety training or induction as instructed.**
- 3. If you have not been trained to carry out a work activity do not attempt the work.**
- 4. Ensure that all equipment used is in a safe condition.**
- 5. Wear Personal Protective Equipment as specified.**
- 6. Do not enter any areas for which you are unauthorised.**
- 7. All accidents, incidents, hazards and near misses must be reported to the person in charge as soon as possible after the incident.**
- 8. Smoking, including e-cigarettes, is not permitted in the workplace.**
- 9. Maintain good housekeeping at all times.**
- 10. Pedestrian and vehicle traffic routes must be kept clear at all times.**

Fair Oak & Horton Heath Parish Council

HAZARD REPORTING FORM

Form HR

Use this form to report workplace hazards unsafe working conditions or practices that you are not able to correct for yourself or are not within your area of responsibility.

If you have a suggested solution or remedy please let us know about it.



The business would prefer that you hand this completed form to a line manager so that the issues can be explained to them but you do not have to do that. You can simply leave it in the mail box.

If you need additional copies of this form or would rather not use the one from this booklet you can get additional copies by asking your line manager.

If you wish to remain anonymous there is no need to give your name. All hazards reported, including anonymous reports, will be taken seriously.

Report date:

Hazard location:

Hazard description: ...

Suggested solution: ...

What is your name? ...
(not compulsory)

.....
For employer's use

Action identified as necessary:

Action allocated to:

Target date for completion: ...

Employers should copy basic details of this hazard report to form HL, Hazard Log, which will act as a running record and give an oversight of all hazards reported.



Blank page

Fair Oak & Horton Heath Parish Council**EMPLOYEE CONFIRMATION OF RECEIPT AND CONTENT OF
EMPLOYEE SAFETY HANDBOOK**

Please read the notes below, then sign and date this form

**Part 1**

Fair Oak & Horton Heath Parish Council has prepared a Health and Safety Policy. This form is to let you know that the sections of the Policy affecting you, as an employee, are contained in the Employee Safety Handbook.

Should you wish to see the complete Health and Safety Policy this can be arranged; ask your line manager. They will arrange for it to be made available.

Please read the Employee Safety Handbook and take time to understand it. Raise any questions about the content with your manager. Then sign and read the declaration at Part 2.

Part 2

I have read the Employee Safety Handbook. I understand, accept and will comply with the contents. I understand that compliance with the rules and conditions set out forms part of my contract of employment. I will keep myself aware of its contents and any updates I am told about.

Employee signature:

Date:

Name:

Department:

Note: By law employers have to make available to employees relevant information about their health and safety policies, procedures and safe working systems. The same legislation requires employees to follow safety rules, procedures and instructions set by their employer and should confirm that they understand these matters. In the event of refusal to sign this document, arrangements will be made to have the contents read to you and this will be recorded by your manager.



Council Pool Vehicle Rules

A) DRIVING LICENCE AND AUTHORITY TO DRIVE COUNCIL VEHICLES

- 1) You must be in possession of a current driving licence and have the authority of the Operations Manager to drive one of our vehicles.
- 2) Your driving licence must be produced for scrutiny by the Operations Manager prior to driving any of our vehicles. Alternatively, we may require you to provide us with the ability to access your driving licence details online.
- 3) If at any time your licence is endorsed, or you are disqualified from driving, we must be informed immediately. If you are required to drive as part of your job and we are unable to find alternative employment, your employment may be terminated.
- 4) Data collected about driving licences will be processed in line with the Data Protection Act. You may read more about the data we hold on you, why we hold it and the lawful basis that applies in the employee privacy notice.
- 5) It is your responsibility to see that the vehicle is not used by anyone other than authorised employees.

B) FIXTURES, FITTINGS AND MODIFICATIONS

- 1) No fixtures such as aerials, roof racks, towing apparatus, stickers, may be attached to any of our vehicles without prior written permission.
- 2) No change or alterations may be made to the manufacturer's mechanical or structural specification of the vehicle.

C) WARRANTY

All warranty work must be reported to us prior to it being carried out.

D) CLEANING AND MAINTENANCE

- 1) When you drive one of our vehicles it is your responsibility to ensure that it is kept clean and tidy and that it is returned to us in that condition after use.
- 2) Any maintenance or repair work, or replacement of parts, including tyres, must be reported to us so that we can organise for it to be carried out.

E) USE OF MOBILE PHONE WHILST DRIVING

It is illegal to use a mobile phone whilst driving (without a hands-free set). It is our Council policy that you should not use any mobile phones whilst driving. You should pull over to the side of the road in an appropriate place before making or receiving any telephone calls. In the event of you being unable to pick up a call because you cannot find a safe place to stop, you must return the call as soon as conveniently possible.

F) NO SMOKING POLICY

It is our policy that all workplaces including vehicles are smoke free, which includes the use of e-cigarettes. This policy applies to all employees, contractors, clients or members of the public including using their own vehicle for Council business. You may only smoke during authorised breaks and in the designated areas.

Council disciplinary procedures will be followed if you do not comply with this policy. Those who do not comply with the smoke free law may also be liable for a fixed term penalty fine and possible criminal prosecution.

G) FUEL ETC.

- 1) Before you use one of our vehicles, and on its return, you are responsible for ensuring that the oil and water levels, battery and brake fluid and tyre pressures are maintained and that the tread of all tyres conforms to the minimum legal requirements.
- 2) If you have been provided with a Council fuel card, you are responsible for its security and safekeeping. In the event that it is lost or stolen, it is imperative that you report this to the Operations Manager immediately. The card is to be used exclusively for business purposes only and receipts should be obtained for every transaction. Usage will be regularly monitored therefore it is in your interest to keep a personal record of transactions in order that you are able to explain them if necessary.
- 3) Personal use is not permitted under any circumstances. Misuse of the card and/or failure to comply with Council procedures will result in disciplinary action, which may result in your dismissal. You will be required to reimburse us the cost of any unauthorised expenditure. In the event of failure to pay, we have the contractual right to deduct such costs from your pay.
- 4) Failure to comply with this procedure will result in disciplinary action which may result in dismissal.

H) FINES

We will not be held responsible for any fines (e.g. parking, speeding, etc) incurred by you whilst working for us. If we receive the summons on your behalf, we may pay the fine and deduct the cost from any monies owing to you.

I) DAMAGE OR INJURY

- 1) If you are the driver of any of our vehicles and it is involved in an accident which causes damage to property or another vehicle, or injury to any person or animal, you are required to give your name and address, the name and address of the Owner, the registration number of the vehicle and the name of the Insurance Council to any person having reasonable grounds for requiring such information. It is important that you give no further information. If for some reason it is not possible to give this information at the time of the accident, the matter must be reported to the police as soon as possible, but within twenty-four hours of the occurrence.
- 2) In addition in the case of an incident involving injury to another person or to notifiable animals (i.e dogs), you are responsible for notifying the police of the occurrence, and must produce your insurance certificate to a Police Officer attending the accident, or any other person having reasonable grounds for seeing it. The accident must be reported to a police station or to a Police Officer within twenty-four hours. If you are not then able to produce the certificate, you must, in any event, produce it in person within five days after the accident, to such police station as you may specify at the time of first reporting the accident.
- 3) For security reasons, insurance certificates are kept by us. However, a copy of the certificate of insurance is provided with each vehicle and this will be renewed annually. You should make sure that it is with the vehicle at all times. Replacement copies can be obtained from us if necessary.

J) LOSS

- 1) In the case of theft of one of our vehicles, the police and ourselves must be informed immediately. Full details of the contents of the vehicle must also be given. If any contents are stolen from the vehicle the police and ourselves should be notified immediately.
- 2) Please note that only Council property is insured by us and you should make your own arrangements to cover personal effects.
- 3) The vehicle should be kept locked when not in use and the contents should be stored out of sight, preferably in the boot if it is a car. If a vehicle is stolen we are required to prove to the Insurance Council that there has been no negligence and, therefore, we must hold you responsible in the event of such negligence.

K) ACCIDENT PROCEDURE

- 1) It is a condition of the insurance policy that the insurers are notified of all accidents, even if apparently of no consequence. You must, therefore, as soon as possible after the accident, obtain an accident report form from us which must be completed and returned to us within twenty-four hours. All the information required on the form must be completed. You should note, that whenever possible the following particulars should appear in the form:-
 - a) The name and address of the other driver and the name and address of his/her insurers.
 - b) The names and addresses of all passengers in both our vehicle and the third party's vehicle.
 - c) Names and addresses of all witnesses. It will be of considerable assistance if statements can be obtained from all witnesses at the time of the accident.
 - d) Particulars of the police attending i.e. name, number and division.
- 2) A detailed sketch must be provided showing the relative position of the vehicle before and after the accident, together with details of the roads in the vicinity, e.g. whether they are major or minor roads and as many relevant measurements as possible.
- 3) If our vehicle is undriveable you are responsible for making adequate arrangements for the vehicle to be towed to a garage, and the name and address of the garage where the vehicle may be inspected must be stated on the claim form.
- 4) We will organise for repairs to be carried out.
- 5) Under no circumstances may repairs be put in hand until the Insurance Council has given its agreement. We will notify you when this has been done.
- 6) You should not under any circumstances express any opinion one way or the other on the degree of responsibility for the accident. Only exchange particulars mentioned in 1) above and nothing more.

L) ROAD FUND LICENCE

The road fund licence for each vehicle will be renewed automatically when due.

M) TRAVEL OVERSEAS

- 1) Our vehicles may not be taken out of the country without written permission from a Designated Person.
- 2) Our insurance policy covers the use of the vehicle in Great Britain. Before travelling with the vehicle anywhere else you must obtain our permission and, at least seven days beforehand, give us a list of the countries to be visited and the relevant dates. A letter of authorisation will be issued which must accompany the vehicle and a Green Card may be necessary. On return to the United Kingdom, these should be returned to us for cancellation.
- 3) Unless the journey is on approved business, the cost of any Green Card may be charged to you and must be paid for before the journey starts.

N) PERMITTED USE

Subject to the restrictions already stipulated, our vehicles may only be used for our authorised business use unless previous arrangements for private domestic or social use have been agreed with us in advance. They may not be used for the carriage of passengers for hire or reward, nor may they be used for any type of motoring sport, including racing, rallying or pace making, whether on the public highway or on private land.

O) PERSONAL LIABILITY FOR DAMAGE TO VEHICLES

- 1) Where any damage to one of our vehicles is due to your negligence or lack of care, we reserve the right to insist on your rectifying the damage at your own expense or paying the excess part of any claim on the insurers.
- 2) Repeated instances may result in disciplinary action.

P) OTHER GUIDELINES

- 1) It must be emphasised that you must never drive under the influence of alcohol, or drugs, including medicines which may affect your driving.
- 2) Use seat belts at all times and comply with local traffic conditions.
- 3) Always drive within the speed limit and reduce speed where weather conditions require you to.
- 4) DO NOT DRIVE if tired.
- 5) Always take regular breaks from the vehicle.

I have read and I understand the above terms.

SIGNATURE:	_____
	Employee
NAME:	_____
	Print
DATE:	_____



Employee Handbook

Fair Oak & Horton Heath Parish Council

Contents	Page
Employee Handbook Issues And Updates	2
Introduction.....	3
Joining Our Organisation	4
Pay, etc	5
Holiday Entitlement and Conditions	7
Sickness/Injury Payments and Conditions	8
Safeguards	10
Standards	15
Health, Safety, Welfare and Hygiene.....	16
General Terms and Procedures	18
Anti-Bribery Policy	22
Anti-Tax Evasion Policy	23
Whistle-blowers	25
Capability Procedures.....	26
Disciplinary Procedures.....	27
Capability/Disciplinary Appeal Procedure.....	31
Grievance Procedure	32
Personal Harassment Policy and Procedure	33
Equality, Inclusion and Diversity Policy	37
Termination of Employment	39
Recognition Payment Awards.....	40

Employee Handbook Issues And Updates

[illegible]

Introduction

WELCOME TO OUR TEAM

We would like to wish you every success during your employment whether you recently joined us or whether you are an existing employee. We hope that your experience of working here will be positive and rewarding.

This Employee Handbook is designed both to introduce you to our organisation and to be of continuing use during your employment.

We ask that you study carefully the contents of this Employee Handbook as, in addition to setting out our rules and regulations, it also contains information on some of the main employee benefits that may be available to you and the policies and procedures relating to your employment. If you require any clarification or additional information please refer to the Clerk.

Please note that we provide equal opportunities and are committed to the principle of equality in accordance with legislative provisions. We expect your support in implementing these policies. We will not condone any unlawful discriminatory act or attitude in the course of your employment or in your dealings with our residents, councillors, suppliers, contract workers, members of the public or with fellow employees. Acts of unlawful discrimination, harassment or victimisation will result in disciplinary action.

General amendments to the Employee Handbook will be issued from time to time.

Joining Our Organisation

A) INDUCTION

At the start of your employment with our Council you are required to complete an induction programme, during which all our policies and procedures (including Health and Safety) will be explained to you. Information relating to these will be given to you at the induction.

B) JOB DESCRIPTION

Amendments may be made to your job description from time to time in relation to our changing needs and your own ability.

C) PERFORMANCE AND REVIEW OR STAFF APPRAISAL SCHEME

We have a staff appraisal scheme in place for the purpose of monitoring staff performance levels with a view to maximising the effectiveness of individuals, details of which are available separately.

D) JOB FLEXIBILITY

It is an express condition of employment that you are prepared, whenever necessary, to transfer to alternative premises or duties within our business. During holiday periods, etc. it may be necessary for you to take over some duties normally performed by colleagues. This flexibility is essential for operational efficiency as the type and volume of work is always subject to change.

Pay, etc

A) ADMINISTRATION

1) Payment

- a) The pay period is the calendar month. Wages are paid by 13th day for previous calendar month of the current month.
- b) You will receive a payslip showing how the total amount of your pay has been calculated. It will also show the deductions that have been made and the reasons for them, e.g. Income Tax, National Insurance, etc.
- c) Any pay queries that you may have should be raised with the Finance Officer.

2) Overpayments

If you are overpaid for any reason, the total amount of the overpayment will normally be deducted from your next payment but if this would cause hardship, arrangements may be made for the overpayment to be recovered over a longer period.

3) Income Tax and National Insurance

At the end of each tax year you will be given a form P60 showing the total pay you have received from us during that year and the amount of deductions for Income Tax and National Insurance. You may also be given a form P11D showing non-salary benefits. You should keep these documents in a safe place as you may need to produce them for tax purposes.

B) LATENESS/ABSENTEEISM

- 1) You must attend for work punctually at the specified time(s) and you are required to comply strictly with any time recording procedures relating to your work.
- 2) All absences must be notified in accordance with the sickness reporting procedures laid down in this Employee Handbook.
- 3) If you arrive for work more than one hour late without having previously notified us, other arrangements may have been made to cover your duties and you may be sent off the premises for the remainder of the day without pay.
- 4) Lateness or absence may result in disciplinary action and/or loss of appropriate payment.

C) SHORTAGE OF WORK

If there is a temporary shortage of work for any reason, we will try to maintain your continuity of employment even if this necessitates placing you on short time working, or alternatively, lay off. If you are placed on short time working, your pay will be reduced according to time actually worked. If you are placed on lay off, you will receive no pay other than statutory guarantee pay.

D) TIMESHEETS

All part time staff are required to complete and submit timesheets as directed in order to ensure that you receive the correct payment. Incorrectly completed, or late submission of, timesheets may result in incorrect or delayed payment of wages. Deliberate falsification of timesheets will be regarded as a disciplinary offence and may lead to your summary dismissal.

E) PENSION SCHEME

We operate a contributory pension scheme which you will be auto-enrolled into (subject to the conditions of the scheme). The scheme enables you to save for your retirement using your own money, together with tax relief and contributions from the Council. Further details are available separately.

Holiday Entitlement and Conditions

A) ANNUAL HOLIDAYS

- 1) Your annual holiday entitlement is shown in your individual Statement of Main Terms of Employment (Form SMT).
- 2) It is our policy to encourage you to take all of your holiday entitlement in the current holiday year. However five days can be carried over into the next leave year, but only with prior consent from the Clerk. No payment in lieu will be made in respect of untaken holidays other than in the event of termination of your employment.
- 3) We operate an online system for booking holidays via BrightHR. You will be given the rights to request absence online and you will also be able to view your holiday entitlement online at any time. This is to give you the facility to easily plan your holidays throughout the year.
- 4) Once you have registered your holiday request online, you will receive an e-mail from the Clerk or Operations Manager authorising or declining your request. If you feel that your request has been unreasonably refused for any reason you should refer the matter to the Clerk or Operations Manager. They will endeavour to ensure that you have every opportunity to take your holidays at the time you request them, but they will need to balance your requests with the needs of the department.
- 5) You should ensure your holiday request has been approved prior to making any firm holiday arrangements.
- 6) Holiday dates will normally be allocated on a "first come - first served" basis whilst ensuring that operational efficiency and appropriate staffing levels are maintained throughout the year.
- 7) You may not normally take more than two working weeks consecutively. In exceptional circumstance, at the discretion of three weeks, we may allow you to take longer than two weeks.
- 8) You should give at least four weeks' notice of your intention to take holidays of a week or more and one week's notice is required for odd single days.
- 9) Your holiday pay will be at your normal basic pay unless shown otherwise on your Statement of Main Terms.
- 10) You are required to reserve sufficient days from your annual entitlement to cover the Christmas/New Year shut-down period. If you have not accrued sufficient holiday entitlement to cover this period you will be given unpaid leave of absence.

B) PUBLIC/BANK HOLIDAYS

Your entitlement to public/bank holidays is shown in your individual Statement of Main Terms of Employment.

Sickness/Injury Payments and Conditions

A) NOTIFICATION OF INCAPACITY FOR WORK

- 1) You must notify us by telephone on the first day of incapacity at the earliest possible opportunity and by no later than 10.00 am. E-mails are not an acceptable method of notification. Other than in exceptional circumstances notification should be made personally, to your Line Manager.
- 2) You should try to give some indication of your expected return date and notify us as soon as possible if this date changes. The notification procedures should be followed on each day of absence unless you are covered by a medical certificate.
- 3) If your incapacity extends to more than seven calendar days you are required to notify us of your continued incapacity once a week thereafter, unless otherwise agreed.

B) EVIDENCE OF INCAPACITY

- 1) Medical certificates are not issued for short-term incapacity. In these cases of incapacity (up to and including seven calendar days) you must sign a self-certification absence form on your return to work.
- 2) If your sickness has been (or you know that it will be) for longer than seven days (whether or not they are working days) you should see your doctor and make sure he/she gives you a medical certificate and forward this to us without delay. Subsequently you must supply us with consecutive medical certificates to cover the whole of your absence.

C) PAYMENTS

- 1) You are entitled to statutory sick pay (SSP) if you are absent for four or more consecutive days because of sickness or injury provided you meet the statutory qualifying conditions. SSP is treated like wages and is subject to normal deductions.
- 2) Qualifying days are the only days for which you are entitled to SSP. These days are normally your working days unless otherwise notified to you. The first three qualifying days of absence are waiting days for which SSP is not payable. Where a second or subsequent period of incapacity (of four days or more) occurs within 56 days of a previous period of incapacity, waiting days are not served again.
- 3) Any contractual sickness/injury payments are shown in your individual Statement of Main Terms of Employment.
- 4) Any days of contractual sickness/injury payments which qualify for SSP will be offset against SSP on a day-to-day basis. A deduction will be made for any other state benefits received if you are excluded or transferred from SSP.
- 5) If you are entitled to any payments in excess of SSP and your entitlement expires, full or part payment may be allowed at our discretion where it is considered that there are special circumstances warranting it.
- 6) Where the circumstances of your incapacity are such that you receive or are awarded any sum by way of compensation or damages in respect of the incapacity from a third party, then any payments which we may have made to you because of the absence (including SSP) shall be repaid by you to us up to an amount not exceeding the amount of the compensation or damages paid by the third party and up to, but not exceeding, any amount paid by us.

D) RETURN TO WORK

- 1) You should notify your Line Manager as soon as you know on which day you will be returning to work, if this differs from a date of return previously notified.
- 2) If you have been suffering from an infectious or contagious disease or illness such as rubella or hepatitis you must not report for work without clearance from your own doctor.
- 3) On return to work after any period of sickness/injury absence (including absence covered by a medical certificate), you are also required to complete a self-certification absence form and hand this to your Line Manager.
- 4) Upon returning to work after any period of sickness/injury absence, you may be required to attend a “return to work” interview to discuss the state of your health and fitness for work. Information arising from such an interview will be treated with strictest confidence.

E) GENERAL

- 1) Submission of a medical certificate or sickness self-certification absence form, although giving us the reason for your absence may not always be regarded by us as sufficient justification for accepting your absence. Sickness is just one of a number of reasons for absence and although it is understandable that if you are sick you may need time off, continual or repeated absence through sickness may not be acceptable to us.
- 2) In deciding whether your absence is acceptable or not we will take into account the reasons and extent of all your absences, including any absence caused by sickness/injury. We cannot operate with an excessive level of absence as all absence, for whatever reason, reduces our efficiency.
- 3) We will take a serious view if you take sickness/injury leave which is not genuine, and it will result in disciplinary action being taken.
- 4) If we consider it necessary, we may ask your permission to contact your doctor and/or for you to be independently medically examined.

Safeguards

A) RIGHTS OF SEARCH

- 1) Although we do not have the contractual right to carry out searches of employees and their property (including vehicles) whilst they are on our premises or business, we would ask all employees to assist us in this matter should we feel that such a search is necessary.
- 2) Where practicable, searches will be carried out in the presence of a colleague of your choice who is available on the premises at the time of the search. This will also apply at the time that any further questioning takes place.
- 3) We reserve the right to call in the police at any stage.

B) CONFIDENTIALITY

- 1) All information that:
 - a) is or has been acquired by you during, or in the course of your employment, or has otherwise been acquired by you in confidence;
 - b) relates particularly to our business, or that of other persons or bodies with whom we have dealings of any sort; and
 - c) has not been made public by, or with our authority;

shall be confidential, and (save in the course of our business or as required by law) you shall not at any time, whether before or after the termination of your employment, disclose such information to any person without our prior written consent.

- 2) You are to exercise reasonable care to keep safe all documentary or other material containing confidential information, and shall at the time of termination of your employment with us, or at any other time upon demand, return to us any such material in your possession.
- 3) You must make yourself aware of our policies on data protection in relation to personal data and ensure compliance with them at all times.

C) COUNCIL PROPERTY AND COPYRIGHT

All written material, whether held on paper, electronically or magnetically which was made or acquired by you during the course of your employment with us, is our property and, where appropriate, our copyright. At the time of termination of your employment with us, or at any other time upon demand, you shall return to us any such material in your possession.

D) INVENTIONS/DISCOVERIES

An invention or discovery made by you will normally belong to you. However, an invention or discovery made by you will become our property if it was made:

- a) in the course of your normal duties under such circumstances that an invention might reasonably be expected to result from those duties;
- b) outside the course of your normal duties, but during duties specifically assigned to you, when an invention might reasonably be expected to result from these; and
- c) during the course of any of your duties, and at the time you had a special obligation to further our interests arising from the nature of those duties, and your particular responsibilities.

E) STATEMENTS TO THE MEDIA

Any statements to reporters from newspapers, radio, television, etc. in relation to our business will be given only by the Clerk.

F) DATA PROTECTION

The General Data Protection Regulation (GDPR) and the current Data Protection Acts regulate our use of your personal data. As an employer it is our responsibility to ensure that the personal data we process in relation to you is done so in accordance with the required principles. Any data held shall be processed fairly and lawfully and in accordance with the rights of data subjects.

We will process data in line with our privacy notices in relation to both job applicants and employees.

You have several rights in relation to your data. More information about these rights is available in our “Policy on your rights in relation to your data”. We commit to ensuring that your rights are upheld in accordance with the law and have appropriate mechanisms for dealing with such.

We may ask for your consent for processing certain types of personal data. In these circumstances, you will be fully informed as to the personal data we wish to process and the reason for the processing. You may choose to provide or withhold your consent. Once consent is provided, you are able to withdraw consent at any time.

You are required to comply with all council policies and procedures in relation to processing data. Failure to do so may result in disciplinary action up to and including dismissal.

G) VIRUS PROTECTION PROCEDURES

In order to prevent the introduction of virus contamination into the software system the following must be observed:

- a) unauthorised software including public domain software, USBs, external hard drives, CDs or internet downloads must not be used; and
- b) all software must be virus checked using standard testing procedures before being used.

H) USE OF COMPUTER EQUIPMENT

In order to control the use of the Council’s computer equipment and reduce the risk of contamination the following will apply:

- a) the introduction of new software must first of all be checked and authorised by your Line Manager before general use will be permitted;
- b) only authorised staff should have access to the Council’s computer equipment;
- c) only authorised software may be used on any of the Council’s computer equipment;
- d) only software that is used for business applications may be used;
- e) no software may be brought onto or taken from the Council’s premises without prior authorisation;
- f) unauthorised access to the computer facility will result in disciplinary action; and
- g) unauthorised copying and/or removal of computer equipment/software will result in disciplinary action, such actions could lead to dismissal.

I) E-MAIL AND INTERNET POLICY

1) Introduction

The purpose of the Internet and E-mail policy is to provide a framework to ensure that there is continuity of procedures in the usage of internet and e-mail within the Council. The internet and e-mail system have established themselves as an important communications facility within the Council and have provided us with contact with professional and academic sources throughout the world. Therefore, to ensure that we are able to utilise the system to its optimum we have devised a policy that provides maximum use of the facility whilst ensuring compliance with the legislation throughout.

2) Internet

Where appropriate, duly authorised staff are encouraged to make use of the Internet as part of their official and professional activities. Attention must be paid to ensuring that published information has relevance to normal professional activities before material is released in the Council name. Where personal views are expressed a disclaimer stating that this is the case should be clearly added to all correspondence. The intellectual property right and copyright must not be compromised when publishing on the Internet. The availability and variety of information on the Internet has meant that it can be used to obtain material reasonably considered to be offensive. The use of the Internet to access and/or distribute any kind of offensive material, or material that is not work-related, leaves an individual liable to disciplinary action which could lead to dismissal.

3) Procedures – Acceptable/Unacceptable Use

- a) unauthorised or inappropriate use of the internet system may result in disciplinary action which could result in summary dismissal.
- b) the internet system is available for legitimate business use and matters concerned directly with the job being done. Employees using the internet system should give particular attention to the following points:
 - i) comply with all of our internet standards;
 - ii) access during working hours should be for business use only;
 - iii) private use of the internet should be used outside of your normal working hours.
- c) the Council will not tolerate the use of the Internet system for unofficial or inappropriate purposes, including:
 - i) accessing websites which put our internet at risk of (including but not limited to) viruses, compromising our copyright or intellectual property rights;
 - ii) non-compliance of our social networking policy;
 - iii) connecting, posting or downloading any information unrelated to their employment and in particular pornographic or other offensive material;
 - iv) engaging in computer hacking and other related activities, or attempting to disable or compromise security of information contained on the Council's computers.

You are reminded that such activities (iii. and iv.) may constitute a criminal offence.

4) E-mail

The use of the e-mail system is encouraged as its appropriate use facilitates efficiency. Used correctly it is a facility that is of assistance to employees. Inappropriate use however causes many problems including distractions, time wasting and legal claims. The procedure sets out the Council's position on the correct use of the e-mail system.

5) Procedures - Authorised Use

- a) unauthorised or inappropriate use of the e-mail system may result in disciplinary action which could include summary dismissal.
- b) the e-mail system is available for communication and matters directly concerned with the legitimate business of the Council. Employees using the e-mail system should give particular attention to the following points:
 - i) all comply with Council communication standards;
 - ii) e-mail messages and copies should only be sent to those for whom they are particularly relevant;
 - iii) e-mail should not be used as a substitute for face-to-face communication or telephone contact. Abusive e-mails must not be sent. Hasty messages sent without proper consideration can cause upset, concern or misunderstanding;
 - iv) if the e-mail is confidential the user must ensure that the necessary steps are taken to protect confidentiality. The Council will be liable for infringing copyright or any defamatory information that is circulated either within the Council or to external users of the system; and
 - v) offers or contracts transmitted by e-mail are as legally binding on the Council as those sent on paper.
- c) The Council will not tolerate the use of the e-mail system for unofficial or inappropriate purposes, including:
 - i) any messages that could constitute bullying, harassment or other detriment;
 - ii) personal use (e.g. social invitations, personal messages, jokes, cartoons, chain letters or other private matters);
 - iii) on-line gambling;
 - iv) accessing or transmitting pornography;
 - v) transmitting copyright information and/or any software available to the user; or
 - vi) posting confidential information about other employees, the Council or its residents or suppliers.

6) Monitoring

We reserve the right to monitor all e-mail/internet activity by you for the purposes of ensuring compliance with our policies and procedures and of ensuring compliance with the relevant regulatory requirements. This includes monitoring of any additional accounts you may be requested to set up for the purposes of performing your work tasks, which are subject to the same rules as your work email account. Information acquired through such monitoring may be used as evidence in disciplinary proceedings. Monitoring your usage will mean processing your personal data. You may read more about the data we hold on you, why we hold it and the lawful basis that applies in the employee privacy notice.

J) USE OF SOCIAL NETWORKING SITES

Any work related issue or material that could identify an individual who is a resident or work colleague, which could adversely affect the Council, a resident or our relationship with any resident must not be placed on a social networking site. This means that work related matters must not be placed on any such site at any time either during or outside of working hours and includes access via any computer equipment or mobile device.

K) CLOSED CIRCUIT TELEVISION

Closed circuit television cameras are used on our premises for security purposes. We reserve the right to use any evidence obtained in this manner in any disciplinary issue. We will ensure all personal data obtained in this way is processed in line with the current Data Protection Act. You may refer to the employee privacy notice for more information on the data we hold, the reasons we hold it and the lawful basis which applies.

Standards

A) WASTAGE

- 1) We maintain a policy of "minimum waste" which is essential to the cost-effective and efficient running of our organisation.
- 2) You are able to promote this policy by taking extra care during your normal duties by avoiding unnecessary or extravagant use of services, time, energy, etc. The following points are illustrations of this:
 - a) handle machines, equipment and stock with care;
 - b) turn off any unnecessary lighting and heating. Keep doors closed whenever possible;
 - c) ask for other work if your job has come to a standstill; and
 - d) start with the minimum of delay after arriving for work and after breaks.
- 3) The following provision is an express written term of your contract of employment:
 - a) Any damage to vehicles, stock or property that is the result of your carelessness, negligence or deliberate vandalism will render you liable to pay the full or part of the cost of repair or replacement;
 - b) Any loss to us that is the result of your failure to observe rules, procedures or instruction, or is as a result of your negligent behaviour or your unsatisfactory standards of work will render you liable to reimburse to us the full or part of the cost of the loss; and
 - c) In the event of an at fault accident whilst driving one of our vehicles you may be required to pay the cost of the insurance excess up to a maximum of £250.
- 4) In the event of failure to pay, we have the contractual right to deduct such costs from your pay.

B) STANDARDS OF DRESS

As you are liable to come into contact with residents and members of the public, it is important that you present a professional image with regard to appearance and standards of dress. Where uniforms are provided to you on commencement of employment, these must be worn at all times whilst at work and laundered on a regular basis. Where uniforms are not provided you should wear clothes appropriate to your job responsibilities. If you are in any doubt whether any aspect of your appearance or attire is appropriate for your job role you should contact the Clerk.

Upon termination of your employment you will be required to return any uniform which has been provided to you.

C) HOUSEKEEPING

Both from the point of view of safety and of appearance, work areas must be kept clean and tidy at all times.

Health, Safety, Welfare and Hygiene

A) SAFETY

- 1) You should make yourself familiar with our Health and Safety Policy and your own health and safety duties and responsibilities, as shown separately.
- 2) You must not take any action that could threaten the health or safety of yourself, other employees, residents or members of the public.
- 3) Protective clothing and other equipment which may be issued for your protection because of the nature of your job must be worn and used at all appropriate times. Failure to do so could be a contravention of your health and safety responsibilities. Once issued, this protective wear/equipment is your responsibility.
- 4) You should report all accidents and injuries at work, no matter how minor, in the accident book.
- 5) You must ensure that you are aware of our fire and evacuation procedures and the action you should take in the event of such an emergency.

B) REFRESHMENT MAKING FACILITIES

We provide refreshment making facilities for your use, which must be kept clean and tidy at all times.

C) ALCOHOL & DRUGS POLICY

Under legislation we, as your employer, have a duty to ensure so far as is reasonably practicable, the health and safety and welfare at work of all our employees and similarly you have a responsibility to yourself and your colleagues. The use of alcohol and drugs may impair the safe and efficient running of the business and/or the health and safety of our employees.

If your performance or attendance at work is affected as a result of alcohol or drugs, or we believe you have been involved in any drug related action/offence, you may be subject to disciplinary action and, dependent on the circumstances, this may lead to your dismissal.

D) NO SMOKING POLICY

Smoking on the premises is not permitted. You may only smoke during authorised breaks. Whilst there is no designated smoking area, you should ensure that you are away from the premises and any windows. If you wish to smoke you are required to cover/change out of your uniform to do so. This includes the use of e-cigarettes.

E) HYGIENE

- 1) Any exposed cut or burn must be covered with a first-aid dressing.
- 2) If you are suffering from an infectious or contagious disease or illness such as rubella or hepatitis you must not report for work without clearance from your own doctor.
- 3) Contact with any person suffering from an infectious or contagious disease must be reported before commencing work.

F) FITNESS FOR WORK

If you arrive for work and, in our opinion, you are not fit to work, we reserve the right to exercise our duty of care if we believe that you may not be able to undertake your duties in a safe manner or may pose a safety risk to others, and send you away for the remainder of the day with or without pay and, dependent on the circumstances, you may be liable to disciplinary action.

G) MANUAL HANDLING

You are required, in accordance with the Manual Handling Regulations 1992, to advise us of any condition which may make you more vulnerable to injury.

General Terms and Procedures

A) CHANGES IN PERSONAL DETAILS

You must notify us of any change of name, address, telephone number, etc., so that we can maintain accurate information on our records and make contact with you in an emergency, if necessary, outside normal working hours.

B) OTHER EMPLOYMENT

You are expected to devote the whole of your time and attention during working hours to our business. If you propose taking up employment with an employer or pursuing separate business interests or any similar venture, you must discuss the proposal with your Line Manager in order to establish the likely impact of these activities on both yourself and the Council. You will be asked to give full details of the proposal and consideration will be given to:

- 1) Working hours;
- 2) Competition, reputation and credibility;
- 3) Conflict of Interest;
- 4) Health, safety and welfare.

You will be notified in writing of the Council's decision. The Council may refuse to consent to your request. If you work without consent this could result in the termination of your employment.*

If you are unhappy with the decision you may appeal using the Grievance Procedure.

*NB: This does not apply to those on a zero hour contract who should refer to the following:

If you already have any other employment or are considering any additional employment you must notify us so that we can discuss any implications arising from the current working time legislation.

C) TIME OFF

Circumstances may arise where you need time off for medical/dental appointments, or for other reasons. Proof of the appointment should be provided to your Line Manager. Where possible, such appointments should be made outside normal working hours. If this is not possible, time off required for these purposes may be granted at the discretion of your Line Manager and will normally be with pay.

D) MATERNITY/PATERNITY/ADOPTION LEAVE AND PAY

You may dependant on your length of service be entitled to contractual maternity/paternity/adoption leave and pay in addition to the current statutory provisions. If you (or your partner) become pregnant or are notified of a match date for adoption purposes you should notify your Line Manager at an early stage so that your entitlements and obligations can be explained to you.

E) PARENTAL/SHARED PARENTAL LEAVE

If you are entitled to take parental leave or shared parental leave in respect of the current statutory provisions, you should discuss your needs with your Line Manager who will identify your entitlements and look at the proposed leave periods dependent upon your child's/children's particular circumstances and the operational aspects of the business.

F) TIME OFF FOR DEPENDANTS

You may be entitled to take a reasonable amount of unpaid time off during working hours to take action that is necessary to provide help to your dependants. Should this be necessary you should discuss your situation with your Line Manager who, if appropriate, will agree the necessary time off. Dependent on your length of service, you may be entitled to contractual time off for dependents.

G) BEREAVEMENT LEAVE

Reactions to bereavement may vary greatly according to individual circumstances and the setting of fixed rules for time off is therefore inappropriate. You should discuss your circumstances with your Line Manager and agree appropriate time off, which will normally be with pay.

H) TRAVEL EXPENSES

We will reimburse you for any reasonable expenses incurred whilst travelling on our business. The rules relating to travelling expenses will be issued separately. You must provide receipts for any expenditure.

I) EMPLOYEES' PROPERTY AND LOST PROPERTY

We do not accept liability for any loss of, or damage to, property that you bring onto the premises. You are requested not to bring personal items of value onto the premises and, in particular, not to leave any items overnight. Articles of lost property should be handed to your Line Manager who will retain them whilst attempts are made to discover the owner.

J) PARKING

Where parking facilities have been made available to you on our premises you must ensure that you observe all of our traffic requirements e.g. speed limits, etc. To avoid congestion, all vehicles must be parked only in the designated parking areas. No liability is accepted for damage to private vehicles, however it may be caused.

K) MAIL

The Council accept no responsibility for any private mail sent to our premises. All mail received by us will be opened, including that addressed to employees. Private mail, therefore, should not be sent care of our address. No private mail may be posted at our expense.

L) FRIENDS AND RELATIVES CONTACT / TELEPHONE CALLS / MOBILE PHONES

You should discourage your friends and relatives from either calling on you in person or by telephone except in an emergency. Personal use of our business phones are not permitted under any circumstances. Personal mobile phones should be switched to silent during working hours. Unless otherwise authorised, usage of your personal mobile phone should be during authorised breaks only.

It is illegal to use a mobile phone without a hands-free set whilst driving. It is our policy that you should not use any mobile phone whilst driving without a hands-free set. You should pull over to the side of the road in an appropriate place before making or receiving any telephone calls. In the event of being unable to pick up a call because you cannot find a safe place to park, you must return the call as soon as conveniently possible.

M) COUNCIL MOBILE PHONES

The Council mobile phones are to be used for business purposes only except in the case of an emergency. Reasonable personal use is permitted. Therefore any personal use deemed by the Council to be excessive may be recharged back to you. The Council reserves the right to deduct the appropriate sums from your pay in the event that repayments are not made. The Council reserves the right to monitor all communications made on Council mobile phones in order to ensure compliance with our policies and procedures. Internet usage on Council mobile phones is subject to the same provisions set out in our E-mail and Internet Policy. This is an express written term of your contract of employment.

N) BUYING OR SELLING OF GOODS

You are not allowed to buy or sell goods on your own behalf on our premises or during your working hours.

O) COLLECTIONS FROM EMPLOYEES

Unless specific authorisation is given by your Line Manager no collections of any kind are allowed on our premises.

P) BEHAVIOUR AT WORK

You should behave with civility towards fellow employees, and no rudeness will be permitted towards residents or members of the public. Objectionable or insulting behaviour, or bad language will render you liable to disciplinary action. You should use your best endeavours to promote the interests of the business and shall, during normal working hours, devote the whole of your time, attention and abilities to the business and its affairs. Any involvement in activities which could be construed as being in competition with us is not allowed.

Q) BEHAVIOUR OUTSIDE WORK

Because the business demands employees of the highest integrity we have the right to expect you to maintain these standards outside of working hours. Activities that result in adverse publicity to ourselves, or which cause us to lose faith in your integrity, may give us grounds for your dismissal.

R) COUNCIL TOOLS

The Council provides tools necessary to carry out your duties. You should keep these in good repair and take all reasonable steps to ensure that they are secure at all times. You must report any lost, damaged or mislaid tools to your Line Manager. You must return all Council tools upon termination of employment by either party. Failure to return tools, or any loss or damage suffered as a result of your negligence, will result in a deduction to cover the cost of the tools being made from monies due to you.

S) INCLEMENT WEATHER/TRAVEL ARRANGEMENT DISRUPTION

Every reasonable effort should be made to attend work in accordance with your contract. In the event that you are unable to attend work owing to inclement weather conditions and/or severe disruption to your travel arrangements, you should report your absence through the normal absence reporting procedures.

T) DRIVING LICENCE

If driving is a necessary part of your role it is imperative that you maintain a valid driving licence suitable for the vehicle you operate at all times during your employment. You are required upon request to produce your driving licence to the management. We may also require you to provide us with the ability to access your driving licence details online. If at any time your licence is endorsed, or you are disqualified from driving, we must be informed immediately. If you are required to drive as part of your job and we are unable to find alternative employment, your employment may be terminated.

Data collected about driving licences will be processed in line with the Data Protection Act. You may read more about the data we hold on you, why we hold it and the lawful basis that applies in the employee privacy notice.

U) FINES

We will not be held responsible for any fines (e.g. parking, speeding etc.) incurred by you whilst working for us.

V) CAR INSURANCE

If your position requires you to use your own car for business purposes, you must ensure that your car insurance provides adequate cover. Proof of adequate insurance, Driving Licence, Tax and an MOT Certificate must be produced for scrutiny by the Council, upon renewal and at any time when so requested.

W) THIRD PARTY INVOLVEMENT

We reserve the right to allow third parties to chair any meeting, for example disciplinary, capability, grievance, this is not an exhaustive list. We will seek your consent at the relevant time to share relevant 'special categories of data' where it is necessary for the purposes of that hearing.

X) RECORDING OF FORMAL MEETINGS

We reserve the right to record any formal meetings whether conducted by us or a third party, a copy of the recording can be made available on request. All personal data collected for this purpose will be processed in line with the current Data Protection Act.

Anti-Bribery Policy

A) INTRODUCTION

Bribery is a criminal offence. The Council prohibits any form of bribery. We require compliance, from everyone connected with our business, with the highest ethical standards and anti-bribery laws applicable. Integrity and transparency are of utmost importance to us and we have a zero tolerance attitude towards corrupt activities of any kind, whether committed by employees or by third parties acting for or on behalf of the Council.

B) POLICY

It is prohibited, directly or indirectly, for any employee or person working on our behalf to offer, give, request or accept any bribe i.e. gift, loan, payment, reward or advantage, either in cash or any other form of inducement, to or from any person or Council in order to gain commercial, contractual or regulatory advantage for the Council, or in order to gain any personal advantage for an individual or anyone connected with the individual in a way that is unethical.

C) SUSPICION

If we suspect that you have committed an act of bribery or attempted bribery, an investigation will be carried out and, in line with our disciplinary procedure where appropriate, action may be taken against you which may result in your dismissal, or the cessation of our business arrangement with you.

D) REPORTING

If you, as an employee or person working on our behalf, suspect that an act of bribery or attempted bribery has taken place, even if you are not personally involved, you are expected to report this to your Line Manager. You may be asked to give a written account of events.

Staff are reminded of the Council's Whistleblowing Policy which is available in this Employee Handbook.

E) GIFTS AND HOSPITALITY

We realise that the giving and receiving of gifts and hospitality as a reflection of friendship or appreciation where nothing is expected in return may occur, or even be commonplace, in our industry. This does not constitute bribery where it is proportionate and recorded properly.

No gift should be given nor hospitality offered by an employee or anyone working on our behalf to any party in connection with our business without receiving prior written approval from your Line Manager.

Similarly, no gift or offer of hospitality should be accepted by an employee or anyone working on our behalf without receiving prior written approval from your Line Manager.

F) RECORD KEEPING

A record will be made by your Line Manager of every instance in which gifts or hospitality are given or received.

As the law is constantly changing, this policy is subject to review and the Council reserves the right to amend this policy without prior notice.

Anti-Tax Evasion Policy

A) INTRODUCTION

Tax evasion is a criminal offence. The Council prohibits any form of tax evasion. Involvement in the criminal facilitation of tax evasion exposes the Council and the person facilitating the evasion to a criminal offence. It will also damage our reputation and the confidence of our residents, suppliers and business partners.

Indicators of tax evasion are:-

- a) request for payment by cash;
- b) overly-complex payment mechanisms;
- c) services/goods provided to jurisdictions that do not subscribe to Common Reporting Standards;
- d) transactions involving overly complex supply chains;
- e) transactions involving private banking facilities; and/or
- f) records are incomplete or missing.

Our position is simple: we conduct our business to the highest legal and ethical standards. We will not be party to tax evasion or the facilitation of tax evasion of any form. Such acts would damage our reputation and expose us, and our staff and representatives, to the risk of fines and imprisonment.

We take a zero-tolerance approach to tax evasion facilitation by our people and our third party representatives. We are committed to:

- a) rejecting the facilitation of tax evasion; and
- b) not recommending the services of others who do not have reasonable prevention procedures in place.

We require compliance in regards to this from everyone connected with our business. Integrity and transparency are of utmost importance to us.

B) DEFINITIONS OF TAX EVASION

Tax evasion is the practice of using illegal methods to avoid paying tax. It frequently involves contrived, artificial transactions that serve no purpose other than to reduce tax liability.

C) POLICY

It is prohibited, directly or indirectly, for any employee or person working on our behalf to take part in any activity relating to tax evasion.

If we suspect that you have taken part in such activity, an investigation will be carried out and, in line with our disciplinary procedure where appropriate, action may be taken against you which may result in your dismissal, or the cessation of our business arrangement with you.

If you, as an employee or person working on our behalf, suspect any activity related to tax evasion or attempted tax evasion has taken place, even if you are not personally involved, you are expected to report this to your Line Manager. You may be asked to give a written account of events.

D) TRAINING/MONITORING/REVIEW

The Council will ensure that it gives all relevant training for staff in relation to financial crime detection and prevention, it will ensure it monitors and enforces compliance with the prevention procedures and regularly review the effectiveness of prevention procedures, refining them where necessary.

E) CONCERNS

Staff are reminded of the Council's Whistleblowing policy which is available in this Employee Handbook, or upon request.

Whistle-blowers

A) INTRODUCTION

Under certain circumstances, employees are protected from suffering any detriment or termination of employment if they make disclosures about organisations for whom they work.

B) QUALIFYING DISCLOSURES

- 1) Certain disclosures are prescribed by law as “qualifying disclosures”. A “qualifying disclosure” means a disclosure of information that the employee genuinely and reasonably believes is in the public interest and shows that the Council has committed a “relevant failure” by:
 - a) committing a criminal offence;
 - b) failing to comply with a legal obligation;
 - c) a miscarriage of justice;
 - d) endangering the health and safety of an individual;
 - e) environmental damage; or
 - f) concealing any information relating to the above.
- 2) These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen. The Council will take any concerns that you may raise relating to the above matters very seriously.
- 3) The Employment Rights Act 1996 provides protection for workers who ‘blow the whistle’ where they reasonably believe that some form of illegality, injustice or breach of health and safety has occurred or is likely to occur. The disclosure has to be “in the public interest”. We encourage you to use the procedure to raise any such concerns.

C) THE PROCEDURE

- 1) In the first instance you should report any concerns you may have to your Line Manager who will treat the matter with complete confidence. If you are not satisfied with the explanation or reason given to you, you should raise the matter with the appropriate official organisation or regulatory body.
- 2) If you do not report your concerns to your Line Manager you should take them direct to the appropriate organisation or body.

D) TREATMENT BY OTHERS

Bullying, harassment or any other detrimental treatment afforded to a colleague who has made a qualifying disclosure is unacceptable. Anyone found to have acted in such a manner will be subject to disciplinary action.

Capability Procedures

A) INTRODUCTION

We recognise that during your employment with us your capability to carry out your duties may deteriorate. This can be for a number of reasons, the most common ones being that either the job changes over a period of time and you fail to keep pace with the changes, or you change (most commonly because of health reasons) and you can no longer cope with the work.

B) JOB CHANGES/GENERAL CAPABILITY ISSUES

- 1) If the nature of your job changes or if we have general concerns about your ability to perform your job we will try to ensure that you understand the level of performance expected of you and that you receive adequate training and supervision. Concerns regarding your capability will normally first be discussed in an informal manner and you will be given time to improve.
- 2) If your standard of performance is still not adequate you will be warned in writing that a failure to improve and to maintain the performance required could lead to your dismissal. We will also consider the possibility of a transfer to more suitable work if possible.
- 3) If there is still no improvement after a reasonable time and we cannot transfer you to more suitable work, or if your level of performance has a serious or substantial effect on our organisation or reputation, you will be issued with a final warning that you will be dismissed unless the required standard of performance is achieved and maintained.
- 4) If such improvement is not forthcoming after a reasonable period of time, you will be dismissed with the appropriate notice.

C) PERSONAL CIRCUMSTANCES/HEALTH ISSUES

- 1) Personal circumstances may arise which do not prevent you from attending for work but which prevent you from carrying out your normal duties (e.g. a lack of dexterity or general ill health). If such a situation arises, we will normally need to have details of your medical diagnosis and prognosis so that we have the benefit of expert advice. Under normal circumstances this can be most easily obtained by asking your own doctor for a medical report. Your permission is needed before we can obtain such a report and we will expect you to co-operate in this matter should the need arise. When we have obtained as much information as possible regarding your condition and after consultation with you, a decision will be made about your future employment with us in your current role or, where circumstances permit, in a more suitable role.
- 2) There may also be personal circumstances which prevent you from attending work, either for a prolonged period(s) or for frequent short absences. Under these circumstances we will need to know when we can expect your attendance record to reach an acceptable level. This may again mean asking your own doctor for a medical report or by making whatever investigations are appropriate in the circumstances. When we have obtained as much information as possible regarding your condition, and after consultation with you, a decision will be made about your future employment with us in your current role or, where circumstances permit, in a more suitable role.

D) SHORT SERVICE STAFF

We retain discretion in respect of the capability procedures to take account of your length of service and to vary the procedures accordingly. If you have a short amount of service, you may not be in receipt of any warnings before dismissal.

Disciplinary Procedures

A) INTRODUCTION

- 1) It is necessary to have a minimum number of rules in the interests of the whole organisation.
- 2) The rules set standards of performance and behaviour whilst the procedures are designed to help promote fairness and order in the treatment of individuals. It is our aim that the rules and procedures should emphasise and encourage improvement in the conduct of individuals, where they are failing to meet the required standards, and not be seen merely as a means of punishment. We reserve the right to amend these rules and procedures where appropriate.
- 3) Every effort will be made to ensure that any action taken under this procedure is fair, with you being given the opportunity to state your case and appeal against any decision that you consider to be unjust.
- 4) The following rules and procedures should ensure that:
 - a) the correct procedure is used when requiring you to attend a disciplinary hearing;
 - b) you are fully aware of the standards of performance, action and behaviour required of you;
 - c) disciplinary action, where necessary, is taken speedily and in a fair, uniform and consistent manner;
 - d) you will only be disciplined after careful investigation of the facts and the opportunity to present your side of the case. On some occasions temporary suspension on contractual pay may be necessary in order that an uninterrupted investigation can take place. This must not be regarded as disciplinary action or a penalty of any kind;
 - e) other than for an "off the record" informal reprimand, you have the right to be accompanied by a fellow employee at all stages of the formal disciplinary process;
 - f) you will not normally be dismissed for a first breach of discipline, except in the case of gross misconduct; and
 - g) if you are disciplined, you will receive an explanation of the penalty imposed and you will have the right to appeal against the finding and the penalty.

B) DISCIPLINARY RULES

It is not practicable to specify all disciplinary rules or offences that may result in disciplinary action, as they may vary depending on the nature of the work. In addition to the specific examples of unsatisfactory conduct, misconduct and gross misconduct shown in this handbook, a breach of other specific conditions, procedures, rules etc. that are contained within this handbook or that have otherwise been made known to you, will also result in this procedure being used to deal with such matters.

C) RULES COVERING UNSATISFACTORY CONDUCT AND MISCONDUCT

(These are examples only and not an exhaustive list.)

You will be liable to disciplinary action if you are found to have acted in any of the following ways:

- a) failure to abide by the general health and safety rules and procedures;
- b) smoking in designated non-smoking areas;
- c) consumption of alcohol on the premises;
- d) persistent absenteeism and/or lateness;
- e) unsatisfactory standards or output of work;
- f) rudeness towards residents, members of the public or other employees, objectionable or insulting behaviour, harassment, bullying or bad language;
- g) failure to devote the whole of your time, attention and abilities to our business and its affairs during your normal working hours;
- h) failure to carry out all reasonable instructions or follow our rules and procedures;
- i) unauthorised use or negligent damage or loss of our property;
- j) unauthorised use of e-mail and internet;
- k) failure to report immediately any damage to property or premises caused by you;
- l) loss of driving licence where driving on public roads forms an essential part of the duties of the post;
- m) if your work involves driving, failure to report immediately any type of driving conviction, or any summons which may lead to your conviction;
- n) use of our vehicles without approval or the private use of our commercial vehicles without authorisation;
- o) failure to report any incident whilst driving our vehicles, whether or not personal injury or vehicle damage occurs; and
- p) carrying unauthorised goods or passengers in our commercial vehicles or the use of our vehicles for personal gain.

D) SERIOUS MISCONDUCT

- 1) Where one of the unsatisfactory conduct or misconduct rules has been broken and if, upon investigation, it is shown to be due to your extreme carelessness or has a serious or substantial effect upon our operation or reputation, you may be issued with a final written warning in the first instance.
- 2) You may receive a final written warning as the first course of action, if, in an alleged gross misconduct disciplinary matter, upon investigation, there is shown to be some level of mitigation resulting in it being treated as an offence just short of dismissal.

E) RULES COVERING GROSS MISCONDUCT

Occurrences of gross misconduct are very rare because the penalty is dismissal without notice and without any previous warning being issued. It is not possible to provide an exhaustive list of examples of gross misconduct. However, any behaviour or negligence resulting in a fundamental breach of contractual terms that irrevocably destroys the trust and confidence necessary to continue the employment relationship will constitute gross misconduct. Examples of offences that will normally be deemed as gross misconduct include serious instances of:

- a) theft or fraud;
- b) physical violence or bullying;
- c) deliberate damage to property;
- d) deliberate acts of unlawful discrimination or harassment;
- e) possession, or being under the influence, of drugs* at work ; and

*For this purpose, the term 'drugs' is used to describe both illegal drugs and other psychoactive (mind-altering) substances which may or may not be illegal.

- f) breach of health and safety rules that endangers the lives of, or may cause serious injury to, employees or any other person.

(The above examples are illustrative and do not form an exhaustive list.)

F) DISCIPLINARY PROCEDURE

- 1) Disciplinary action taken against you will be based on the following procedure:

OFFENCE	FIRST OCCASION	SECOND OCCASION	THIRD OCCASION	FOURTH OCCASION
Unsatisfactory Conduct	Formal verbal warning	Written Warning	Final written warning	Dismissal
Misconduct	Written Warning	Final written Warning	Dismissal	
Serious misconduct	Final written warning	Dismissal		
Gross misconduct	Dismissal			

- 2) We retain discretion in respect of the disciplinary procedures to take account of your length of service and to vary the procedures accordingly. If you have a short amount of service you may not be in receipt of any warnings before dismissal.
- 3) If a disciplinary penalty is imposed it will be in line with the procedure outlined above, which may encompass a formal verbal warning, written warning, final written warning, or dismissal, and full details will be given to you.
- 4) In all cases warnings will be issued for misconduct, irrespective of the precise matters concerned, and any further breach of the rules in relation to similar or entirely independent matters of misconduct will be treated as further disciplinary matters and allow the continuation of the disciplinary process through to dismissal if the warnings are not heeded.

G) DISCIPLINARY AUTHORITY

The operation of the disciplinary procedure contained in the previous section, is based on the following authority for the various levels of disciplinary action. However, the list does not prevent a higher or lower level of seniority, in the event of the appropriate level not being available, or suitable, progressing any action at whatever stage of the disciplinary process.

ALL EMPLOYEES	
Formal verbal warning	your Line Manager
Written warning	your Line Manager
Final written warning	your Line Manager
Dismissal	The Clerk

H) PERIOD OF WARNINGS

1) Formal verbal warning

A formal verbal warning will normally be disregarded for disciplinary purposes after a three month period.

2) Written warning

A written warning will normally be disregarded for disciplinary purposes after a six month period.

3) Final written warning

A final written warning will normally be disregarded for disciplinary purposes after a twelve month period.

I) GENERAL NOTES

- 1) If you are in a supervisory or Managerial position then demotion to a lower status at the appropriate rate may be considered as an alternative to dismissal except in cases of gross misconduct.
- 2) In exceptional circumstances, suspension from work without pay for up to five days as an alternative to dismissal (except dismissal for gross misconduct) may be considered by the person authorised to dismiss.
- 3) Gross misconduct offences will result in dismissal without notice.
- 4) You have the right to appeal against any disciplinary action.

Capability/Disciplinary Appeal Procedure

- 1) You have the right to lodge an appeal in respect of any capability/disciplinary action taken against you.
- 2) If you wish to exercise this right you should apply either verbally or in writing to the person indicated in your individual Statement of Main Terms of Employment.
- 3) An appeal against a formal warning or dismissal should give details of why the penalty imposed is too severe, inappropriate or unfair in the circumstances.
- 4) The appeal procedure will normally be conducted by a member of staff not previously connected with the process so that an independent decision into the severity and appropriateness of the action taken can be made.
- 5) If you are appealing on the grounds that you have not committed the offence then your appeal may take the form of a complete re-hearing and reappraisal of all matters so that the person who conducts the appeal can make an independent decision before deciding to grant or refuse the appeal.
- 6) You may be accompanied at any stage of the appeal hearing by a fellow employee of your choice. The result of the appeal will be made known to you in writing, normally within five working days after the hearing.

Grievance Procedure

- 1) It is important that if you feel dissatisfied with any matter relating to your employment you should have an effective means by which such a grievance can be aired and, where appropriate, resolved.
- 2) Nothing in this procedure is intended to prevent you from informally raising any matter you may wish to mention. Informal discussion can frequently solve problems without the need for a written record. However, if you wish to raise a formal grievance you should normally do so in writing from the outset.
- 3) You have the right to be accompanied at any stage of the procedure by a fellow employee who may act as a witness or speak on your behalf to explain the situation more clearly.
- 4) If you feel aggrieved at any matter relating to your work (except personal harassment, for which there is a separate procedure following this section), you should first raise the matter with the person specified in your Statement of Main Terms of Employment, explaining fully the nature and extent of your grievance. You will then be invited to a meeting at a reasonable time and location at which your grievance will be investigated fully. You must take all reasonable steps to attend this meeting. You will be notified of the decision, in writing, normally within ten working days of the meeting, including your right of appeal.
- 5) If you wish to appeal you must inform the Chairman within five working days. You will then be invited to a further meeting, which you must take all reasonable steps to attend. As far as reasonably practicable, the Council will be represented by a more Senior Manager than attended the first meeting (unless the most Senior Manager attended that meeting).
- 6) Following the appeal meeting you will be informed of the final decision, normally within ten working days, which will be confirmed in writing.

Personal Harassment Policy and Procedure

A) INTRODUCTION

- 1) Harassment or victimisation on the grounds of the following protected characteristic: age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation is unacceptable.
- 2) Personal harassment takes many forms but whatever form it takes, it is unlawful under the Equality Act 2010 and will not be tolerated.
- 3) This policy will be reviewed regularly to ensure it remains up to date and in order to monitor its effectiveness.

B) SCOPE

We deplore all forms of personal harassment and seek to ensure that the working environment is sympathetic to all those who work for us. This includes employees, workers, agency workers, volunteers and contractors in all areas of our Council, including any overseas sites.

C) DEFINITIONS

Harassment

This is unwanted conduct related to a relevant protected characteristic that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Unwanted conduct can include:

- a) spoken words
- b) banter
- c) written words
- d) posts or contact on social media
- e) imagery
- f) graffiti
- g) physical gestures
- h) facial expressions
- i) mimicry
- j) jokes or pranks
- k) acts affecting a person's surroundings
- l) aggression, and
- m) physical behaviour towards a person or their property.

Sexual harassment

This is unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

- a) sexual comments or jokes
- b) displaying sexually graphic pictures, posters or photos
- c) suggestive looks, staring or leering
- d) propositions and sexual advances
- e) making promises in return for sexual favours
- f) sexual gestures
- g) intrusive questions about a person's private or sex life or a person discussing their own sex life
- h) sexual posts or contact on social media
- i) spreading sexual rumours about a person
- j) sending sexually explicit emails or text messages, and
- k) unwelcome touching, hugging, massaging or kissing.

Less favourable treatment for rejecting or submitting to unwanted conduct

This occurs when:

- a) someone is subjected to unwanted conduct:
 - i) of a sexual nature
 - ii) related to sex, or
 - iii) related to gender reassignment
- b) the unwanted conduct has the purpose or effect of:
 - i) violating their dignity, or
 - ii) creating an intimidating, hostile degrading, humiliating or offensive environment for them, and
- c) they are treated less favourably because they submitted to, or rejected the unwanted conduct.

D) CIRCUMSTANCES WHICH ARE COVERED

- 1) This policy covers behaviour which occurs in the following situations:
 - a) a work situation
 - b) a situation occurring outside of the normal workplace or normal working hours which is related to work, for example, a working lunch or social event with colleagues;
 - c) outside of a work situation but against a colleague or other person connected to the Council, including on social media;
 - d) against anyone outside of a work situation where the incident is relevant to their suitability to carry out the role.

E) COMPLAINING ABOUT PERSONAL HARASSMENT

1) Informal complaint

We recognise that complaints of personal harassment, and particularly of sexual harassment, can sometimes be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances you are encouraged to raise such issues with a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for you) as a confidential helper. This person cannot be your Line Manager who will be responsible for investigating the matter if it becomes a formal complaint.

If you are the victim of minor harassment you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally then you should hand a written request to the harasser, and your confidential helper can assist you in this.

2) Formal complaint

Where the informal approach fails or if the harassment is more serious, you should bring the matter to the attention of your Line Manager as a formal written complaint and again your confidential helper can assist you in this. If possible, you should keep notes of the harassment so that the written complaint can include:

- a) the name of the alleged harasser;
- b) the nature of the alleged harassment;
- c) the dates and times when the alleged harassment occurred;
- d) the names of any witnesses; and
- e) any action already taken by you to stop the alleged harassment.

On receipt of a formal complaint we will take action to separate you from the alleged harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser to another work area or suspension with contractual pay until the matter has been resolved.

The person dealing with the complaint will invite you to attend a meeting, at a reasonable time and location, to discuss the matter and carry out a thorough investigation. You have the right to be accompanied at such a meeting by your confidential helper or another work colleague of your choice and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

On conclusion of the investigation, which will normally be within ten working days of the meeting with you, the decision of the investigator, detailing the findings, will be sent in writing to you.

You have the right to appeal against the findings of the investigator in accordance with the appeal provisions of the grievance procedure.

F) DISCIPLINARY ACTION

- 1) If the decision is that the allegation is well founded, the harasser will be liable to disciplinary action in accordance with our disciplinary procedure. An employee who receives a formal warning or who is dismissed for harassment may appeal by using our capability/disciplinary appeal procedure.
- 2) When deciding on the level of disciplinary sanction to be applied, we will take into consideration aggravating factors such as abuse of power over a more junior colleague.
- 3) If you bring a complaint of harassment you will not be victimised for having brought the complaint. However if it is concluded that the complaint is both untrue and has been brought with malicious intent, disciplinary action will be taken against you.

G) THIRD PARTY HARASSMENT

- 1) Third party harassment occurs when one of our workforce is subjected to harassment by someone who is not part of our workforce but who is encountered in connection with work. This includes our residents, suppliers, members of the public. Third party harassment of our workforce will not be tolerated.
- 2) In order to prevent third party harassment from occurring, we have:
 - a) attached signage to the walls of the areas within the workplace where residents are present to warn that harassment of our staff is not acceptable

Should you be subjected to third party harassment, you are encouraged to report this as soon as possible to your Line Manager.

Should a resident harass a member of our workforce, they will be warned that continued provision of our service to them will cease if they are to act in a similar way again. Should their behaviour recur, they will be informed that our service to them will cease. Any criminal acts will be reported to the police, and we will share information relating to the incident with our other branches to ensure that we maintain a consistent approach to the cessation of our services.

Equality, Inclusion and Diversity Policy

A) STATEMENT OF POLICY

- 1) The terms equality, inclusion and diversity are at the heart of this policy. 'Equality' means ensuring everyone has the same opportunities to fulfil their potential free from discrimination. 'Inclusion' means ensuring everyone feels comfortable to be themselves at work and feels the worth of their contribution. 'Diversity' means the celebration of individual differences amongst the workforce. We will actively support diversity and inclusion and ensure that all our employees are valued and treated with dignity and respect. We want to encourage everyone in our business to reach their potential.
- 2) We recognise that discrimination is unacceptable and although equality of opportunity has been a long standing feature of our employment practices and procedure, we have made the decision to adopt a formal policy. Breaches of the policy will lead to disciplinary proceedings and, if appropriate, disciplinary action up to and including dismissal.
- 3) The aim of the policy is to ensure no job applicant, employee or worker is discriminated against either directly or indirectly on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.
- 4) We will ensure that the policy is circulated to any agencies responsible for our recruitment and a copy of the policy will be made available for all employees and made known to all applicants for employment.
- 5) The policy will be communicated to all private contractors reminding them of their responsibilities towards the equality of opportunity.
- 6) The policy will be implemented in accordance with the appropriate statutory requirements and full account will be taken of all available guidance and in particular any relevant Codes of Practice.
- 7) We will maintain a neutral working environment in which no employee or worker feels under threat or intimidated.

B) RECRUITMENT AND SELECTION

- 1) The recruitment and selection process is crucially important to any equality, inclusion and diversity policy. We will endeavour through appropriate training to ensure that employees making selection and recruitment decisions will not discriminate, whether consciously or unconsciously, in making these decisions.
- 2) Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework and principles of this policy.
- 3) Job descriptions, where used, will be revised to ensure that they are in line with this policy. Job requirements will be reflected accurately in any personnel specifications.
- 4) We will adopt a consistent, non-discriminatory approach to the advertising of vacancies.
- 5) We will not confine our recruitment to areas or media sources which provide only, or mainly, applicants of a particular group.
- 6) All applicants who apply for jobs with us will receive fair treatment and will be considered solely on their ability to do the job.
- 7) All employees involved in the recruitment process will periodically review their selection criteria to ensure that they are related to the job requirements and do not unlawfully discriminate.
- 8) Short listing and interviewing will be carried out by more than one person where possible.

- 9) Interview questions will be related to the requirements of the job and will not be of a discriminatory nature.
- 10) We will not disqualify any applicant because he/she is unable to complete an application form unassisted unless personal completion of the form is a valid test of the standard of English required for the safe and effective performance of the job.
- 11) Selection decisions will not be influenced by any perceived prejudices of other staff.

C) TRAINING AND PROMOTION

- 1) Senior staff will receive training in the application of this policy to ensure that they are aware of its contents and provisions.
- 2) All promotion will be in line with this policy.

D) MONITORING

- 1) We will maintain and review the employment records of all employees in order to monitor the progress of this policy.
- 2) Monitoring may involve:
 - a) the collection and classification of information regarding the race in terms of ethnic/national origin and sex of all applicants and current employees;
 - b) the examination by ethnic/national origin and sex of the distribution of employees and the success rate of the applicants; and
 - c) recording recruitment, training and promotional records of all employees, the decisions reached and the reason for those decisions.
- 3) The results of any monitoring procedure will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. Consideration will be given, if necessary, to adjusting this policy to afford greater equality of opportunities to all applicants and staff.

Termination of Employment

A) RESIGNATIONS

All resignations must be supplied in writing, stating the reason for resigning your post.

B) TERMINATING EMPLOYMENT WITHOUT GIVING NOTICE

If you terminate your employment without giving or working the required period of notice, as indicated in your individual Statement of Main Terms of Employment, you will have an amount equal to any additional cost of covering your duties during the notice period not worked deducted from any termination pay due to you. This is an express written term of your contract of employment. You will also forfeit any contractual accrued holiday pay due to you over and above your statutory holiday pay, if you fail to give or work the required period of notice.

C) RETURN OF OUR PROPERTY

On the termination of your employment you must return all our property which is in your possession or for which you have responsibility. Failure to return such items will result in the cost of the items being deducted from any monies outstanding to you. This is an express written term of your contract of employment.

D) RETURN OF VEHICLES

On termination of your employment you must return any Council vehicle in your possession to our premises. Failure to return the vehicle will result in the cost of its recovery being deducted from any monies outstanding to you. This is an express written term of your contract of employment.

E) GARDEN LEAVE

If either you or the Council serves notice on the other to terminate your employment the Council may require you to take “garden leave” for all or part of the remaining period of your employment.

NB.

During any period of garden leave you will continue to receive your full pay and any other contractual benefits.

Recognition Payment Awards Scheme

Acting up allowances, honoraria and recognition payments

1 Introduction

This scheme has been developed to ensure fairness and transparency in relation to all temporary or one-off payments. The scheme covers:

- **Acting up allowances:**
Payable when an employee is taking on responsibilities at a higher level for a temporary period. Allowances are paid with monthly salary payments and the level of payment takes account of the difference between the employee's existing job and new responsibilities.
- **Honoraria:**
One-off payments to recognise temporary additional work outside an employee's usual job. This work may not fall within an existing role description.
- **Recognition payments:**
Reward exceptional performance. Payment relates to the way in which somebody carries out their role as well as what they do.

Allowances, honoraria and recognition payments are not applicable where an employee works additional hours in their current post.

2 Acting up allowances

Acting up allowances may be paid to employees who are required, on a short-term basis, to undertake the duties of a higher graded post for a continuous period of at least four weeks. In these circumstances, the employee may receive the pay and any other terms and conditions applicable to the higher graded post (or a proportion of the pay for the higher graded post if not all duties are covered). This will normally be based on the first salary point of the higher graded post (if the salary points overlap, a salary point that gives an increase equivalent to an increment will be selected).

Acting up may be needed to cover vacant posts during the recruitment process, or absence/leave from work, e.g. long-term sickness or maternity/other family leave.

Deputising:

An employee whose job description includes a requirement to deputise as and when required should usually be given the opportunity to act up into that role if it becomes available on a longer-term basis. If more than one person is deputising, the Clerk should consider either sharing out the duties (in which case honoraria payments would be made) or selecting one person by competitive interview to undertake the duties.

Advertisement and selection:

Where there is no designated "deputy", then the acting up opportunity should be advertised internally in the first instance.

The advertisement of any acting up opportunity should include details of the post,

the job profile and any other information that would be provided to applicants under the normal recruitment process.

The selection of staff for acting up opportunities should be in line with the Council's current recruitment and selection process.

The successful applicant will not be required to give formal notice under their contract of employment but should be released to take up the acting up position as soon as reasonably possible.

If suitable internal arrangements cannot be made, the Clerk should consider advertising externally for a temporary appointment.

If an employee is acting up to cover a vacancy, there should be no consequent delay in recruiting to the post on a permanent basis.

Timescale and review

Acting up arrangements should be kept under review and will normally be for a maximum of six months unless it is clear from the beginning that a longer period will be needed (e.g. to cover maternity leave). If, however, at the end of this period the arrangement is still required, it should be reviewed to see whether it should be continued. The arrangement will normally only be extended or continued for more than six months in exceptional circumstances.

Performance

If an employee who is acting up, is underperforming or their work is otherwise unsatisfactory, they will be given managerial support, guidance and direction with a view to encourage improved work performance where appropriate. If, however, following support and guidance the employee is unable to perform satisfactorily in the role, then the arrangement should be terminated subject to one week's notice, and the employee will return to their normal duties. There will be no appeal against this decision. The employee may also end the arrangement at any stage, subject to one week's notice.

Absence

The acting up allowance may continue to be paid during short periods of sickness and leave unless it is necessary for somebody else to undertake the acting duties during this time. If the absence lasts for a continuous period of four weeks or more, it will end, unless it is known that the employee's return is imminent. On the employee's return to work the manager should consider whether to resume the acting up arrangements and reinstate the allowance.

The end of the acting up period

The employee will return to their substantive post at the end of the acting up period on pay and conditions no less favourable than they would have received had the acting up not taken place.

If, the acting up arrangement becomes permanent (e.g. because the original postholder does not return to their post), it should be advertised and filled on a permanent basis, unless there are plans to restructure the work. If the employee covering such a post wishes to apply for it, they should be considered with other

applicants in accordance with the Council's recruitment and selection process.

3 Honoraria

An honorarium is a one-off payment, to recognise additional work at a higher level, which is not part of an employee's normal job and may not form part of any other role, but which may be needed for operational reasons. It will normally be paid at the end of the period of work undertaken.

To calculate the payment, an assessment will need to be made of the level of higher responsibility involved and the percentage of the employee's time spent on these duties.

Timescale and review

An honorarium will normally relate to work carried out over a period of no more than six months. For long term arrangements, it may be more appropriate to consider an acting up allowance.

4 Recognition payments

A recognition payment is a one-off payment made in recognition of exceptional effort or performance of work that goes beyond an employee's normal role. The payment is not agreed in advance and is not intended to be a payment that exactly reflects the level or amount of work done. A recognition payment may be given to an employee on any grade, subject to the criteria below.

Criteria

To qualify for a recognition payment, an employee must:

- have delivered work which was either above (at a higher competency level) or beyond (taken on additional work at the same competency level) or a combination of both;
- have positively demonstrated all of the behavioural competencies in their job description (i.e. how they have carried out their job);
- be on track to meet all agreed objectives, and to exceed some objectives, as outlined in their mid or end of year review;
- not have already received any other payment in recognition of this work (e.g. an acting up or honorarium payment);
- not have received a recognition payment in the previous 12-month period.

Payment levels

There are four levels of payment under the recognition payment scheme*:

Level 1	£150
Level 2	£350
Level 3	£700
Level 4	£1,000

In determining which amount will be appropriate, the Clerk, in consultation with the Finance Committee should consider:

1. The type and level of work carried out, over and above the employee's usual role.
2. The impact of the work on the team, the Parish Council, community at large.
3. The competencies demonstrated, such as: -
 - Working with others
 - Leadership
 - Delivering results
 - Benefits/value added to the Council
 - Impact on the wider community

5 Short term additional work resulting in longer working hours

All staff are expected to show reasonable flexibility to ensure that the work of the Council is effectively completed. Staff who are required to work more than their standard hours of work may be granted time off in lieu (TOIL) at a later date by prior agreement with the Clerk.

6 Approval and monitoring

Requests for any additional payment and any requests for extensions should be submitted to the Clerk who will seek formal approval from the Finance Committee/Full Council. Requests must include the rationale for payment, amount requested and dates/calculations as applicable.

(Date approved December 2020)



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 @fairoakandhortonheathparishcouncil

CONSTITUTION

CHAPTER 6

PROTOCOL FOR CLLR/OFFICER RELATIONS

Adopted

July 2021

1. Introduction

- 1.1 The purpose of this protocol is to guide Cllrs and staff of Fair Oak & Horton Heath Parish Council in their relations with one another and their dealings with other Cllrs and staff from any tier of Government in such a way as to ensure the smooth running of the Council.
- 1.2 Given the variety and complexity of such relations, this protocol does not seek to be either prescriptive or comprehensive. It simply offers guidance on some of the issues which most commonly arise. It is hoped, however, that the approach which it adopts to these issues will serve as a guide to dealing with other circumstances.
- 1.3 This protocol is a written statement of current best practice and convention and seeks to promote greater clarity and certainty.
- 1.4 The protocol should ensure that Cllrs receive objective and impartial advice, and that staff are protected from accusations of bias, undue influence & bullying from Cllrs.
- 1.5 It also seeks to reflect the principles underlying the Code of Conduct which apply to Cllrs.
- 1.6 The objective of this code is to enhance and maintain the integrity of the Council and therefore demands high standards of personal conduct.
- 1.7 The protocol should be read in conjunction with the Code of Conduct and the relevant provisions of the Council's other adopted policies.

2. Principles underlying Cllr/staff relations

- 2.1 The Nolan Report on Standards of Conduct in Local Government suggests that 'No local authority can function properly without a good relationship between its Cllrs and its staff. Where the relationship breaks down, an atmosphere of suspicion or dislike can make it very difficult to devise and implement policies in any consistent way.
- 2.2 The general principles which govern the conduct of Cllrs (selflessness, honesty and integrity, objectivity, accountability, openness, personal judgement, respect for others, duty to uphold the law, stewardship and leadership) require Cllrs to respect the impartiality and integrity of an authority's statutory staff and other staff. Those principles are equally appropriate for staff in their dealings with Cllrs.

3. General protocol

- 3.1 Both Councillors and staff are servants of the public and they are indispensable to one another, however, their responsibilities are distinct.
- 3.2 Roles of Cllrs
 - 3.2.1 Cllrs are responsible to the electorate and serve only so long as their term of office lasts.
 - 3.2.2 Cllrs are democratically elected and are accountable to the electorate for their actions.
 - 3.2.3 An important feature of each Cllr's role is to represent the interests of their constituents, irrespective of how they may have voted in an election.

- 3.2.4 The expectation is that Cllrs will be more aware of the views of their constituents on major policy developments before decisions are taken collectively at Council meetings.

3.3 Roles of Officers

- 3.3.1 The Parish Clerk is responsible for day-to-day managerial and operational decisions within the Council and the provision of support to all Cllrs.
- 3.3.2 The Parish Council has a duty to implement decisions of the Council which are lawful, and which have been properly approved in accordance with the requirements of the law recorded in the Minutes of the Council.

4. Employer/Staff Issues

- 4.1 At the heart of this protocol, is the importance of mutual respect.
- 4.2 Cllr/staff relationships should be conducted in a positive and constructive way. Therefore, it is important that any dealings between Cllrs and staff should observe reasonable standards of courtesy and that neither party should seek to take unfair advantage of their position or seek to exert undue influence on the other party.
- 4.3 Cllrs should recognise in their dealings with staff that inappropriate conduct or behaviour on their part could lead to a case being brought to an employment tribunal by an aggrieved staff member.
- 4.4 It is proper for a Cllr to make written or oral representations about a matter affecting a constituent who also happens to be a staff member, but he/she should avoid taking a proactive part or represent or act as an advocate on behalf of the staff in any disciplinary or grievance procedures brought against the Council by the staff member.
- 4.5 Cllrs should not place inappropriate pressure on staff and must ensure that all communication between them (including written communication) does not bring the Council into disrepute, cause any embarrassment to them, or lead to a breakdown of mutual trust respect and courtesy in Cllr/staff relations.
- 4.6 Cllrs and staff should promote equality by not discriminating unlawfully or otherwise against any person. They should treat people with respect, regardless of their race, age, religion, gender, sexual orientation or disability.
- 4.7 A Cllr should not raise matters relating to the conduct or capability of a staff member in a manner that is incompatible with the objectives of this protocol (such as in a public forum which might cause embarrassment/humiliation). This is a long-standing tradition in public service.
- 4.8 A staff member has no means of responding to such criticisms in public. If a Cllr feels they have not been treated with proper respect, courtesy or has any concern about the conduct or capability of a staff member and fails to resolve it through direct discussion with the staff member, they should raise the matter with the Parish Clerk. The Parish Clerk will then investigate the facts and report back to the Cllr.
- 4.9 Any action taken against a staff member in respect of a complaint will be in accordance with the provisions of the Council's Disciplinary Rules and Procedures.

- 4.10 A staff member should not raise with a Cllr matters relating to the conduct or capability of another staff member. This does not, however, prevent a staff member raising a concern with a Cllr under the Council's whistleblowing procedure.
- 4.11 Where a staff member feels that they have not been properly treated with respect and courtesy by a Cllr, they should raise the matter with the Clerk. In these circumstances, the Parish Clerk will take appropriate action either by approaching the individual Cllr or by referring the matter to the Borough Council's Monitoring Officer.
- 4.12 Guidance on personal relationships is contained in the Code of Conduct. Provided these are observed, more informal exchanges may be appropriate between Cllrs and staff outside business meetings and formal events. It is important that there should be a close working relationship between Councillors and staff. However, such relationships should never be allowed to become so close or appear to be so close as to bring into question the issue of impartiality into doubt.

5. Staff support to Cllrs: general protocol

- 5.1 The Parish Clerk is responsible for day-to-day managerial and operational decisions within the authority and for the provision of support to all Cllrs.
- 5.2 Certain statutory staff members, such as the Parish Clerk and Responsible Financial Officer, have specific roles. These are addressed in Standing Orders and Financial Regulations. Their roles need to be understood and respected by all Cllrs.

6. Independence of the Parish Clerk

- 6.1 The Parish Clerk is not answerable to any individual Councillor.
- 6.2 The Parish Clerk is an independent and objective servant of the Council as a single corporate body, recognising that the Council is responsible for all decisions and taking instructions from the Council in its capacity as a single corporate body.
- 6.3 The Parish Clerk has a right and a duty to report to the Council, or any committee or sub-committee on any issue which they deem appropriate.
- 6.4 They have a right and obligation to obtain sound advice as they deem appropriate in order to assist in their role in reporting to the Council.
- 6.5 As an independent and objective professional, the Parish Clerk (or such delegated staff member) advises the Council on whether decisions are lawful and ways in which decisions can be implemented.
- 6.6 The Parish Clerk, or another staff member, shall research topics of concern to the Council and provide unbiased information to enable the Council to make an informed decision.
- 6.7 The following key principles reflect the way in which the staff generally relate to Cllrs:
 - 6.7.1 All staff are employed by and accountable to the Parish Clerk, where relevant through line managers.
 - 6.7.2 Support from staff is needed for all the authority's functions including Council, Committees and individual Cllrs representing their communities etc.
 - 6.7.3 Day-to-day managerial and operational decisions remain the responsibility of the Parish Clerk.

- 6.7.4 On occasion, a decision may be reached which authorises the Parish Clerk to act between meetings following consultation with the Chairman of the Council.
- 6.7.5 It should be recognised that it is the Parish Clerk, rather than the Cllr or Cllrs, who takes the action and it is the Parish Clerk who is legally accountable for it.
- 6.7.6 Cllrs must not issue orders, instructions or directions to staff.
- 6.7.7 Authorisation to carry out work on behalf of the Council can only be issued by the Parish Clerk and/or the Responsible Finance Officer or in exceptional circumstances the Chair in consultation with the Vice-chair.
- 6.7.8 Staff are accountable to their Line Manager and whilst staff should always seek to assist a Cllr, they must not, in so doing, go beyond the bounds of whatever authority they have been given by their Line Manager
- 6.7.9 Staff will do their best to give timely responses to Cllrs' enquiries. However, staff should not have unreasonable requests placed on them. Their work priorities are set and managed by their Line Managers.
- 6.7.10 Cllrs should avoid disrupting staff members work by imposing their own priorities.
- 6.7.11 Much of the work of the Council is time sensitive and staff are usually working to tight deadlines. In order to help minimise disruption and to enable staff, particularly Managers to plan and prioritise their work programme, Cllrs should always seek to make an appointment to see a staff member and give an outline of what issues are to be discussed. This will help staff to provide the most relevant advice as preparation and research where necessary can be carried out before the meeting.
- 6.7.12 Where Cllrs wish an officer/s to conduct a project or piece of work which will require a significant amount of staff time, a Cllr should first discuss their request with the line manager of the relevant officer or with the Parish Clerk.
- 6.7.13 Cllrs should compare their own ideas and suggestions to the current Work Programme to ensure new projects are consistent with the agreed priorities and principles of the Council.
- 6.7.14 Before agreeing to any project or piece of work requested by Cllrs that will require a significant amount of staff time, officers should discuss the work with their line manager to evaluate capacity and set measurements for success.
- 6.7.15 Cllrs should try to give timely responses to enquiries from staff, particularly where the Council must itself comply with legal time limits for making decisions (for example in relation to planning applications).
- 6.7.16 Staff should not discuss with a Cllr personal matters concerning themselves or another individual staff member. This does not prevent an officer raising on a personal basis, and in their own time, a matter with their ward Cllr.
- 6.7.17 Cllrs and staff should respect each other's free time. Council business should only be discussed when both Cllr and staff member are acting in their official capacity.

7. Staff member advice to Party Groups and individual Cllrs

- 7.1 It must be recognised by all staff and Cllrs that in discharging their duties and responsibilities, staff serve the Council and not any political group, combination of groups

or any individual Cllr of the Council.

7.2 In the law relating to parish councils, there is no provision for dealing with party political groups.

7.3 Staff must always maintain political neutrality. They are not servants of any party, group, or individual.

7.4 All staff must, in their dealings with political groups and individual Cllrs, treat them in a fair and even-handed manner.

7.5 Certain points must, therefore, be clearly understood by all those representing party groups. In particular:

- staff assistance must not extend beyond providing information and advice in relation to matters of Council business. Staff must not be involved in advising on matters of party business.
- where staff provide information and advice to a party group in relation to a matter of Council business, this cannot act as a substitute for providing all necessary information and advice to the relevant Council decision making body when the matter in question is considered.

7.6 Whilst support for Cllrs' ward work is legitimate, care should be taken if staff are asked to accompany Cllrs to ward surgeries. In such circumstances:

- The surgeries must be open to the general public;
- Staff should not be requested to accompany Cllrs to surgeries held in the offices or premises of political parties; and
- Staff must never be asked to attend ward or constituency political party meetings.

7.7 It is acknowledged that some Council staff may receive and handle messages for Cllrs on topics unrelated to the Council. Whilst these will often concern diary management, care should be taken to avoid Council resources being used for private or party-political purposes.

7.8 In seeking to deal with constituents' queries or concerns, Cllrs should respect the Council's procedures. Staff have many pressures on their time. They may not be able to carry out the work required by Cllrs in the requested timescale and may need to seek instructions from their Line Managers.

8. Use of Council resources

8.1 A Cllr must, when using or authorising the use of the resources of the Council, act in accordance with the authority's requirements and ensure that such resources are not used for political purposes and that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the authority or of the office to which the Cllr has been elected or appointed.

8.2 The Council provides support services such as stationery, typing, printing, photocopying to Cllrs to assist them in discharging their role as Cllrs of the Council. Such support services must therefore only be used on Council business and should never be used in connection with party political or campaigning activity or for private purposes

9. Cllrs' access to information and to Council documents

- 9.1 There is a general presumption of open government within the Council.
- 9.2 Cllrs are free to approach any Council department to obtain such information, explanation and advice (about that department's functions) as they may reasonably need in order to assist them in discharging their role as Cllrs of the Council.
- 9.3 This can range from a request for general information about some aspect of a department's activities to a request for specific information on behalf of a constituent.
- 9.4 Such approaches should normally be directed to the appropriate Line Manager concerned.
- 9.5 Where information is requested on behalf of a third party, this will be treated as a request made under the Freedom of Information Act 2000, and the Council's normal procedures under that Act will be followed.
- 9.6 As regards the legal rights of Cllrs to inspect Council documents, these are covered partly by statute and partly by the common law.
- 9.7 Cllrs have a statutory right to inspect any Council document which contains material relating to any business which is to be transacted by the Council.
- 9.8 This right applies irrespective of whether the Cllr is a Cllr of the Committee or Sub Committee concerned and extends not only to reports which are to be submitted to the meeting, but also to any relevant background papers.
- 9.9 This right does not, however, apply to documents relating to certain items which may appear as a confidential item on the agenda for a meeting. The items in question are those which contain exempt information relating to staff, occupiers of Council property, applicants for grants and other services, the care of children, contract and industrial relations negotiations, advice from Counsel and criminal investigations.
- 9.10 A Cllr has *prima facie* right to inspect Council documents so far as their access to the document is reasonably necessary to enable the Cllr properly to perform his/her duties as a Cllr of the Council. This principle is commonly referred to as the 'need to know' principle.
- 9.11 The exercise of this common law right depends therefore, upon an individual Cllr being able to demonstrate that she/he has the necessary 'need to know'. In this respect, a Cllr has no right to 'a roving commission' to go and examine documents of the Council. Mere curiosity is not enough. The crucial question is the determination of the 'need to know'. This question must initially be determined by the Parish Clerk.
- 9.12 In some circumstances (e.g. a Committee Cllr wishing to inspect documents relating to the business of that Committee), a Cllr's 'need to know' will normally be presumed.
- 9.13 In other circumstances (e.g. a Cllr wishing to inspect documents which contain personal information about third parties), the Cllr will normally be expected to justify the request in specific terms.
- 9.14 In some circumstances, duties of confidentiality to external bodies, or imposed by statute may override the common law right.
- 9.15 Any Council information provided to a Cllr must only be used by the Cllr for the purpose for which it was provided, i.e. in connection with the proper performance of the Cllr's

duties as a Cllr of the Council. Therefore, for example, early drafts of Committee reports/briefing papers are not suitable for public disclosure and should not be used other than for the purpose for which they were supplied.

9.16 A Cllr must not:

- disclose information given to him/her in confidence by anyone or information acquired which he/she believes is of a confidential nature, without the consent of a person authorised to give it, or unless he is required by law to do so; and
- prevent another person from gaining access to information to which that person is entitled by law'

Any such breach of confidence may result in censure by the Council or, if sufficiently serious, in civil action against the Cllr and/or the Council for damages.

10. Correspondence (including email)

10.1 Correspondence between an individual Cllr and a staff member should not normally be copied (by the staff member) to any other Cllr.

10.2 Where it is necessary to copy the correspondence to another Cllr, this should be made clear to the original Cllr.

10.3 In other words, a system of 'silent copies' should not be employed.

10.4 Letters and emails must be sent on Parish Council headed paper or from a Council account.

10.5 It will, however, be appropriate in certain circumstances (e.g. representations to a Government Minister) for a letter or email to appear in the name of the Chairman of the Council.

10.6 Letters and emails which, for example, create legal obligations or give instructions on behalf of the Council should never be sent out in the name of a Cllr.

11. Publicity and press releases

11.1 Local authorities are accountable to their electorate.

11.2 Accountability requires local understanding.

11.3 This will be promoted by the authority, explaining its objectives and policies to the electors and Council taxpayers.

11.4 Increasingly, local authorities see this task as an essential part of providing services.

11.5 Good, effective publicity aimed to improve public awareness of a Council's activities is, in the words of the Government, "to be welcomed".

11.6 Publicity is, however, a sensitive matter in any political environment because of the impact it can have. Expenditure on publicity can be significant. It is essential, therefore, to ensure that local authority decisions on publicity are properly made in accordance with clear principles of good practice.

11.7 The Government has issued a Code of Recommended Practice on Local Authority Publicity.

- 11.8 The purpose of the Code is to set out principles that should apply to all publicity at public expense and which traditionally have applied in both central and local government and concerns the content, style, distribution and such other matters as appropriate.
- 11.9 Staff and Cllrs of the Council will, therefore, in making decisions on publicity, take account of the provisions of this Code.
- 11.10 If in doubt, staff and/or Cllrs should initially seek advice from the Parish Clerk.
- 11.11 Care should be paid to any publicity used by the Council around the time of an election.
- 11.12 Press releases will be issued in accordance with the Media Communications Protocol as adopted by the Council.
- 11.13 Relations with the media are the responsibility of the Parish Clerk in consultation with the Chairman of the Council.
- 11.14 The Parish Clerk may authorise other staff to provide information or delegate day to day matters in accordance with the approved policy and protocol.
- 11.15 Cllrs may comment on approved Council policies but may not comment on behalf of the Council on any non-policy matter.
- 11.16 If any Cllr wishes to make comments to the press, it must be made clear that the comment is that of the individual Cllr and not necessarily the corporate view of the Parish Council.
- 11.17 The Parish Clerk will assist Cllrs in their relations with the media.
- 11.18 Any staff member assisting a Cllr with media relations must always act in the interests of the whole Council and in a politically impartial manner.
- 11.19 Other than factual statements, Cllrs should not seek assistance from a staff member with the preparation or issue of any media statement that will adversely affect the reputation of the Council.

12. Involvement of local Cllr

- 12.1 Whenever a public meeting is organised by the Council to consider a local issue, the Cllrs representing the Electoral Ward affected will be invited to attend the meeting.
- 12.2 More generally, staff should consider whether other policy or briefing papers, or other topics being discussed with Committee, should be discussed with relevant Ward Cllrs.

13. Conclusion

- 13.1 Mutual understanding, openness and basic respect are the greatest safeguard of the integrity of the Council, its Cllrs and staff

14. Arbitration

- 14.1 Where necessary, the Parish Clerk will arbitrate on the interpretation of this protocol.



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 [@fairoakandhortonheathparishcouncil](https://www.facebook.com/fairoakandhortonheathparishcouncil)

CONSTITUTION

CHAPTER 7 RFO PROTOCOL

Adopted

July 2021

1. Introduction

- 1.1 Although Town and Parish Councils are not bound by sections of The Local Government Finance Act 1988 (section 111) the Parish Council acts in accordance with many of those principles in the interests of best practice as shown below.
- 1.2 The Parish Council's Responsible Finance Officer undertakes to discharge these statutory responsibilities in a positive way and in a manner, that enhances the overall reputation of the Council. In doing so, the Responsible Finance Officer will also safeguard, so far as is possible, Councillors and staff, whilst acting in their official capacities, from financial difficulties.

2. The Statutory Role of the Responsible Finance Officer

- 2.1 The Responsible Finance Officer has statutory duties in relation to the financial administration and stewardship of the Authority. This statutory responsibility cannot be overridden. The statutory duties arise from:

- Section 151 of the Local Government Act 1972
- The Local Government Finance Act 1988
- The Local Government and Housing Act 1989
- Audit Commission Act 1998
- The Accounts and Audit Regulations

- 2.2 The Responsible Finance Officer is responsible for:

- The proper administration of the Authority's financial affairs
- Setting and monitoring compliance with financial management standards
- Advising on the corporate financial position and on the key financial controls necessary to secure sound financial management
- Providing financial information
- Preparing the revenue budget and capital programme
- Treasury management

- 2.3 Section 114 of the Local Government Finance Act 1988 requires the Responsible Finance Officer to report to Fair Oak & Horton Heath Parish Council, internal and external auditor if the Authority or one of its staff members:

- Has made, or is about to make, a decision which involves incurring unlawful expenditure
- Has taken, or is about to take, an unlawful action which has resulted or would result in a loss of deficiency to the Authority
- Is about to make an unlawful entry in the Authority's accounts
- If the expenditure of the authority is likely to exceed the resources available to it to meet that expenditure

- 2.4 Section 114 of the 1988 Act also requires:

- The Responsible Finance Officer to nominate a properly qualified member of staff to deputise should they be unable to perform their duties under Section 114 personally
- The Authority to provide the Responsible Finance Officer with sufficient staff, accommodation and other resources - including legal advice where necessary - to carry out their duties under Section 114

3. The Non-Statutory Role of the Responsible Finance Officer

3.1 The Chartered Institute of Public Finance and Accountancy (CIPFA) published "A Statement on the Role of the Finance Director in Local Government" in December 1999.

3.2 The five main areas where it considers the RFO *of a Local Authority* should contribute are given below. The first incorporates the statutory responsibilities referred to above:

- maintaining financial administration and stewardship e.g. advising on effective systems of internal control
- supporting and advising on the democratic process e.g. advising on developing an overall financial strategy
- contributing to corporate management e.g. ensuring financial resources are well managed
- supporting and advising officers in their operational roles e.g. ensuring that budgets are properly managed
- delivering services and providing information to members of the public and the community e.g. by providing financial and performance information

3.3 A summary list of the statutory responsibilities appears in the table annexed to this document. In general terms, the Responsible Finance Officer's ability to discharge these duties and responsibilities will depend, to a large extent, on Cllrs and staff.

4. The Protocol

4.1 Having excellent working relations with Cllrs and staff will assist in the discharge of the statutory responsibilities of the Responsible Finance Officer. Equally, a speedy flow of relevant information and access to debate (particularly at the early stages of any decision-making by the Council) will assist in fulfilling those responsibilities. Cllrs and staff should, therefore, work with the Responsible Finance Officer to discharge the Council's statutory and discretionary responsibilities.

4.2 The following arrangements and understandings between the Responsible Finance Officer, Cllrs and staff are designed to ensure the effective discharge of the Council's business and functions.

4.3 The Responsible Finance Officer will receive:

- (a) Advance notice (including receiving Agendas, Minutes, Reports and related papers) of all relevant meetings of the Council at which a decision may be made (including a failure to take a decision where one should have been taken) at or before the Council, Committee meetings and Sub-Committee meetings (or equivalent arrangements).
- (b) Advance notice of all emerging issues of financial concern.
- (c) Copies of all reports to Members.

4.4 The Responsible Financial Officer has the right:

- I. To attend and speak at any Council meetings.
- II. To call for any relevant information, whether confidential or otherwise, and to give that information (as appropriate) to anybody, including the District Auditor and the Ombudsman.

4.5 The Responsible Financial Officer will:

- i. Ensure the head of paid service has up-to-date information regarding emerging issues including relevant information regarding any financial management, accounts and audit regulations, proposed expenditure or proposed actions which might lead to a loss or deficit.
- ii. Make enquiries into allegations of financial misconduct and, if appropriate, make reports to Member bodies.
- iii. Develop effective working relationship with the Internal and External Auditor (including having the authority, on behalf of the Council, to complain to the same, refer any breaches to the same or give and receive any relevant information, whether confidential or otherwise, through appropriate protocols, if necessary).
- iv. In carrying out any investigation (whether under regulations or otherwise) the Responsible Finance Officer will have unqualified access to any information held by the Council and any employee who can assist in the discharge of their functions.
- v. Send copies of any report on the outcome of any investigation to each member of the authority and the person responsible for auditing the authority's accounts.
- vi. Have control of a budget sufficient to enable them to seek external professional opinion on any matter concerning their functions.
- vii. Report to the Council from time to time on the financial regulations and other matters of finance, and any necessary or desirable changes following consultation.
- viii. Report to the Council from time to time (as necessary) on the staff, accommodation and resources they require to discharge their functions.

5. Deputising for the Responsible Finance Officer

- 5.1 In the absence of the Responsible Finance Officer the Clerk will act as the nominated deputy. The Responsible Finance Officer's nominated deputy will have all of the rights and powers of the Responsible Finance Officer when discharging their role.
- 5.2 To ensure the effective and efficient discharge duties Cllrs and staff will report any breaches of statutory duty or Council policies or procedures and other legal or constitutional concerns to the Responsible Finance Officer, as soon as practicable.
- 5.3 The Responsible Finance Officer is also available for Cllrs and staff to consult on any issues of the Council's financial powers, possible unlawful payments, or general advice on the financial arrangements.
- 5.4 To ensure the effective and efficient discharge of this Protocol, the Responsible Finance Officer will ensure adequate insurance and indemnity arrangements are in place for the same to protect and safeguard the interests of the Council and the proper discharge of the Responsible Finance Officer role.
- 5.5 This Protocol is in addition to any provisions in the Council's Financial Regulations.

Appendix 1

Summary of Responsible Finance Officer Functions

	Description	Source
1.	Report on decisions incurring unlawful expenditure, unlawful loss or deficiency or unlawful item of account.	Section 114, 114a, 115, 116 Local Government and Finance Act 1988.
2.	Appointment of Deputy.	Section 114 Local Government and Finance Act 1988.
3.	Report on resources.	Section 114 Local Government and Finance Act 1988.
4.	Responsibility for the administration of financial affairs.	Section 151 Local Government Act 1972.
5.	Borrowing, investment accounts and financial administration.	Local Government Act 2003 Sections 1-92.
6.	Responsibility to determine the form of the Council's accounts and records, provide internal audit and statement of accounts.	The Accounts and Audit Regulations 2003 Local Authorities (Capital Finance and Accounting) (England) Regulations 2003.



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 @fairoakandhortonheathparishcouncil

CLLRS CODE OF CONDUCT

Adopted

July 2021



FAIR OAK & HORTON HEATH PARISH COUNCIL

2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

(023) 8069 2403 enquiries@fairoak-pc.gov.uk

www.fairoak-pc.gov.uk @fairoakandhortonheathparishcouncil

Introduction and Interpretation

As a Cllr and representative of this Council it is your responsibility to comply with this Code when you undertake or claim to be undertaking Council business or give the impression that you are undertaking Council business.

As a representative of this Council your actions impact on how the Council is viewed by the public. It is important, therefore, that you don't do anything when undertaking Council business which you could not justify to the public. It is not enough to avoid actual impropriety; you should always avoid any occasion for suspicion or appearance of improper conduct.

This Code is based upon the seven principles of public life which are set out at Appendix 1. You shall have regard to those principles when fulfilling your role.

An explanation of the terms used in this Code can be found in Appendix 2.

1 General Obligations

When undertaking Council business, you must:

- 1.1 Treat others with respect,
- 1.2 Not use or attempt to use your position as a Cllr improperly to give yourself or any other person, an advantage or disadvantage,
- 1.3 When reaching decisions on any matter, consider any relevant advice provided to you by:
 - a. the Council's Responsible Finance Officer (RFO); or
 - b. the Monitoring Officer, or
 - c. the Parish Clerkin accordance with his or her statutory duties.
- 1.4 Give reasons for decisions in accordance with any statutory requirements and the Standing Orders of the Council,
- 1.5 Act in accordance with the Council's Standing Orders, procedures and any other relevant Council policies,
- 1.6 Not use Council resources improperly (including political purposes),
- 1.7 Avoid doing anything which may cause the Council to breach a statutory duty or any of the equality enactments (as defined in section 149 of the Equality Act 2010),
- 1.8 Respect free time of staff and avoid emailing/contacting staff out of hours.
- 1.9 Not bully any person,
- 1.10 Not intimidate or attempt to intimidate any person who is or is likely to be:
 - a. a complainant
 - b. witness



FAIR OAK & HORTON HEATH PARISH COUNCIL

2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

(023) 8069 2403 enquiries@fair-oak-pc.gov.uk

www.fairoak-pc.gov.uk @fair-oak-and-horton-heath-parish-council

- c. involved in the administration of any investigation or proceedings, or
- d. any other person carrying out the functions of the Council,

- 1.11 Avoid doing anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council,
- 1.12 Not 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 legal advice provided that the third party agree not to disclose the information to any other person; or
 - d. the disclosure is:
 - i. reasonable and in the public interest; and
 - ii. made in good faith and in compliance with the reasonable requirements of the Council; and
 - e. you have consulted the Parish Clerk and then, as appropriate, the Monitoring Officer prior to its release.
- 1.13 Not prevent another person from gaining access to information to which that person is entitled by law; and
- 1.14 Not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.

2. Interests

Disclosable Pecuniary Interests

- 2.1 You must register and declare any Disclosable Pecuniary Interests that relate to your public duties as required by this Code and set out in Appendix 3.
- 2.2 You must, within 28 days of this Code being adopted by the Council or your taking office as a Cllr or co-opted Cllr, register any Disclosable Pecuniary Interests with the Parish Clerk who will then share this information with Eastleigh Borough Council's Monitoring Officer, where the Disclosable Pecuniary Interest is yours, your spouse's or civil partner's, or is the Disclosable Pecuniary Interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners. Disclosable Pecuniary Interests will be recorded in the Council's Register of Cllrs' Interests and made available for public inspection. Cllr interest forms will also be published on the Council's website.
- 2.3 Within 28 days of becoming aware of any new Disclosable Pecuniary Interest or change to any such interest already registered, you must register details of that new interest or change in writing to the Parish Clerk.
- 2.4 Where any business of the Council relates to or affects a Disclosable Pecuniary Interest whether registered under 2.2 or 2.3 above or not and you attend the meeting of the Council, any Committees or Sub-Committee which that business is to be considered, you



FAIR OAK & HORTON HEATH PARISH COUNCIL

2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

(023) 8069 2403 enquiries@fairoak-pc.gov.uk

www.fairoak-pc.gov.uk @fairoakandhortonheathparishcouncil

must:

- a. not seek to influence a decision about that business
- b. disclose to that meeting the existence and nature of that interest no later than the start of the consideration of the business in which you have that interest, or (if later) the time at which the interest becomes apparent to you. The exception to the requirement to disclose an interest is if the matter is a sensitive interest under paragraph 2.16
- c. withdraw from the meeting room as soon as it becomes apparent that the business is being considered at that meeting, unless you have obtained a dispensation from the Parish Clerk.

- 2.5 Following any disclosure at a meeting or as part of a decision record, of a Disclosable Pecuniary Interest not on the Council's register or the subject of pending notification, you must notify the Parish Clerk of the interest within 28 days beginning with the date of the disclosure at the meeting or in the decision record in order for the interest to be included in the register.
- 2.6 Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a Disclosable Pecuniary Interest. Additionally, you must observe the restrictions the Council places on your involvement in matters where you have a Disclosable Pecuniary Interest as defined by the Council and set out in this Code.

3. Other Interests

NOTE: It is conceivable that an interest could be categorised as both a Disclosable Pecuniary Interest and a personal or a personal and prejudicial interest and comply with the requirements set out in paragraphs 2.1-2.6 inclusive.

- 3.1 In addition to the Disclosable Pecuniary Interests notifiable under the Localism Act 2011, you must, within 28 days of this Code being adopted by or applied to the Council, or your election or appointment to office (where that is later), give written notification to the Parish Clerk of the details of your other personal interests, as defined in 3.2 and 3.3 below, for inclusion in the register of interests. The exception to this requirement is if the detail of the personal interest is classified as sensitive.
- 3.2 You must, within 28 days of becoming aware of any new personal interest or change to any such registered interest, notify the Parish Clerk of the details of that new change.

4. Personal Interests

- 4.1 You have a personal interest in any business of the Council where it relates to or is likely to affect:
- a. anybody 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;
 - b. anybody exercising functions of a public nature; establish for charitable purposes; or one of whose principle purpose 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;
 - c. a decision in relation to any business of the Council might reasonably be



FAIR OAK & HORTON HEATH PARISH COUNCIL

2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL
(023) 8069 2403 enquiries@fairoak-pc.gov.uk
www.fairoak-pc.gov.uk @fairoakandhortonheathparishcouncil

regarded as affecting your well-being or financial position or the well-being or financial position of a significant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division, as the case may be, affected by the decision.

- 4.2 Subject to paragraphs 4.3 and 4.4 below, where you are aware of a personal interest described in paragraph 4.1a above in any business of the Council and you attend a meeting of the Council at which the business is considered you must disclose to that meeting the existence and nature of that interest at the start of the consideration of that business, or when the interest becomes apparent to you.
- 4.3 Where you have a personal interest in any business of the Council which relates to or is likely to affect a significant person (see paragraph 4.1a) above, you need only disclose to the meeting the existence and nature of that interest if and when you address the meeting on that business.
- 4.4 Where you have a personal interest but the interest is not detailed in the Council's register of Cllrs interest because of the sensitive nature of the interest, you must indicate to the meeting that you have a personal interest, but need not to disclose the sensitive information to the meeting.
- 4.5 Any personal interests notified to the Parish Clerk/Monitoring Officer will be included in the register of interests.
- 4.6 A copy of the register will be available for the public inspection.

5. Prejudicial Interests

- 5.1 Where you have a personal interest in any business of your Council you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business:
 - 5.1.1 affects your financial position or the financial position of a person or body described in paragraph 4.1 or;
 - 5.1.2 relates to determining any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 4.1
- 5.2 Where you have a prejudicial interest in any business of your Council:
 - 5.2.1 You may not participate in any discussion of the matter at a meeting.
 - 5.2.2 You may not participate in any vote taken on the matter at a meeting.
 - 5.2.3 You must disclose the existence and nature of the interest to the meeting and leave the room where the meeting is held while any discussion or voting takes place on the matter. The exception to the requirement to disclose the detail of the interest is if the matter is a sensitive interest under paragraph 5.1. In these circumstances you need only state that you have a prejudicial interest and that the details are withheld because of the sensitive information involved.
- 5.3 Where you have prejudicial interest in any business of your Council, you may attend a



FAIR OAK & HORTON HEATH PARISH COUNCIL

2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

(023) 8069 2403 enquiries@fairOak-pc.gov.uk

www.fairoak-pc.gov.uk @fairOakandHortonHeathParishCouncil

meeting but only for the purpose of making representation, answering questions or giving evidence relating to the business, and you leave the meeting room immediately after making representations, answering questions or giving evidence.

- 5.4 Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a prejudicial interest that relates to the functions of your Council in respect of:

5.4.1 statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;

5.4.2 an allowance, payment or indemnity given to Cllrs;

5.4.3 any ceremonial honour given to Cllrs; and

5.4.4 setting Council Tax or a Precept under the Local Government Finance Act 1992.

6. Receipts of Gifts and Hospitality

- 6.1 You must, within 28 days of receipt, notify the Parish Clerk in writing of any gift, benefit or hospitality with a value in excess of £50 which you have accepted as a Cllr from any person or body other than the Council.

- 6.2 The Parish Clerk will place your notification on a public register of gifts and hospitality.

7. Sensitive Interests

- 7.1 If you have a Disclosable Pecuniary Interest or a Personal or Personal and Prejudicial Interest but you consider that disclosure of the interest could lead to you or a person connected with you being subject to violence or intimidation AND the Parish Clerk/Monitoring Officer agrees with that assessment then instead of disclosing the interest you need only disclose that you have a Disclosable Pecuniary Interest or Personal or Personal and Prejudicial Interest (as the case maybe). In such instances any published version of the register of interests will exclude details of the interest but may state that you have an interest, the details of which are withheld.

8. Pre-determination or Bias

Guidance on Pre-determination or Bias

- 8.1 Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life you may participate in a decision on the issue in your political role as a Cllr. However, you must not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- 8.2 When making a decision, consider the matter with an open mind and on the facts made available to the meeting at which the decision is to be taken.



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairOak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📺 @fairOakandHortonHeathParishCouncil

Appendix 1 - The seven principles of public life

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 organisations 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.



FAIR OAK & HORTON HEATH PARISH COUNCIL

2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

(023) 8069 2403 enquiries@fairoak-pc.gov.uk

www.fairoak-pc.gov.uk @fairoakandhortonheathparishcouncil

APPENDIX 2 - Council's Code of Conduct interpretation

In the Council's Code of Conduct the following words shall have the following meanings ascribed to them:

- "the Act" means the Localism Act 2011.
- "Disclosable Pecuniary Interest" is as defined in Appendix 3.
- "meeting" means any meeting of the Council, any of the Council's Committees or Sub- Committees; whether or not the press and public are excluded from the meeting in question by a resolution of Cllrs.
- "Cllr" includes a co-opted Cllr and an appointed Cllr.
- "sensitive information" means information relating to a Cllr's interests that the Parish Clerk/Monitoring Officer has determined need not be included in the Cllr's registration of an interest or any change to that interest, by virtue of the fact that its availability for inspection by the public is likely to create a serious risk that any person may be subjected to violence or intimidation.
- "bullying" means offensive, intimidating, malicious, insulting or humiliating behaviour based on abuse or misuse of power or Council which attempts to undermine.
- "disrepute" means a lack of good reputation or respectability which can be reasonably regarded as reducing the public's confidence in that Cllr being able to fulfil their role or adversely affecting the reputation of Cllrs generally in being able to fulfil their role.
- "significant person" in relation to personal and personal and prejudicial interests means
 - a member of your family or any person with whom you have a close association; or
 - any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
 - any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - anybody:
 - 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;
 - exercising functions of a public nature;
 - established for charitable purposes;
 - 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
- "well-being" means a condition of contentedness, healthiness and happiness. Anything that could be said to affect a person's quality of life, either positively or negatively, is



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 @fairoakandhortonheathparishcouncil

likely to affect their well-being. It is not restricted to matters affecting a person's financial position.

- "close association" means someone that you are in regular contact with over a period of time who is more than an acquaintance or colleague. It may be a friend, a business associate or someone you know through general social contacts. It is someone who a reasonable member of the public might think you would be prepared to favour or disadvantage when discussing a matter that affects them.
- "member of your family" means partner, i.e. someone you are married to, your civil partner, or someone you live with in a similar capacity, a parent, a parent-in-law, a son or daughter, a stepson or stepdaughter, the child of a partner, a brother or sister, a brother or sister of your partner, a grandparent, a grandchild, an uncle or aunt, a nephew or niece, and the partners of any of these people.



FAIR OAK & HORTON HEATH PARISH COUNCIL

2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

(023) 8069 2403 enquiries@fairOak-pc.gov.uk

www.fairoak-pc.gov.uk @fairOakandHortonHeathParishCouncil

APPENDIX 3 - Disclosable Pecuniary Interests

This note explains the requirements of the Localism Act 2011 (Ss 29-34) in relation to Disclosable Pecuniary Interests.

These provisions are enforced by criminal sanction.

1 Notification of Disclosable Pecuniary Interests

Within 28 days of becoming a Cllr or co-opted Cllr, you must notify the Monitoring Officer of any 'Disclosable Pecuniary Interests'.

A Disclosable Pecuniary Interest is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the following descriptions:

<i>Interest</i>	<i>Description</i>
Employment, office, trade, profession or vocation	An employment, office trade profession or vocation carried on for profit or gain.
Sponsorship	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 by M in carrying out duties as a Cllr, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contract	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the Council: (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the Council.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge): (a) the landlord is the Council; and (b) the tenant is body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where: (a) that body (to M's knowledge) has a place of business or land in the area of the Council; and (b) either: (i) the total nominal value of the securities exceeds



FAIR OAK & HORTON HEATH PARISH COUNCIL

2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

(023) 8069 2403 enquiries@fairoak-pc.gov.uk

www.fairoak-pc.gov.uk @fairoakandhortonheathparishcouncil

	<p>£25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) 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.</p>
--	--

These descriptions on interests are subject to the following definitions:

- "The Act" means the Localism Act 2011.
- "Body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;
- "Director" includes a member of the committee of management of an industrial and provident society;
- "Land" includes an easement, servitude, interest or right in or over land which carries with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;
- "M" means the person M referred to in section 30 of the Act;
- "Cllr" includes a co-opted Cllr;
- "Relevant authority" means the Council of which M is a Cllr;
- "Relevant period" means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) of the Act;
- "Relevant person" in relation to Disclosable Pecuniary Interests means M or M's spouse or civil partner or a person with whom M is living as husband and wife or a person with whom M is living as if they were civil partners;
- "Securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.



FAIR OAK & HORTON HEATH PARISH COUNCIL

2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

(023) 8069 2403 enquiries@fairoak-pc.gov.uk

www.fairoak-pc.gov.uk @fairoakandhortonheathparishcouncil

APPENDIX 4 - Email & Monitoring Policy for Councillors

1. Purpose

Cllrs are strongly encouraged to use only the fairoak-pc.gov.uk email account for all Council activity. This helps protect Cllrs and the Council from malware. It also helps with ways of working and requirements under the General Data Protection Regulations and Data Protection Act.

If followed, this policy ensures the proper use by Cllrs of Fair Oak & Horton Heath Parish Council's email system and makes them aware of what the Council deems acceptable and unacceptable use.

2. Requirements for use

The following rules MUST be adhered to by all Cllrs. It is prohibited to:

- a. Send or forward emails containing libellous, defamatory, offensive, racist or obscene remarks. If Cllrs receive an email of this sort, they must notify the Parish Clerk immediately.
- b. Forward an email containing 3rd party data (identity, contact information) without their express consent
- c. Forward a sensitive or controversial message without acquiring explicit permission from the sender first.
- d. Forge or attempt to forge email messages.
- e. Disguise or attempt to disguise Cllrs' identity when sending mail.
- f. Send email messages using another person's email address without permission.
- g. Copy a confidential message or attachment belonging to another user without permission of the originator.

3. System Monitoring

In order to protect Cllr's and the Council from charges of inappropriate use of email, it is possible to monitor Cllr's and staff emails. Monitoring would only be carried out by either Council's Office 365 provider at the request of the Parish Clerk. Monitoring may also be carried out during prolonged periods of Cllr absence and only when they have reasonable grounds to do so.

If there is evidence that a Cllr may not be adhering to the guidelines set out in this policy, the Parish Clerk will discuss this with the Cllr. If it is felt appropriate the Parish Clerk will then discuss the evidence with the Borough Monitoring Officer about the need for further action if necessary.



FAIR OAK & HORTON HEATH PARISH COUNCIL

2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

(023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📱 @fairoakandhortonheathparishcouncil

Dispensations

The Council or Parish Clerk may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a Disclosable Pecuniary Interest.

Offences

It is a criminal offence to:

- Fail to notify the Monitoring Officer/Clerk of any Disclosable Pecuniary Interest within 28 days of election
- Fail to disclose a Disclosable Pecuniary Interest at a meeting if it is not on the register
- Fail to notify the Monitoring Officer/Clerk within 28 days of a Disclosable Pecuniary Interest that is not on the register that you have disclosed to a meeting
- Participate in any discussion or vote on a matter in which you have a Disclosable Pecuniary Interest
- Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer/Clerk of a Disclosable Pecuniary Interest or in disclosing such interest to a meeting

The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a Councillor for up to 5 years.



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 @fairoakandhortonheathparishcouncil

CONSTITUTION

CHAPTER 9

COMPLAINTS PROCEDURE INC VEXATIOUS COMPLAINANTS

Adopted

July 2021

1. Introduction

- 1.1 Fair Oak & Horton Heath Parish Council aims to provide residents with the best possible service and if you are not happy about it, we'd like to hear from you. It's usually better to approach a Councillor or member of staff informally and try to resolve the situation. If that isn't possible or if that approach hasn't worked for you, please follow this complaints procedure.
- 1.2 We take all complaints seriously and do our best to learn from them. We will investigate complaints in a fair and proportionate way. Handling of complaints is undertaken with the strictest confidence. Making a complaint about us does not mean you will be treated differently to any other resident in the future. You will be treated politely and with respect.
- 1.3 This complaints procedure applies to complaints about our administration and procedures, including complaints about how our staff have dealt with your concerns.

2. This complaints procedure does not apply to complaints:

- by one council employee against another council employee or by a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
- against Cllrs. These types of complaint refer to a breach of the Cllrs Code of Conduct, which can be found in our constitution. If this is the case, you should contact Eastleigh Borough Council's Monitoring Officer.

3. Other avenues to raise issues

- 3.1 The best time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed or by simply coming to the meeting in person. There is always an opportunity to raise your concerns in Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council.

4. Formal complaints

- 4.1 However, if your complaint is about our procedures or administration, we have a three-stage process. The process has been designed to ensure your complaint is dealt with as efficiently and satisfactorily as possible.
- 4.2 The three-stage process is outlined below:

Stage 1:

- Your complaint will initially be dealt with by the Parish Clerk who will acknowledge your complaint within five working days. You may log your complaint in person, by phone, or by writing to or emailing the address and number set out above.
- The Parish Clerk will investigate each complaint and may ask for further information as necessary from you and/or from Cllrs or staff.
- The Parish Clerk will try to resolve your complaint within ten working days.
- If this is not possible, the Parish Clerk will provide an estimate how long the investigation is

likely to last.

Stage 2:

- If you are not satisfied with the decision of the Parish Clerk or if your complaint concerns the Parish Clerk, you may make your complaint directly to the Chairman of the Council.
- The Chairman of the Council will investigate each complaint and may ask for further information as necessary from you and/or from Cllrs or staff.
- The Chairman of the Council will try to resolve your complaint within ten working days.
- If this is not possible, the Chairman will normally acknowledge your complaint within five working days and estimate how long the investigation is likely to last.

Stage 3:

- If you remain dissatisfied with the response to your complaint, you may ask the Chairman of the Council to refer it to the Full Council.
 - Your complaint will be considered by Cllrs in a confidential session at the next Council meeting. You will be invited to attend this meeting and you will be notified in writing of the outcome of the review of your complaint after the meeting.
- 4.3 Every effort will be made to resolve complaints without undue delay. The complaints procedure is designed to put things right if something has not been done correctly, and if that's not possible, we will explain why.

5. Still not satisfied?

- 5.1 We hope that we can satisfactorily resolve your complaint. However, if you are unhappy with the action we have taken, you can contact the following organisations:
- The Monitoring Officer, Eastleigh Borough Council, Eastleigh House, Upper Market Street, Eastleigh, SO50 9YN. For more information visit www.eastleigh.gov.uk or call 023 8068 8000
 - For complaints that were related to financial matters where you think we have acted illegally or improperly please contact our External Auditor, PKF Littlejohn. For more information visit www.pkf-littlejohn.com or call 020 7516 2200
 - For complaints about information you have requested under the Freedom of Information Act 2000 or Data Protection Act 2018 contact the Information Commissioner For more information visit www.ico.org.uk or call 0303 1231113

6. Persistent or Unreasonable Complaints

- 6.1 In a minority of cases people can pursue their complaints in a way which impedes looking into a complaint, has significant resource issues for the Council or is unreasonable. This Council defines persistent or unreasonable complainant as "those who, because of the frequency or nature of their contacts with the Council, unreasonably hinder the work of the Council".
- 6.2 To differentiate between complainants who pursue their complaints with vigour and those who act unreasonably, examples of what could be defined as unreasonable are: -
- Refusing to specify the complaint despite offers of help;
 - Refusing to cooperate with the investigation while expecting the complaint to be resolved;
 - Making groundless complaints about employees;

- Adopting a 'scattergun' approach i.e submitting a complaint to a number of different people at the Council or pursuing a complaint with the council and asking others to do the same i.e MPs, Police);
- Making excessive demands on the time of employees
- Recording conversations with officers without prior knowledge
- Submitting repeat complaints on the same topic after the complaints process has been completed;
- Refusing to accept the decision and repeatedly arguing the point;
- Pursuing unreasonable complaints that provide no, or inadequate, details to substantiate the allegation of wrong-doing/effort on the part of the Council

6.3 All complaints will be considered thoroughly and fully. However, if a complainant is felt to be acting unreasonable the employee should seek confirmation from the Clerk that the complainant can be regarded as persistent or unreasonable in accordance with this policy. The following procedure will then be followed.

Where a complaint has been dealt with:

- The Clerk will write to the complainant explaining why the decision has been taken and stating no further correspondence will be undertaken on the complaint or the issues they have raised.
- A copy of this procedure will be enclosed.

Where the investigation is ongoing:

- The Clerk will write to the complainant explaining why the decision has been taken and will either:
- State future contact (phone, email, letter etc) will be directed to the Clerk only; or explain that contact with officers will be limited to once a week or other appropriate timescale: or
- Require any personal contacts to be in the presence of named witnesses; or
- State no further complaints on the same matter will be registered until the present complaint has been determined; or
- State that investigation has been terminated.

6.4 The above list is not exhaustive, and decision will be made on the appropriate way forward by the Clerk in consultation with the Chairman of the Council.

6.5 Any restrictions imposed under the above procedures will be kept under review and be removed if the need for them no longer exists.



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 @fairoakandhortonheathparishcouncil

CONSTITUTION

CHAPTER 5 OFFICER & COUNCILLOR TRAINING POLICY

Date Adopted: 19 July 2021

1. Introduction

1.1 This document forms the Council's Training Statement of Intent. It sets out:

- The Council's commitment to training
- The identification of training needs
- Corporate training
- Financial assistance
- Study leave
- Short courses/workshops
- Evaluation of training
- Links with other policies
- Reporting on progress

2. Commitment to Training

2.1 The Council is committed to the on-going training and development of all Councillors and staff to enable them to make the most effective contribution to the Council's aims and objectives in providing the highest quality representation and services for the people of the parish.

2.2 According to the Chartered Institute of Personnel and Development (2007), training can be defined as *"A planned process to develop the abilities of the individual and to satisfy current and future needs of the organisation."*

2.3 The Council recognises that its most important resource is its Councillors and staff and is committed to encouraging both Cllrs and staff to enhance their knowledge and qualifications through further training. Some training is necessary to ensure compliance with all legal and statutory requirements.

2.4 The Council expects senior and specialist staff to undertake a programme of continuing professional development (CPD) in line with the requirements of their requisite professional bodies and all staff to undertake training as deemed necessary to fulfil their duties in accordance with their contract of employment and job description.

2.5 Providing training yields several benefits:

- Improves the quality of the services and facilities that the Council provides;
- Enables the organisation to achieve its corporate aims and objectives;
- Improves the skill base of the employees, producing confident, highly qualified staff working as part of an effective and efficient team; and demonstrates that the staff are valued.

2.6 Training and development will be achieved by including a realistic financial allocation for training and development in the annual budget, as well as taking advantage of any relevant partnership or in-house provision available.

3. Identification of training needs

3.1 Staff will be asked to identify their development needs with advice from their line manager during their annual appraisal or regular meetings with their line manager. There are a number of additional ways that the training needs of both Cllrs and

staff maybe recognised:

- Questionnaires
- During interview
- Following confirmation of appointment
- Formal and informal discussion (e.g. as part of staff Annual appraisal process)

3.2 Other circumstances may present the need for training:

- Legislative requirements i.e. First Aid, Fire Safety, Manual Handling
- Changes in legislation
- Changes in systems
- New or revised qualifications become available
- Accidents
- Professional error
- Introduction of new equipment
- New working methods and practices
- Complaints to the Council
- A request from a member of staff or Cllr
- Devolved services / delivery of new services

3.3 Staff who wish to be nominated for a training course should discuss this in the first instance during their appraisal; where it will be determined whether the training is relevant to the authority's needs and/or service delivery.

4. Corporate Training

4.1 Corporate training is necessary to ensure that staff are aware of their legal responsibilities or corporate standards e.g. Health and Safety, Data Protection and Equal Opportunities. Employees will be required to attend training courses, workshops or seminars where suitable training is identified.

5. Resourcing Training

5.1 An allocation will be made in the budget each year to fund training fees and travel expenses. The amount will be reviewed annually.

5.2 The Council subscribes to the National Association of Local Councils, South East Employers, and The Society of Local Council Clerks in order to receive regular up-dates on matters relevant to the sector and have access to the courses and conferences which are provided.

5.3 There will also be sufficient funds set aside for appropriate technical literature and other information.

6. Financial Assistance

6.1 It is important to note that all sponsored training must be appropriate to the needs of the Council, be relevant to the individual's role and is subject to the availability of financial resources. Each request will be considered on an individual basis and the benefits to the individual and the organisation will be identified.

6.2 Other considerations include the following:

- Implication of employee release for training course(s) on the operational capability of the Council
- The most economic and effective means of training
- Provision and availability of training budget

6.3 For approved courses Cllrs and staff can expect the following to be sponsored:

- The course fee
- Examination fees
- Associated membership fees
- One payment to re-take a failed exam

6.4 Cllrs and staff attending courses are expected to inform the Clerk immediately of any absences.

6.5 Failure to sit an examination may result in the Council withdrawing future course funding and/or requesting the refunding of financial assistance. Each case will be considered on an individual basis.

6.6 The Council operates a Return of Service agreement. Any staff member undertaking post-entry qualifications funded by the Council must be aware that should they leave employment within two years of completion of the qualification they may be required to repay all costs associated with the undertaking of such training. Each case to be reviewed by the Clerk, or in the case of the Clerk's training, by the Chairman of the Council.

7. Study Leave

7.1 Employees who are given approval to undertake external qualifications are granted the following:

- Study time to attend day-release courses
- Time to sit exams
- Study time of one day per examination (to be discussed and agreed by line manager in advance)
- Provision of study time must be agreed with the line manager prior to the course being undertaken.

8. Short Courses/Workshops/Residential Weekends (including conferences)

8.1 Where staff attendance is required at a short course on a Saturday or Sunday, up to a normal working day of straight TOIL per day may be taken.

8.2 Cllrs and staff attending approved short courses/workshops/residential weekends can expect the following to be paid:

- The course fee (usually invoiced following the event)
- Travelling expenses in accordance with the Council's current policy

- Study time of one day per exam (to be discussed and agreed by line manager in advance)
- Provision of study time must be agreed with the line manager prior to the course being undertaken.

9. Short courses/workshops/residential weekends (including conferences)

9.1 Where staff attendance is required at a short course on a Saturday or Sunday, up to a normal working day of straight TOIL per day may be taken.

9.2 Cllrs and staff attending approved short courses/workshops/residential weekends can expect the following to be paid:

- The course fee
- Travelling expenses
- Subsistence allowance

10. Training evaluation

10.1 Records of all training undertaken by staff will be kept in the personnel files of each member of staff.

10.2 As part of the Council's continuing commitment to training and development, Cllrs and staff are encouraged to share information received and circulate training presentation papers for in-house training use. They are asked to provide feedback on the value and effectiveness of the training they undertake highlighting the key implications of new legislation, guidance and/or best practice for the on-going efficiency and effectiveness of the authority.

11. Linking with other Council Policies

11.1 How will this link to the Council's other policies?

- Equality of opportunity in all aspects of Cllr and staff development;
- Risk Management Policy - a commitment to Training and Development greatly assists in achieving good governance and an effective system of Risk Management;
- Health and Safety Policy - on-going training and development is key to ensuring a positive approach to Health and Safety is embedded throughout the authority;
- Undertaking training is a clear indication of Continuing Professional Development.

12. Reporting on Progress

12.1 The Clerk will report at least annually to the Finance & Staffing Committee, detailing attendance at training over the year including an evaluation of courses attended.

13. Conclusion

13.1 The adoption of a training policy should achieve many benefits for the Council.

Training will:

- Widen skills and experience
- Provide opportunities to network
- Provide the skills to confront challenges
- Encourage innovation
- Raise the standards of the Council

14. Transparency

- 14.1 In accordance with the Freedom of Information Act 2000, this document will be posted on the Council's Website www.fairoak-pc.gov.uk



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📺 @fairoakandhortonheathparishcouncil

CHAPTER 11

FINANCE RISK ASSESSMENT

Date Adopted 13 July 2021

FAIR OAK AND HORTON HEATH PARISH COUNCIL FINANCIAL MANAGEMENT RISK ASSESSMENT

This document has been produced to enable the Parish Council to assess the risks that it faces and satisfy itself that it has taken adequate steps to minimize them. In conducting this exercise, the following method was followed: -

1. Identify the areas to be reviewed;
2. Identify what the risk may be;
3. Ascertain the risk level;
4. Evaluate the management and control of the risk; and
5. Review, assess and revise the control measures if required.

(1) Activity	(2) Risk(s) identified	(3) Risk level H – High M - Medium L - Low	(4) Management/control of Risk	(5) Review/Assess/Revise
Section One (Insurance to Help Manage Risk)				
Business continuity	Risk of Council not being able to continue its business	L	Considered remote. But risk covered in the Council's approved emergency resilience and business continuity plan.	In light of Covid-19 review adopted plan every 9-12 months.
Property and contents owned by the Council	Loss or damage	H	Up to date register of assets – adequate insurance cover	Annual review of schedule of asset and insurance
Damage by third party or to individuals	Public liability	H	Regular maintenance of properties and adequate insurance cover	The Council has public liability insurance up to 10 million pounds.
Consequential loss of income or the need to provide essential services following critical damage, loss or non-performance by a third party	Public liability	H	Annual review of risk and adequacy of cover	The Council has public liability insurance up to 10 million pounds.
Loss of cash through theft or dishonesty	Fidelity Guarantee	L	The Council is insured for £800,000 Fidelity Cover	
Legal liability as a consequence of asset ownership	Public liability	H	Regular maintenance of properties and adequate insurance cover	The Council has public liability insurance up to 10 million pounds.

(1) Activity	(2) Risk(s) identified	(3) Risk level H – High M – Medium L - Low	(4) Management/control of Risk	(5) Review/Assess/Revise
Section Two (Working with others to help manage risk)				
Security for vulnerable buildings, amenities, and equipment		M	Where a high risk occurs, the Council has installed CCTV to protect from vandalism and theft.	Any repairs required are carried out as quickly as possible. Maintenance contracts have been awarded in respect of CCTV.
The provision of services being carried out under agency/partnership	Standing Orders and Financial Regulations deal with the award of contracts etc.	L	Standing Orders and Financial Regulations are reviewed every year or as and when required.	
Banking arrangements	Detect and deter fraud or corruption	L	Monthly bank reconciliations are completed. The RFO presents a Financial Statement monthly.	
Ad hoc provision of amenities/facilities for events to local community groups	Public liability	L	A copy of the groups public liability insurance is obtained and prior permission is sought from the Council	
Vehicle or equipment lease or hire		L	The Council has an account with a reputable hire company	
Trading units: – Playing fields Pavilion Cemetery Woodland Community Centre Horton Heath Community Centre	Works are completed in house – external contractors are rarely used	L	The RFO reviews the existing contracts annually.	

(1) Activity	(2) Risk(s) identified	(3) Risk level H – High M – Medium L – Low	(4) Management/control of Risk	(5) Review/Assess/Revise
Professional Services (solicitors, planning etc)	Standing Orders and Financial Regulations deal with the award of contracts etc.	L	Standing Orders and Financial Regulations are reviewed every year or as and when required.	
Section Three (Self-Managed Risk)				
Non-availability of RFO/Clerk	Ineffective administration of Council	L	Temporary cover possible via use of locum Clerk/RFO	Consider adequacy of reserve to cover locum cost for 6 months.
Salaries and associate costs	Salaries paid incorrectly/wrong hours/rate paid/wrong tax deductions/unpaid tax contributions	L	Salary slips produced & checked monthly by the RFO.	Existing payroll system adequate.
Proper financial records	In accordance with statutory requirements	L	Regular scrutiny of financial records and proper arrangements for the approval of expenditure.	Quarterly accounts submitted to Committee and Council. End of year budgets are scrutinised by the Council's internal and external auditors. Accounts easily accessible to the public for viewing.
Budget	Inadequate monitoring	L	Budget T&F group set budget in Oct & Nov, final budget agreed by Council in December. Financial reviews conducted on a quarterly basis. This now includes the impact of Covid-19 on budget.	Existing procedure of regular reporting and monitoring by Full Council is adequate.
Payments Approval	Inadequate checks	L	A monthly finance statement is reviewed and approved by Council. This includes bank reconciliation and a breakdown of receipts and payments. This ensures timely payments to	Existing procedure of regular reporting and monitoring by Full Council is adequate.

(1) Activity	(2) Risk(s) identified	(3) Risk level H – High M – Medium L - Low	(4) Management/control of Risk	(5) Review/Assess/Revise
			payees especially important as a result of covid-10 impact on people and businesses.	
Annual Returns	Return submitted late	L	Annual returns completed by the RFO every April. Annual return approved by full Council before submission.	Reviewed annually.
Business activities	Ensuring they are within the legal powers applicable to Local Councils	L	Recording in the minutes of the precise powers under which expenditure is being approved. Checks made by the Internal Auditor.	
Borrowing	Complying with restrictions	L	The Council has no borrowings or loans	
Employment Law and Inland Revenue regulations	Ensuring all requirements are met	L	The Council is a member of the South East Employers and has adopted the green book policy. The Council administers its own payroll internally managed by the RFO.	
VAT	Ensuring all requirements are met under Custom and Excise regulations and that VAT is recovered.	L	Regular returns of VAT are made quarterly. The Council is now VAT registered. VAT claims submitted quarterly as part of budget monitoring.	
Reserves & Precept	Inadequacy of existing funds and precept levy, preventing the Council from carrying out its statutory duties and services	L	Council expenditure is monitored by senior officers reporting to the Finance Committee and Full Council. The Council has a policy to maintain reserves, in its public sector fund account not less than half the annual precept amount.	Monitoring of the budget and review of forthcoming budget requirements is undertaken regularly by officers and the members.

(1) Activity	(2) Risk(s) identified	(3) Risk level H – High M – Medium L - Low	(4) Management/control of Risk	(5) Review/Assess/Revise
			<p>The Council determines its precept amount required for the next year by examining previous year receipts and payments data, a forecast for the year and a draft budget for the forthcoming year reflecting ongoing costs, financial commitments, proposed changes to expenditure and corporate projects. Money is then allocated to certain cost centres (headings) by the RFO. Consideration is also given to any income sources. The level of precept amount is then agreed with Eastleigh Borough Council.</p>	
Grants to local community bodies	Ensuring the proper use of funds granted under specific powers or under s.137 and that the allocation of funds is transparent	L	<p>All requests are made to the Finance Committee annually with trend data.</p> <p>The RFO undertakes evidenced based review of grants annually to ensure that grants have been spent as per the application request.</p>	
Council Minutes	Proper, timely and accurate reporting of council business in the minutes	L	Minutes properly numbered with a master copy kept in safekeeping – minutes are periodically sent to the Archive Office in Winchester.	

Rights of inspection	Responding to electors wishing to exercise their rights of inspection	L	Adoption of the revised Freedom of Information Act Dec 2008	
Consultation invitations	Meeting the laid	L	Procedures in place to deal with	

(1) Activity	(2) Risk(s) identified	(3) Risk level H – High M – Medium L - Low	(4) Management/control of Risk	(5) Review/Assess/Revise
	down timetables when responding to consultation		responses to consultation requests via relevant committee.	
Document control/electronic records	Proper systems in place safeguarding potential loss of vital documents	L	Documented procedures for document receipt, circulation, response, handling and filing. Computer records are stored in icloud. Accounts system held in icloud and back up every night.	
Website/social media	Inadequate or outdated information and lack of public engagement with use of website, email and facebook.	L	New website platform used and recently launched (July 19). Facebook & website regularly updated. Virus checks and website security updates are in place.	Virus software purchased on an annual basis.
GDPR	Ensure that the Council meets its statutory obligations	M	Necessary corporate documents relating to Data Protect and privacy are adopted and reviewed annually. Council undertakes data audits annually and seeks consent from individuals where data is retained.	GDPR compliance reviewed on an ongoing basis by senior officers.
Section four (Councillors Propriety)				
Register of Members' Interests and Gifts and Hospitality	In place, complete and up to date	L	Adoption of new code of conduct approved in September 2012. Procedures in place for recording and monitoring Members' interests etc.	

Member Interests	Conflict of interest	M	Councillors have a legal duty to declare any interest at the start of meetings.	Existing procedures adequate.
	Register of Members' Interests	L	Register of Members of Interest form to be reviewed at least on an annual basis.	Members to take responsibility to inform the Clerk to any updates to their interest form/register.



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 @fairoakandhortonheathparishcouncil

CONSTITUTION

CHAPTER 12

ACCESS TO INFORMATION POLICY

Adopted on 21 July 2021

1. Background

- 1.1 Information is a right. Every member of the public has a right to access our service. The Race Relations (Amendment) Act 2000, and the Disability Discrimination Act 2005, places a duty on local authorities to publish race and disability equality schemes. This includes making our information accessible to everyone.
- 1.2 The Freedom of Information Act 2018 gives every member of the public a right to request information on any aspect of our work. This means that people have a right to Parish Council information in a language or format that suits them, within reason.
- 1.3 Our policy is committed to making information (website, letters, emails, leaflets, reports, minutes) and services available:
 - To individuals
 - On request
 - In alternative formats
 - In alternative media
- 1.4 The Council Constitution sets out for the public our key goals and our values as a local authority. Promoting ethnic integration and diversity in Fair Oak & Horton Heath is one of our key values and this policy helps make us accessible to all.
- 1.5 This policy is part of our approach to equality and diversity. At Fair Oak & Horton Heath Parish Council, we do not discriminate when people want to access information and services.
- 1.6 All our policies will, upon request, be made available in different formats such as large print, Braille, audio or in a different language. They will also include the Council's contact details.

2. Scope

- 2.1 This policy provides guidelines to make sure the Parish Council is accessible to everyone, including:
 - The public
 - Staff
 - Elected Cllrs
 - Partner organisations
- 2.2 The policy has been written both for staff and elected Cllrs in the Council. The policy has also been written so members of the public and partner organisations, with the aim of developing future protocols on accessibility that would cut across organisations.
- 2.3 This policy provides an overall framework for people to access us through:
 - Printed information
 - Electronic information
 - Face to face contact
 - Telephone
- 2.4 This policy covers all areas of access to information including alternative formats, translators and interpreters as well as other support for people at meetings.
- 2.5 Our policy aims to make accessible services and information straightforward and part of the Council's day-to-day work.

3. Accessing interpreters and translators

- 3.1 This part focuses on making services accessible to people whose first language is not written or spoken English.
- 3.2 Interpreters are needed where a person finds that communicating in English is a barrier to getting the information, advice or service they need.
- 3.3 We have the following responsibilities regarding interpreters:
- To provide them on request
 - To use them only with a person's consent
- 3.4 Due to the low level of request for this service, the Council does not have direct access to interpreters, however if required, we will endeavour to respond within a reasonable timescale to find a suitable person who can provide an adequate level of interpretation.
- 3.5 At any point in time someone may want a document translated into a language other than English. The Council does not as a matter of course translate documents into other languages. However, if required, we will endeavour to respond within a reasonable time to find a suitable person who can provide an adequate level of translation.
- 3.6 Staff will ensure that both translators and interpreters sign a written undertaking that they will keep all information being translated or interpreted as confidential

4. Accessible information: using plain language

- 4.1 Plain language is about making sure that everything we write is clear to read. The Plain English Campaign define plain English as 'something that the intended audience can read, understand and act upon the first time they read it'.
- 4.2 The Plain English Campaign list what they consider plain language to be:
- Using short words that are commonly used
 - Using 'you' and 'we'
 - Not being afraid to give instructions
 - Using positive language
 - Avoiding jargon
 - Explaining what acronyms stand for
 - Using words rather than abbreviations or symbols, for example 'care of', not c/o
 - Keeping sentences and paragraphs short (aim for maximum sentences of 15-20 words)
 - Using headings to break up writing
 - Explaining any technical terms you have to use
 - Avoiding long-winded sentences
 - Using the active voice 'I will eat jelly' rather than the passive voice 'jelly will be eaten by me'
 - Choosing a photograph, diagram or illustration to replace long written descriptions
 - Only using basic punctuation: , ; : / ()
 - Avoiding phrases such as inter alia and raison d'être, where an English equivalent can be used

5. Accessible information: keeping documents clear

- 5.1 Clear print is a design that takes into account a wider audience.
- Type size/face: we will always use font Arial 11 or above.

- Type weight: medium or bold weight fonts are more accessible than light ones.
- Contrast: we aim for a clear colour contrast. Black text on a white background and strong blue text on a yellow background provides the best contrast.
- Inks which are of a darker tone of the same colour as the paper should be avoided.
- People with colour blindness may have problems distinguishing reds or greens.
- When using white type, we will make sure the background is dark to provide good contrast
- Using paper: we will avoid using glossy paper because the glare makes it difficult to read and will choose uncoated or matt paper.
- Thin paper should not be used when printing documents on both sides.
- If the text is showing through from the reverse side, then the paper is too thin, and remember that bold and large text is more likely to show through.
- Alternatively choose paper with a minimum density of 90gsm for double sided printing.
- Type styles: We will avoid sentences using CAPITAL LETTERS, *italics* or underlined text as these are generally harder to read. Bold is more accessible, but only in small amounts.

5.2 Page layout and word spacing: to make a document accessible:

- Keep the same space between each word.
- Do not condense or stretch words.
- Try not to write more than 60-70 letters per line.
- Do not split words at the end of lines.
- Align text to the left margin so it is easy to find the start and finish of each line.
- Avoid justified text as it creates uneven spacing between words.
- Break information down into sections with titles and sub-titles.

5.3 Navigational aids: we will use numbered headings and paragraphs in long documents and use a contents list or index to guide readers to relevant sections and pages.

5.4 It is also helpful to place clear page numbers in the same position on each page and leaving a space between paragraphs makes reading easier.

5.5 Illustrations: where possible we will try not to write letters over pictures

5.6 Watermarks: these can be confusing to a reader, although it is a very useful tool especially for DRAFT or CONFIDENTIAL documents. In addition, we will usually state DRAFT or CONFIDENTIAL in large bold print at the beginning of the document.

5.7 Large print: will be made available on request. The RNIB defines large print as a minimum font size of point 16. Action for Blind People recommend anything between point 16 to point 22. We will ask people what size they would like, as no single size suits everyone.

5.8 With long documents it is a good idea to ask the person whether they want all or part of a document made available in large print.

6. Accessible information in alternative formats

6.1 The Council has a responsibility to make materials in alternative formats available. Electronic information: can be adapted or translated before being sent out. In some cases, readers will have adaptations to their computers, so all they will need is an email.

6.2 Coloured paper: can help some readers with dyslexia. It is important to ask the individual reader what is best for them. Braille: some people prefer information in Braille. Before responding to requests for information in Braille it is important to check that the person

would rather have information in Braille than on CD.

- 6.3 Translation: is a critical way to make documents accessible to people who read in other languages. All requests for translation must be met in the language requested.
- 6.4 British Sign Language in video clips: when needed, we will pay for an interpreter to sign the document in front of a camcorder.
- 6.5 Using pictorial information: people may find information easier to understand if text is supported by illustrations. These could include:
- Photos
 - Flow charts
 - Tables
 - Diagrams
- 6.6 Key points to remember when illustrating a printed text:
- Make sure the text is in plain language
 - Make sure the font is in a large size
- 6.7 MENCAP provide helpful information on how to make printed information accessible for people with learning disabilities and literacy difficulties.

Further Information

Learning disabilities

MENCAP: www.mencap.org.uk

Visual impairments/blindness:

Royal National Institute of the Blind: www.rnib.org.uk

Hearing impairments/deafness:

Royal National Institute for the Deaf: www.rnid.org.uk

Plain English Campaign: www.plainenglish.co.uk



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 @fairoakandhortonheathparishcouncil

CONSTITUTION

CHAPTER 13

INFORMATION POLICY

Adopted

21 July 2021

1. The Information Policy

1.1 This policy details how Fair Oak & Horton Heath Parish Council will abide by the following legislation:

- The Freedom of Information Act 2000
- The Privacy and Electronic Communications Regulations 2003
- The Environmental Information Regulations 2004

2. Freedom of Information Act 2000

2.1 The Freedom of Information Act (FOIA) deals with access to official information. Individuals or organisations have the right to request information held by Fair Oak & Horton Heath Parish Council. It gives applicants two statutory rights. First, to be told whether or not the Parish Council holds the requested information; and second, and if the Parish Council does, to have that information sent to them. The Act is fully retrospective and applies to all information, not just information filed since the Act came into force.

2.2 Some information could be exempt from disclosure. There are 23 exemptions in the FOIA, some of which are absolute and some qualified.

2.3 Where information falls under an absolute exemption, the harm to the public interest that would result from its disclosure is already established, for example, in relation to personal information, or if disclosure would result in an actionable breach of confidence.

2.4 There are five exemptions that are likely to apply to information held by Fair Oak & Horton Heath Parish Council:

- Information that is readily accessible to the applicant by other means
- Information that constitutes Court records
- Information that is defined as personal data under the Data Protection Act 1998
- Information that has been provided in confidence
- Information prohibited from disclosure by law

2.5 If the Parish Council believes that the information is covered by a qualified exemption it will apply the public interest test. This favours disclosure where a qualified exemption or an exception applies. In such cases, the information may be withheld only if Fair Oak & Horton Heath Parish Council considers that the public interest in withholding the information is greater than the public interest in disclosing it.

2.6 Fair Oak & Horton Heath Parish Council will normally supply the information requested in the format requested within 20 working days of receipt of a written request; confirm whether or not it holds the information; advise whether a fee will be charged and provide the information (after any relevant fee has been paid) unless an exemption applies.

2.7 The FOIA allows Fair Oak & Horton Heath Parish Council to charge for answering Freedom of Information requests when costs exceed £450. In these cases we can decide to: -

- refuse the request; or
- comply with the request and charge for allowable costs as prescribed in the legislation; or
- comply with the request free of charge. The request for information will not be answered until the fee has been received.

- 2.8 Fair Oak & Horton Heath Parish Council does not have to confirm or deny the existence of the information or provide it if: an exemption applies; the request is vexatious; similar to a previous request; or, the cost of compliance exceeds an appropriate limit. If the Parish Council decides not to disclose the information requested it will give reasons for its decision, explain how the exemption or exception applies and explain the arguments under the public interest test.
- 2.9 If an applicant is unhappy with a refusal to disclose information, they can request a formal review of the decision by a person not directly involved with the refusal. If the review concurs with the decision not to disclose the information the applicant can appeal. The ICO will investigate the case and either uphold Fair Oak & Horton Heath Parish Council's use of an exemption or decide that the information must be disclosed.
- 2.10 Cases can be referred to the ICO if, for example, there has been excessive delay or if the application of an exemption or a refusal made on public interest grounds is disputed. The ICO may serve a decision notice on Fair Oak & Horton Heath Parish Council either confirming the decision or directing it to disclose information within a certain timescale. Non-compliance with a decision notice may constitute contempt of court.
- 2.11 Finally, if either the applicant or Fair Oak & Horton Heath Parish Council disagrees with the ICO's decision, an appeal can be lodged within 28 days to the independent Information Tribunal.

3. Environmental Information Regulations 2004

- 3.1 These regulations give the public the right to access environmental information held by public authorities. Environmental information is divided into the following six main areas:
- i. The state of the elements of the environment, such as air, water, soil, land, fauna (including human beings)
 - ii. Emissions and discharges, noise, energy, radiation, waste and other such substances
 - iii. Measures and activities such as policies, plans, and agreements affecting or likely to affect the state of the elements of the environment
 - iv. Reports, cost-benefit and economic analyses
 - v. The state of human health and safety, contamination of the food chain
 - vi. Cultural sites and built structures (to the extent they may be affected by the state of the elements of the environment)
- 3.2 As of June 2021, none of this information is held by Fair Oak & Horton Heath Parish Council.

4. Privacy and Electronic Communications Regulations

- 4.1 The PECR apply to unsolicited electronic marketing messages sent by telephone, email or text.
- 4.2 If Fair Oak & Horton Heath Parish Council wants to make automated telephone calls or send texts to individuals, they must have the subscriber's consent. If they wish, subscribers (individuals or businesses) can opt out of direct marketing phone calls both to a land line and a mobile number. People on the Telephone Preference Service register will not receive these types of calls unless they give their permission.
- 4.3 Individual and corporate subscribers can also register their objection to receiving unsolicited direct marketing by registering their number with the Fax Preference Service. Unsolicited marketing material by electronic mail (this includes texts, picture messages and emails) will only be sent if the person has chosen to receive them, unless

the email address was obtained as a result of a commercial relationship. The Council will always give the individual the opportunity to stop receiving the emails.

- 4.4 Spam is the use of electronic messaging systems (including most broadcast media, digital delivery systems) to send unsolicited bulk messages indiscriminately. The most widely recognised form of spam is e-mail spam, also known as unsolicited bulk email (UBE), junk mail or unsolicited commercial email (UCE).
- 4.5 Fair Oak & Horton Heath Parish Council has processes and software in place to protect the email server as far as reasonably possible from spam.

5. Additional Information

- 5.1 Additional guidance on the Freedom of Information Act, Environmental Information Regulations and the Data Protection Act are available on the ICO's website:
www.ico.gov.uk.
- 5.2 Alternatively, the ICO can be contacted by post, telephone or email:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SKG 5AF

Helpline telephone number: 01625 545745
Email: casework@ico.org.uk



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 [@fairoakandhortonheathparishcouncil](https://www.facebook.com/fairoakandhortonheathparishcouncil)

CONSTITUTION

CHAPTER 14 PUBLICATION SCHEME

Adopted

21 July 2021

1. Introduction

1.1 This policy lists the type of information held by Fair Oak & Horton Heath Parish Council and says what information is available to the public as part of our normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority.

1.2 The scheme commits an authority:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- To specify the information which is held by the authority and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the authority makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.

2. Classes of information

2.1 Information that the Parish Council holds includes: -

- 1 Who we are and what we do
Organisational information, locations and contacts, constitutional and legal governance.
- 2 What we spend and how we spend it
Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.
- 3 What our priorities are and how we are doing
Strategy and performance information, plans, assessments, inspections and reviews.
- 4 How we make decisions
Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.
- 5 Our policies and procedures
Current written protocols for delivering our functions and responsibilities.
- 6 Lists and registers
Information held in registers required by law and other lists and registers relating to the functions of the authority.
- 7 The services we offer advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

2.2 The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage or is difficult to access for similar reasons.

3. The method by which information published under will be made available

- 3.1 The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained.
- 3.2 Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means.
- 3.3 In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.
- 3.4 Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.
- 3.5 Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

4. Charges which may be made for information published under this scheme

- 4.1 The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.
- 4.2 Material which is published and accessed on a website will be provided free of charge. Charges may be made for information subject to a charging regime specified by Parliament. Charges may be made for actual disbursements incurred such as:
- photocopying
 - postage and packaging
- 4.3 Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.
- 4.4 If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

5. Written requests

- 5.1 Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.
- 5.2 Information available from Fair Oak & Horton Heath Parish Council under the Publication Scheme.
- 5.3 All information on the website is free, all hard copy will be charged at 10p per A4 sheet (b&w)

Information to be published	How the information can be obtained
Who we are and what we do	
Who is who on the Council and its Committees	Website/ hard copy
Contact details for the Cllrs and staff	Website/ hard copy
Location of the Parish Office/Parish buildings and accessibility details	Website/ hard copy
Staffing structure	Website/ hard copy
What we spend and how we spend it	
Financial Regulations	Website/ hard copy
Annual return form and reports by internal and external auditors	Website/ hard copy
Annual budget and precept demand	Website/ hard copy
Expenditure and income over £500	Website/ hard copy
Income and expenditure through the financial year as part of reports submitted at Full Council	Website/ hard copy
Grants given and received	Website/ hard copy
List of current contracts awarded and value of contract	Email / hard copy
What our priorities are and how we are doing	
Current Corporate Plan	Website/ hard copy
Annual Action Plan	Website/ hard copy
How we make decisions	
Standing Orders - how we make decisions	Website/ hard copy
Timetable of meetings (Council, any committee/sub- committee meetings)	Website/ hard copy
Agendas of meetings (as above)	Website/ hard copy
Minutes of meetings (as above)	Website/ hard copy
Reports presented to council meetings	Website/ hard copy
Responses to consultation papers	Website/ hard copy
Responses to planning applications	Website/ hard copy
Policies of the Council (inc the Constitution)	Website/ hard copy
Lists and registers	Website/ hard copy
Assets Register	Website/ hard copy
Disclosure Log	
Register of interest/gifts of hospitality/acceptance of office	Website/ hard copy
Media Releases	Social media/website



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 @fairoakandhortonheathparishcouncil

CONSTITUTION

CHAPTER 15

INFORMATION RETENTION & DISPOSAL POLICY

Adopted

21 July 2021

1. Introduction

- 1.1 Fair Oak & Horton Heath Parish Council accumulates a vast amount of information and data during its everyday activities. This includes data generated internally in addition to information obtained from individuals and external organisations. This information is recorded in various types of document.
- 1.2 Records are an important asset and as such measures need to be undertaken to safeguard this information. Properly managed records provide authentic and reliable evidence of the Council's transactions and are necessary to ensure it can demonstrate accountability.
- 1.3 Documents may be retained in either 'hard' paper form or in electronic forms. For the purpose of this policy, 'document' and 'record' refers to both hard copy and electronic records.
- 1.4 It is important that documents are retained for an adequate period. If documents are destroyed prematurely the Council and individual staff could face prosecution and it could cause operational difficulties, reputational damage and difficulty in defending any claim brought against the Council.
- 1.5 In contrast to the above the Council should not retain documents longer than is necessary. Timely disposal should be undertaken to ensure compliance with the General Data Protection Regulations so that personal information is not retained longer than necessary. This will also ensure the most efficient use of limited storage space.

2. Scope and Objectives of the Policy

- 2.1 The aim of this document is to provide a working framework to determine which documents are:
 - Retained - and for how long; or
 - Disposed of - and if so by what method.
2. There are some records that do not need to be kept at all or that are routinely destroyed in the course of business. This usually applies to information that is duplicated, unimportant or only of a short-term value. Unimportant records of information include:
 - 'With compliments' slips.
 - Catalogues and trade journals.
 - Non-acceptance of invitations.
 - Trivial electronic mail messages that are not related to Council business.
 - Requests for information such as maps, plans or advertising material.
 - Out of date distribution lists.
- 2.3 Duplicated and superseded material such as stationery, manuals, drafts, forms, address books and reference copies of annual reports may be destroyed.
- 2.4 Records should not be destroyed if the information can be used as evidence to prove that something has happened. If destroyed the disposal needs to be disposed of under the General Data Protection Regulations

3. Roles and Responsibilities for Document Retention and Disposal

- 3.1 Councils are responsible for determining whether to retain or dispose of documents and should undertake a review of documentation at least on an annual basis to ensure that any unnecessary documentation being held is disposed of under the General Data Protection Regulations.
- 3.2 Councils should ensure that all employees are aware of the retention/disposal schedule.

4. Document Retention Protocol

- 4.1 Councils should have in place an adequate system for documenting the activities of their service. This system should take into account the legislative and regulatory environments to which they work.
- 4.2 Records of each activity should be complete and accurate enough to allow employees and their successors to undertake appropriate actions in the context of their responsibilities to:
 - Facilitate an audit or examination of the business by anyone so authorised.
 - Protect the legal and other rights of the Council, its clients and any other persons affected by its actions.
 - Verify individual consent to record, manage and record disposal of their personal data.
 - Provide authenticity of the records so that the evidence derived from them is shown to be credible and authoritative.
- 4.3 To facilitate this the following principles should be adopted:
 - Records created and maintained should be arranged in a record-keeping system that will enable quick and easy retrieval of information under the General Data Protection Regulations
 - Documents that are no longer required for operational purposes but need retaining should be placed at the records office.
- 4.4 The retention schedules in Appendix 1: List of Documents for Retention or Disposal provide guidance on the recommended minimum retention periods for specific classes of documents and records. These schedules have been compiled from recommended best practice from the Public Records Office, the Records Management Society of Great Britain and in accordance with relevant legislation.
- 4.5 Whenever there is a possibility of litigation, the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed.

5. Document Disposal Protocol

- 5.1 Documents should only be disposed of if reviewed in accordance with the following:
 - Is retention required to fulfil statutory or other regulatory requirements?
 - Is retention required to meet the operational needs of the service?
 - Is retention required to evidence events in the case of dispute?
 - Is retention required because the document or record is of historic interest or intrinsic value?
- 5.2 When documents are scheduled for disposal the method of disposal should be appropriate

to the nature and sensitivity of the documents concerned. A record of the disposal will be kept to comply with the General Data Protection Regulations.

5.3 Documents can be disposed of by any of the following methods:

- Non-confidential records: place in wastepaper bin for disposal.
- Confidential records or records giving personal information: shred documents.
- Deletion of computer records.
- Transmission of records to an external body such as the County Records Office.

5.4 The following principles should be followed when disposing of records:

- All records containing personal or confidential information should be destroyed at the end of the retention period. Failure to do so could lead to the Council being prosecuted under the General Data Protection Regulations.
- the Freedom of Information Act or cause reputational damage.
- Where computer records are deleted steps should be taken to ensure that data is 'virtually impossible to retrieve' as advised by the Information Commissioner.
- Where documents are of historical interest it may be appropriate that they are transmitted to the County Records office.
- Back-up copies of documents should also be destroyed (including electronic or photographed documents unless specific provisions exist for their disposal).

5.5 Records should be maintained of appropriate disposals. These records should contain the following information:

- The name of the document destroyed.
- The date the document was destroyed.
- The method of disposal.

6. Data Protection Act 1998 - Obligation to Dispose of Certain Data

6.1 The Data Protection Act 1998 ('Fifth Principle') requires that personal information must not be retained longer than is necessary for the purpose for which it was originally obtained. Section 1 of the Data Protection Act defines personal information as:

Data that relates to a living individual who can be identified:

- a. from the data, or
- b. from those data and other information which is in the possession of, or is likely to come into the possession of the data controller.

It includes any expression of opinion about the individual and any indication of the intentions of the Council or other person in respect of the individual.

6.2 The Data Protection Act provides an exemption for information about identifiable living individuals that is held for research, statistical or historical purposes to be held indefinitely provided that the specific requirements are met.

6.3 Councils are responsible for ensuring that they comply with the principles of the under the General Data Protection Regulations namely:

- Personal data is processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met.
- Personal data shall only be obtained for specific purposes and processed in a compatible manner.
- Personal data shall be adequate, relevant, but not excessive.
- Personal data shall be accurate and up to date.
- Personal data shall not be kept for longer than is necessary.
- Personal data shall be processed in accordance with the rights of the data subject.
- Personal data shall be kept secure.

6.4 External storage providers or archivists that are holding Council documents must also comply with the above principles of the General Data Protection Regulations.

7. Scanning of Documents

- 7.1 In general, once a document has been scanned on to a document image system the original becomes redundant. There is no specific legislation covering the format for which local government records are retained following electronic storage, except for those prescribed by HM Revenue and Customs.
- 7.2 a general rule hard copies of scanned documents should be retained for three months after scanning.
- 7.3 Original documents required for VAT and tax purposes should be retained for six years unless a shorter period has been agreed with HM Revenue and Customs.

8. Review of Document Retention

- 81 It is planned to review, update and where appropriate amend this document on a regular basis (at least every three years in accordance with the Code of Practice on the Management of Records issued by the Lord Chancellor).
- 82 This document has been compiled from various sources of recommended best practice and with reference to the following documents and publications:
- Local Council Administration, Charles Arnold-Baker, 10th edition, Chapter 11
 - Local Government Act 1972, sections 225 - 229, section 234
 - SLCC Advice Note 316 Retaining Important Documents
 - SLCC Clerks' Manual: Storing Books and Documents
 - Lord Chancellor's Code of Practice on the Management of Records issued under Section 46 of the Freedom of Information Act 2000

9. List of Documents

- 9.1 The full list of the Council's documents and the procedures for retention or disposal can be found below in Appendix 1: List of documents for retention and disposal. This is updated regularly in accordance with any changes to legal requirements.

Appendix1 - List of documents for retention and disposal

Document	Minimum Retention Period	Reason	Disposal
Minutes	Indefinite	Archive	Original signed paper copies of Council minutes of meetings must be kept indefinitely in safe storage. At regular intervals of not more than 5 years they must be archived and deposited with the County Records Office
Agendas	5 years	Management	Bin (shred confidential waste)
Accident/incident reports	20 years	Potential claims	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Scales of fees and charges	6 years	Management	Bin
Receipt and payment accounts	Indefinite	Archive	N/A
Receipt books of all kinds	6 years	VAT	Bin
Bank statements including deposit/savings accounts	Last completed audit year	Audit	Confidential waste
Bank paying-in books	Last completed	Audit	Confidential waste

Document	Minimum Retention Period	Reason	Disposal
	audit year		
Cheque book stubs	Last completed audit year	Audit	Confidential waste
Quotations and tenders	6 years	Limitation Act 1980 (as amended)	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Paid invoices	6 years	VAT	Confidential waste
Paid cheques	6 years	Limitation Act 1980	Confidential waste
VAT records	6 years generally but 20 years for VAT on rents	VAT	Confidential waste
Petty cash, postage and telephone books	6 years	Limitation Act 1980	Confidential waste
Timesheets	Last completed audit	Audit (requirement) / Personal injury (best practice)	Bin
Wages books/payroll	12 years	Superannuation	Confidential waste
Insurance policies	While valid (but see next two items below)	Management	Bin
Insurance company names and policy numbers	Indefinite	Management	N/A
Certificates for insurance against liability for employees	40 years from date on which insurance commenced or was renewed	Employers Liability (Compulsory Insurance)	Bin
Park equipment inspection reports	21 years	Public liability	Bin

Document	Minimum Retention Period	Reason	Disposal
Investments	Indefinite	Audit, Management	N/A
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management	N/A
Information from other bodies e.g. circulars from county associations, NALC, principal authorities	Retained for as long as it is useful and relevant		Bin
Local/historical information	Indefinite - to be securely kept for benefit of the Parish		
Record Keeping			
To ensure records are easily accessible it is necessary to comply with the following: A list of files stored in cabinets will be kept; Electronic files will be saved using relevant file names	The electronic files will be backed up daily	Management	Documentation no longer required will be disposed of, ensuring any confidential documents are destroyed as confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

Document	Minimum Retention Period	Reason	Disposal
General correspondence	Retained for as long as it is useful and relevant	Management	Bin (shred confidential waste) A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Correspondence relating to staff	Kept securely for 3 years following departure.		Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Documents from legal matters, negligence			
Negligence	6 years		Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Defamation	1 year		Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Contract	6 years		Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Leases	12 years		Confidential waste.
Sums recoverable by statute	6 years		Confidential waste.
Personal injury	3 years		Confidential waste.
To recover land	12 years		Confidential waste.
Rent	6 years		Confidential waste.
Breach of trust	None		Confidential waste.
Trust deeds	Indefinite		N/A
For Centres & Recreation Grounds			
Application to hire, Invoices, Record of tickets issued	6 years	VAT	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Lettings diaries	Electronic files linked to accounts	VAT	N/A
Terms and Conditions	6 years	Management	Bin

Document	Minimum Retention Period	Reason	Disposal
Event Monitoring Forms	6 years unless required for claims, insurance or legal purposes	Management	Bin. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
For Allotments			
Register and plans	Indefinite	Audit, Management	N/A
Legal papers	Indefinite	Audit, Management	N/A
Planning papers			
Applications	1 year	Management	Bin
Appeals	1 year unless significant development	Management	Bin
Trees	1 year	Management	Bin
Local Development Plans	Retained as long as in force	Reference	Bin
Local Plans	Retained as long as in force	Reference	Bin
Code of Practice	Destroy on renewal Review annually	Management	Confidential waste
Photographs/ digital prints	31 days	Data protection	Confidential waste



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairoak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 @fairoakandhortonheathparishcouncil

CONSTITUTION

CHAPTER 16

COMMUNITY ENGAGEMENT STRATEGY

Adopted: 21 July 2021

1. Background and principles

1.1 Fair Oak & Horton Heath Parish Council (FOHHPC) recognises the need to consider the impact of its actions on others and the surrounding environment.

1.2. A key component in FOHHPC's corporate plan is to get residents involved in the democratic process.

1.3. The Localism Act 2011 places considerable onus on increased involvement and therefore, initial guiding principles are required

1.4 Involvement principles

- FOHHPC cannot force any individual or group to become involved, but it can, and will, make it as easy as possible.
- It will always be clear, before the start of any participation or consultation activity, to what extent the result will inform a decision.
- If the outcome of a participation or consultation activity is intended to inform a decision and a different decision is taken, the reasoning behind that decision will be explained where necessary.
- Not every decision requires community involvement.

1.5 Engagement principles

- FOHHPC will be clear at the start of the event what output is expected, e.g. are commendation, strategy suggestion etc
- Engagement events are not intended as an opportunity for individuals with an interest to lobby decision makers
- While individuals may well have links with groups that have a vested interest, they should not represent those groups in informing the process.
- The process should encourage people to take the wider view, and to ensure that those not able to be at an event have their views expressed by others.

1.6 Consultation principles

- If an event calls for wider public involvement, the event will be advertised locally allowing people time to organise their engagement with the event.
- Consultation events will sometimes be targeted at the relevant group or groups.
- Events will be time-bound.
- Specific, non-leading questions will be asked.
- Questions can be open (e.g. where do you think swings should be sited?) but not open-ended (e.g. what do you think should be done?).

2. Corporate aims and objectives

2.1 Community engagement is embodied in the delivery of the Council's Corporate Plan.

2.2 Areas of focus in the Plan are: well being: to build and foster a flourishing community

and environmental sustainability: covering the attractiveness, variety and accessibility of the Parish's green spaces and an increased focus on renewable energy, energy efficiency, waste reduction, and environmental enhancement to increase bio-diversity.

2.3 FOHHPC recognises that wellbeing, prosperity and environmental sustainability are intrinsically interlinked and none of the aims can be achieved without a high level of community engagement.

2.4 The objectives of this strategy are to:

- Encourage effective local community engagement.
- Ensure that there is a clear understanding of the need to engage with communities about decisions which affect them and that this is embedded throughout FOHHPC.
- Enable the aspirations/comments/suggestions etc. obtained from community engagement to have an impact on decision making and the way in which services are being delivered.
- Identify the principles behind how FOHHPC can enhance its profile by improving engagement with the wider community (with specific reference to hard-to-reach groups).

3. Fair Oak & Horton Heath Parish Council and community engagement

3.1 The Council currently facilitates community engagement in the following ways:

- Allocation of public participation at the beginning of each Council meeting, providing the opportunity for residents to talk to the Council or ask questions relating to items on the agenda.
- The publishing of agendas, minutes & reports for all council meetings on the website and social media.
- Active involvement in the annual parish meeting with its open forum for questions.
- The annual External Auditor provides the opportunity for questions to be asked about the latest statement of accounts and balance sheet. A synopsis of the financial accounts is published within the annual report.
- The ability to provide Council information in alternative formats or languages upon request.
- Making councillor contact details available on the website.
- News and events are publicised through the Council's website, social media and monthly e-bulletins.
- The annual report and statements of accounts are made available on the website and upon request in paper format.

- 3.2 Consultation exercises, surveys, Facebook pools and questionnaires are undertaken with residents, young people and local user groups and organisations for specific projects and tasks.
- 3.3 Inviting members of the public to Open Forums & Task & Finish Groups.
- 3.4 Press releases featured in local media keep the general public informed of community events, projects and other Council items of interest.
- 3.5 Where and when appropriate, external resource may be utilised for a large and time-consuming consultation or engagement exercise.
- 3.6 Unlike other tiers of local government, Parish Cllrs always live within 3 miles of the area they serve and therefore have close ties to their constituents and local voluntary and community organisations on a day-to-day basis, making them uniquely placed in terms of informed representation.

4 Future improvements

- 4.1 The Council is committed to improving community engagement by enforcing the principles in section 1 and:
 - I. Continuing all the above activities and services into the future, improving relationships with community groups, developing measures to harness the views and opinions of people and groups who are often missed out of community engagement activities.
 - II. Identifying and embracing opportunities to work with other local community groups as and when the need arises.
 - III. Extending and developing the range of electronic communication including a presence on social networking media such as Facebook & Instagram.
 - IV. Participation in local networks to share knowledge and experience of community engagement activities in other areas.
 - V. Publishing the positive results that have been achieved from working relationships between the Council and other groups in order to encourage new relationships to be formed and raise community spirit.
 - VI. Ensuring that appropriate evaluation is carried out following consultation exercises to ensure that lessons learned are carried forward and an assessment of how effective and useful the consultation was for residents and the council.



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fair-oak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 @fair-oak-and-horton-heath-parish-council

CONSTITUTION

CHAPTER 17

COMMUNICATIONS POLICY

Adopted

21 July 2021

1 Introduction

- 1.1 If communication is managed effectively, the Council will be able to create and seize opportunities to communicate with stakeholders and the public and build an accurate and positive reputation.
- 1.2 This protocol acts as a simple reference tool for any Cllrs or member of staff who engages with the media. It can clarify roles and responsibilities and help manage expectations.
- 1.3 The purpose of this protocol is to clarify the roles and responsibilities of Cllrs and staff in dealing with the media, and to provide guidance on how to handle media interest.
- 1.4 The Council recognises the need for openness, and this should be reflected in how the media communications are dealt with.
- 1.5 The aim of the protocol is to ensure that the Council is seen to communicate in a professional and objective manner. In all cases, the Council's approach to the media should be:
 - open and honest
 - proactive
 - responsive and timely

2 The Legal Context

- 2.1 This protocol reflects the guidance to town & parish councils contained in the Code of Recommended Practice on Local Authority Publicity 2011 in which the following principles are listed:

Publicity by local authorities should:

- be lawful
 - be cost effective
 - be objective
 - be even- handed
 - be appropriate
 - have regard to equality and diversity
 - be issued with care during periods of heightened sensitivity; and the Council must have regard to it and follow its provisions
- 2.2 This protocol will also explain how Fair Oak & Horton Heath Parish Council will help achieve the following objectives:
 - Share and celebrate success
 - Give information about policies, services and events, and about the democratic process so that people feel more informed about the Council's work
 - Handle negative issues clearly and decisively

3 The Media

- 3.1 Local and regional newspapers, independent radio and TV as well as national media have all covered stories relating to Fair Oak & Horton Heath in recent years. In addition, the internet and social media are vital media to disseminate local news.

4 Identifying Newsworthy Items

- 4.1 It is the responsibility of everyone working within the Council to identify worthy news items as early as possible.

5 Handling Media Enquiries

- 5.1 The Clerk supported by the Admin Officer will be responsible for all media enquiries and responses into the Parish office.
- 5.2 However, staff are encouraged to take responsibility and deal with requests themselves if they feel comfortable.
- 5.3 Cllrs who are directly approached by the media should respond in accordance with the guidance contained in this protocol.
- 5.4 The Council should not pass comment on leaks, anonymous allegations or allegations about individual Cllrs and staff. The Council is open and accountable and should always explain if there is a reason why it cannot answer a specific enquiry.

6 News Releases

- 6.1 News releases are one of the techniques for publicising Council activities, decisions and achievements. They appear on our website and social media feeds.
- 6.2 There are two types of news releases - Official Council News Releases and Councillor News Releases.
- 6.3 Official Council Press Releases - An official Council release is made on behalf of the Council as a whole. It is non-party political and will normally include a quote from a relevant Councillor(s).
- 6.4 Official Council press releases will follow a corporate style appropriate for the media being targeted and a web-based record will be maintained. All releases will accurately reflect the corporate view of the Council.
- 6.5 News Releases will not promote the views of specific political groups, publicise the activities of individual Councillors, or persuade the general public to hold a particular view.
- 6.6 It should be borne in mind that a news release is not always the best way to publicise an activity or event and alternative ways of communicating it should be considered e.g. posters, mailings, websites, social media etc.

- 6.7 Councillor News Releases - Councillor news releases are personal and are written and issued by the Councillor responsible. They should be clear that the release is from Cllr X, Y ward to make it clear that it has not been issued by the Council. They may or may not be political and should not include the name of any staff member, use the Council crest or the Council telephone number as a point of contact.

7 Interviews

- 7.1 Staff should never give their opinion on specific Council policy but must keep to the corporate line and key messages. Their role is to provide expertise and factual knowledge only, in support of the Council's approved and agreed policies.

8 Media at Council meetings

- 8.1 The media is welcome to attend meetings. During meetings Cllrs and staff should be mindful that any comments and messages are put across in a manner which gives the journalist an accurate picture, rather than relying on the journalist's interpretation of what can be a complex issue or report.

9 Publicity in Election Periods

- 9.1 The rules governing publicity change when an election has been announced. In the period between the notice of an election and the election itself (Purdah) all proactive publicity about candidates or other politicians is halted. This applies to local, national or European elections. Conversely, Council business and the publicity associated with it can and should continue.
- 9.2 During this period council publicity should not deal with controversial issues or report views, proposals or recommendations in a way that identifies them with individual Cllrs or groups of Cllrs. This is to make sure that no individual Cllr or political party gains an unfair advantage by appearing in corporate publicity.
- 9.3 In these circumstances, where a quote is required, the relevant member of staff may be quoted, in accordance with the guidelines in this protocol. The Clerk is able to advise on the detail of Purdah.

10 Non-Council Related Media Activity

- 10.1 Cllrs and staff who have contact with the media in a personal capacity or as members of non-Council related organisations must not refer to their Council posts and must make it clear to the journalist concerned that they are speaking in a personal capacity or on behalf of the non-Council related organisation.

11 Managing Negative Issues

- 11.1 From time to time the Council has to respond to negative issues. It is important that these situations are managed carefully so as to limit the potential for negative publicity.
- 11.2 Cllrs and staff must alert the Clerk as soon as a potentially negative issue which may attract media interest comes to light. They should not wait until contact is made by the media.

- 11.3 Cllrs and staff will work together to prepare holding statements, other information and carry out research even if no media have contacted the Council about an issue.

12 Correcting Inaccurate Reporting

- 12.1 Should the media publish something inaccurate about the Council, a quick decision needs to be taken by the Clerk on any action necessary to correct it.
- 12.2 This could be a letter, email, a post on social media or news release, or in exceptional circumstances to take legal advice. It should be noted that in the case of minor inaccuracies which have little or no impact on the message being conveyed, it can sometimes be counterproductive to correct inaccuracies. Each case must be judged individually.
- 12.3 Occasionally the Council will get something wrong. In these cases, damage limitation is the key, this can usually be achieved by accepting responsibility, apologising, and stating how we are going to learn from the error or put it right.

13 Monitoring and Evaluation

- 13.1 The Council will continually monitor the media coverage and collate it.

14 Freedom of Information and Data Protection

- 14.1 Cllrs are reminded that they must not misuse Council resources for political or other inappropriate purposes. Should the Council receive a request for information under the Freedom of Information Act 2000 on a topic on which there is correspondence (email or written), normally that correspondence would have to be disclosed, unless it was exempt. The fact that the disclosure of the correspondence may prove embarrassing would not, in itself, prevent disclosure.
- 14.2 In addition, care should be taken when processing personal data and the Council will following the requirements under the Data Protection Act 2018.

15 Internet Acceptable Use Policy

- 15.1 Internet use covers all the Council website, social networking sites such as Facebook, forums and blogs and both Cllrs and staff are encouraged to use them.
- 15.2 If the above are used in an official capacity or on Council related business, the guidance in this protocol must be adhered to and they must be used in a responsible and appropriate manner.
- 15.3 Under the consideration of Acceptable Use, when acting in the capacity of Fair Oak & Horton Heath Parish Council, websites and social media should not:
- contain content that may result in actions for libel, defamation or other claims for damages be used to process personal data other than for the purpose stated at the time of capture
 - promote any political party or used for political campaigning
 - promote personal financial interests or commercial ventures

- be used for personal campaigns
- be used in an abusive, hateful or disrespectful manner

15.4 If social media is used in an unofficial capacity, Cllrs and staff should restrain from making remarks that could be construed as bringing the Council into disrepute.

15.5 The above points should provide useful guidance to prevent misinterpretation.

15.6 It is best practice on any personal profile for an online social media account to state clearly that the views are those of the individual and may not represent the views of the Parish Council. It is also advised that the Council's logo, or any other Council related material is not used on a personal online account, for example, website, blog or social media platform as a profile picture or icon representing that account.

15.7 The following dangers could occur with the personal or Council use of social media (please note this is not an exhaustive list):

- Sharing images or personal details could lead to the exploitation of vulnerable people or groups
- Breaching a code of conduct, for example the 7 Principles of Public Life through tactless posting and commenting
- Bullying, instigating or fuelling online persecution or inappropriate debate through thoughtless posting and commenting
- Civil or criminal action taken against account holders relating to breaches of legislation
- Damage to a councillor's reputation or a Council's reputation
- The accidental or intentional release of confidential information
- Virus or malware attacks through online sites or downloads compromising systems or networks relating to Council business

15.8 In light of these risks, we should all be mindful and practice safe social media use and ensure that:

- A consistent and considered approach is adopted and maintained in the use of social media by councillors and staff
- Be aware that copyright laws do apply online
- Make sure Council information remains confidential where necessary and is not compromised through the use of social media - including blogging and websites (by individual or group use)
- Councillors adhere to the policies set out by various social media sites they are using, and are up-to-date with relevant legislation
- Councillors and staff should be conscious that they are and will be held personally responsible for content they publish (including 'commenting') on any form of social media - whether during or out of office hours. It should also be noted that an untrue statement or breach of a particular code of conduct may incur a libel action against an individual.
- Councillors and staff should remember that social media sites are in the public domain and information published can be readily distributed by others. Even if a post is deleted or taken down it has a life span that someone could have seen and distributed.
- Councillors and staff must be aware and mindful that when using social media in a personal capacity it is expected they behave appropriately and in line with the Council's values and policies in the constitution. Any inappropriate online activity may

result in disciplinary.

- 15.9 Any Councillor receiving unwelcomed comments, threats, or harassment online should report it to the police. Any staff member should report it to the police and their line manager. If you feel your account is being attacked by someone acting as a 'Troll' it is best practice to ignore this person or persons and report the issue to the social media site on which the problem is occurring. There are also a number of options in relation to 'blocking' a person if the behaviour is particularly upsetting or abusive.

16 Young People and Publicity

- 16.1 Guidelines should be followed if commissioning photographs of children (i.e. under 18 years of age) or if planning photography of children at events and using visual media for publicity purposes.

Data Protection Policy
Fair Oak and Horton Heath
Parish Council

Contents

1. Introduction, Purpose and Scope	3
2. Key Definitions.....	4
3. Data Categories.....	5
4. Data Protection Principles.....	6
5. Legal Basis for Processing.....	7
6. Training.....	8
7. Data Retention Policy	9
8. Data Subject Rights and Access Requests	10
9. Information Security and Breach Policy.....	14
10. Data Protection Roles, Record of Processing Activity and performing a DPIA.....	17
11. Privacy Notices	19
12. Data Transfers and Processor and Joint Controller Responsibilities.....	20
13. Marketing	21
14. HR and Recruitment.....	22
15. Policy Review.....	24
16. Appendices.....	25

1. Introduction, Purpose and Scope

Introduction

As a Data Controller, Fair Oak and Horton Heath Parish Council (the "Council") is committed to protecting personal data processed in the performance of its duties. The Council's registration number with the Information Commissioner's Office is Z8754409. This registration is renewed annually in January each year.

To meet privacy and data protection commitments and obligations under the applicable data protection laws, the Council has implemented a privacy programme based on the data protection principles and governance obligations described in this Data Protection Policy ("Policy").

The Policy forms part of the Council's accountability framework and the Council regards the commitment to data protection as a key component of its enterprise risk management strategy and expect all Councillors, staff, volunteers and partners to apply this Policy. Infringements of this Policy will put the Council at risk of fines or enforcement action thereby limiting its ability to carry out its responsibilities and acting in the best interest of residents.

Purpose

This Policy provides guidance on the data protection principles and related procedures, processes and controls that are required when Fair Oak and Horton Heath Parish Council processes personal data.

Scope

This Policy applies to all those involved with the Council.

The Council expects its partners and vendors to comply with the general data protection principles, their own data protection policies, applicable legislation and aspects relating to data protection contained in contracts and agreements.

This Policy applies to both automated and manual data processing activities.

Reference in the Policy to data protection legislation means the UK Data Protection Act 2018 which incorporates the General Data Protection Regulation (GDPR 2016/679), the Privacy and Electronic Communications (EC Directive) Regulations 2003 and any legislation implemented in connection with the General Data Protection Regulation. Account has also been taken of best practice advice from the Information Commissioner's Office (ICO).

2. Key Definitions

Personal Data means any data relating to an identified or identifiable natural person. This can include (but is not limited to) names, location data, email address, photographs, IP address, account details, credit card numbers, staff records and correspondence to and from an individual.

Special Category Data means personal data revealing an individual's racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; biometric (e.g. fingerprints or facial recognition) or genetic information for the purposes of identification and information about an individual's health and sex life or sexual orientation. Information on criminal convictions or offences (including allegations) and information on children and vulnerable individuals is regarded as sensitive data.

Processing means any operation performed on personal data, such as collection, recording, storage, retrieval, use, combining it with other data, transmission, disclosure or deletion.

Data Subject means the individual to whom the personal data relates.

Personal Data Breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

Data Controller means the party which determines the purposes and means of the data processing.

Data Processor means the party processing personal data on behalf of a Controller, under the Controller's instructions.

Filing System means any structured set of personal data which is accessible according to specific criteria, whether held by automated means or manually and whether centralised, decentralised or dispersed on a functional or geographical basis.

Council Responsibilities include all the duties and agreed objectives of Fair Oak and Horton Heath Parish Council. It further includes the hosting of events, promoting the parish, information gathering, compliance with legal and governance obligations, enforcing policies and procedures, recording transactions, employment obligations, the handling of casework, financial and administrative tasks and other actions in the general running of the Council.

Privacy by Design means the Council shall implement and maintain a process such that any new processing activity, tool or functionality involved in the processing of personal data is designed and built in a way that allows it to comply with the Data Protection Principles.

Direct Marketing means any marketing communication to an identified individual. Blanket marketing such as leaflets, advertisements and magazine inserts are not direct marketing.

3. Data Categories

Fair Oak and Horton Heath Parish Council processes personal data to carry out its responsibilities and pursue Council objectives.

The personal data the Council processes includes name, surname, physical/postal address, email address, business email address, telephone number, photographs, bank account details, credit card details, CCTV footage, IP address, driver's licence, national insurance number, passport, staff records, etc.

3.1 Special Category and Sensitive Data

The Council currently processes only a very limited amount of personal data classified as special category data. This includes health information about staff such as sick notes and the political opinions of some Councillors through the Register of Members' Interests and Statement of Persons Nominated public declarations.

Sensitive data is occasionally processed for the purposes of Disclosure and Barring Service (DBS) checks.

The Council only holds limited data on children such as pictures from events obtained through parental consent and organised youth activities hosted by other organisations.

If in future the Council has the need to expand the processing of special category data and an exemption does not apply, explicit consent will be obtained from the individuals concerned.

The Council will ensure that the appropriate safeguarding measures are applied as required. Privacy notices will be updated to inform the individuals of how their data will be used and the processing will be reflected in the Council's Retention Schedule.

4. Data Protection Principles

Fair Oak and Horton Heath Parish Council complies with the following Data Protection Principles:

- a) **Fairness and Transparency:** Personal data is processed fairly and individuals are informed how and why their data is processed.
- b) **Lawful Processing:** Personal data, including special category and sensitive personal data, is processed lawfully with a valid legal basis.
- c) **Purpose Limitation:** Personal data is only collected for a specified, explicit and legitimate purpose and any subsequent processing is only done if it is compatible with the original purpose, or consent has been obtained from the individual, or the processing is otherwise permitted by law.
- d) **Data Minimisation:** Only personal data that is adequate, relevant and limited to what is necessary in relation to the purpose for the processing is collected.
- e) **Data Accuracy:** The Council takes reasonable steps to ensure that personal data is accurate and kept up to date.
- f) **Individual Rights:** Individuals are given the opportunity to exercise their rights as set out in Section 8 of this Policy.
- g) **Storage Limitation:** Personal data is kept only for as long as it is needed for the purposes for which it was collected or for further permitted purposes. Data storage is done in compliance with the Council's Retention Policy set out in Section 7 of this Policy and the Council's Retention Schedule in Appendix 7.
- h) **Data Security:** Appropriate security measures are used to protect personal data including carrying out a due diligence exercise where third parties are processing personal data on the Council's behalf.
- i) **Accountability:** The Council ensures that it has appropriate policies, procedures, practices and controls in place to comply with, and are able to demonstrate compliance with, these Data Protection Principles.

In addition, taking into consideration the technology available to the Council and the cost, the Council strives to comply with the principles of Data Protection by Design and by Default.

5. Legal Basis for Processing

Fair Oak and Horton Heath Parish Council processes personal data according to the Lawful Processing Principle (outlined in Section 4) and ensures that at least one of the following conditions apply:

- a) **Consent:** The individual has given consent for the processing of the personal data for one or more specific purposes. The individual was given enough information to understand what the consent was for and the request was presented in a clear manner that was distinguishable from other matters. The consent was given freely and was an unambiguous indication of the individual's wishes. Consent can be provided by written or oral statement but is not gained through silence, pre-ticked boxes or inactivity. When seeking consent, the Council ensures that consent is informed by always identifying the organisation and the purpose of the processing. The Council keeps a record of the consent in line with its Retention Policy and ensures that an individual can withdraw their consent at any time including when they have opted-in to receiving direct marketing communications.
- b) **Performance of a Contract:** The processing is necessary for the performance of a contract to which the individual is party or in order to take steps at the request of the individual prior to entering into a contract.
- c) **Legal Obligation:** The processing is necessary for compliance with a legal obligation the Council is required to meet.
- d) **Vital Interests:** The processing is necessary to protect the individual or another person in order to save their life or in a serious medical situation where the person is unable to give consent.
- e) **Public Interest:** The processing is necessary to perform an official public function or task that is in the public interest.
- f) **Legitimate Interest:** The processing is necessary for the purposes of the legitimate interests of the Council or a third party. This does not apply where the Council's interest is overridden by the interests or fundamental rights and freedoms of the individuals especially when the data subject is a child. The Council applies purpose, necessity and balancing tests to determine if it meets the requirements for the use of this legal basis and keeps a record showing that proper consideration had been given to the interests of the individuals concerned.

Fair Oak and Horton Heath Parish Council will inform individuals of the lawful basis used through privacy notices as set out in Section 11.

6. Training

In keeping with the Accountability Principle and as part of the Council's accountability framework demonstrating compliance, all Council staff, Councillors and volunteers are trained on their data protection responsibilities.

Training is provided on the policies, procedures and controls in place and the general data protection principles. Individual volunteers are trained according to need or the specialist areas they support e.g. assisting at events such as the Fair Oak Carnival and Christmas events.

Training is always provided as part of an induction programme for new staff and Councillors.

Staff in positions where a high volume of personal data is processed are provided with ongoing training to keep their knowledge current and are given guidance and advice specific to their areas of responsibility.

The Council also ensures that staff and Councillors are kept up to date on new legislation and best practice through an ongoing awareness programme overseen by the Data Protection Officer.

The Council's Training Register is kept up to date by the Data Protection Officer. See Appendix 4 for the Training Register.

7. Data Retention Policy

Fair Oak and Horton Heath Parish Council applies the Storage Limitation Principle and ensures that data is not kept for longer than is necessary for the purpose it was collected. This applies to all staff, Councillors and volunteers.

The Council's Retention Schedule (see Appendix 7) outlines the storage periods for the personal data stored. The retention periods vary according to legal obligations and to meet the Council's business needs.

In keeping with the Accuracy Principle, the Council takes reasonable steps to review the personal data stored every two years or according to the time limits set in the Retention Schedule.

The Data Protection Officer keeps the Retention Schedule up to date and staff and Councillors are required to follow the retention periods specified. If there is a change in legislation or the specified retention periods are no longer valid, the Data Protection Officer will make the required changes to ensure ongoing compliance.

The destruction and deletion of files containing personal data take place according to the Schedule. Paper files are securely stored until they are destroyed.

Manual document destruction is performed in-house and digital document destruction is performed by deleting files from all platforms, databases, backup systems and hard drives.

Processors used by the Council are required to follow the personal data destruction arrangements outlined in agreements.

8. Data Subject Rights and Access Requests

Fair Oak and Horton Heath Parish Council ensures that individuals can exercise their rights as set out in legislation.

Individuals can make requests via phone, email, social media, letter or orally to a member of staff or a Councillor. The Data Protection Officer will respond on behalf of the Council.

8.1 Individual Rights

Data protection legislation stipulates the following rights:

8.1.1 Right of Access: Individuals have the right to be informed of whether personal data is held concerning them, the purpose for processing the data, the categories of data including whether the data is special category personal data, the recipients or categories of recipients that the data is shared with, the period for which the data is stored (and how that is determined) and information on the source of the data if not provided by the individual. If personal data is transferred to a third country the individual has the right to be informed of the safeguards in place. Individuals also have the right to know whether they are subject to automated decision-making such as profiling.

The Council's privacy notices make individuals aware of their rights including the right to lodge a complaint with the Information Commissioner's Office (ICO) and the right to request erasure, rectification or restriction which will also be mentioned in any response given to individuals exercising this right.

Fair Oak and Horton Heath Parish Council will provide a copy of the personal data undergoing processing free of charge. If more than one copy is requested or the request is manifestly unfounded or excessive, a reasonable fee can be charged.

8.1.2 Right to Rectification: Individuals have the right to have inaccurate data corrected or incomplete data completed. When a request is received exercising this right, the request needs to be sent to the Data Protection Officer as the individual responsible for ensuring the accuracy of the personal data. The individual making the request will be informed that it has been actioned on all Council records and that partners and processors have been informed to do the same.

8.1.3 Right to Erasure: Sometimes known as the "right to be forgotten", individuals have the right to have personal data erased in certain circumstances.

Individuals have the right to request that the Council deletes all personal data in the following circumstances:

- The personal data is no longer necessary for the purpose for which it was originally collected or processed;
- The Council is relying on consent as its lawful basis for holding the data and consent is withdrawn and there is no other legal ground for processing;
- The Council is relying on legitimate interests as its legal basis for processing the data, the individual objects to the processing of their data and there is no overriding legitimate interest to continue this processing;
- The Council is processing the personal data for direct marketing purposes and the individual objects to that processing;
- The Council has processed the personal data unlawfully;
- The personal data has to be deleted to comply with a legal obligation; and
- The Council has processed the personal data to offer information society services to a child.

The **Right to Erasure** does not apply when the processing of the personal data is necessary in the following circumstances:

- To exercise the right of freedom of expression and information;
- To comply with a legal obligation;
- For the performance of a task carried out in the public interest or in the exercise of official authority;
- For archiving purposes in the public interest, scientific or historical research purposes or statistical purposes where erasure is likely to render impossible or seriously impair the achievement of that processing; and
- For the establishment, exercise or defence of legal claims.

Although not likely to directly apply to the Council, legislation also specifies that the **Right to Erasure** will not apply in the case of special category data in the following circumstances for reasons of public health:

- If the processing is necessary for public health purposes in the public interest (e.g. protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices); and
- If the processing is necessary for the purposes of preventative or occupational medicine (e.g. where the processing is necessary for the working capacity of an employee; for medical diagnosis; for the provision of health or social care; or for the management of health or social care systems or services). This only applies where the data is being processed by or under the responsibility of a professional subject to a legal obligation of professional secrecy (e.g. a health professional).

If in some cases, the data cannot be deleted from backup systems immediately, the Council will restrict access to put it beyond use.

8.1.4 Right to Restriction of Processing: Individuals have the right to request the Council to restrict the processing of their personal data in the following circumstances:

- The individual contests the accuracy of their personal data and the Council is verifying the accuracy of the data;
- The data has been unlawfully processed (i.e. in breach of the Lawfulness Principle) and the individual opposes erasure and requests restriction instead;
- The Council no longer needs the personal data but the individual needs the Council to keep it in order to establish, exercise or defend a legal claim; and
- The individual has objected to the processing for automated decision-making and the Council is considering whether its legitimate grounds override those of the individual.

8.1.5 Right to Data Portability: Individuals have the right to receive personal data that they provided to the Council in a commonly used machine-readable format so that they can share it with a different organisation or use themselves. On request the Council may be obliged to share the personal data directly with the third party. The Council may turn the request down if it is not possible to comply.

8.1.6 Right to Object: Individuals have the right to object to the processing of their personal data if the processing is based on legitimate interest and public interest grounds, including profiling.

If the Council has a valid direct marketing consent in place and the individual objects, the direct marketing needs to stop immediately and a notification made not to use the personal data for that purpose again. When communicating with individuals and in privacy notices it always has to be made clear that this right exists.

8.1.7 Right to Object to Automated Decision-making and Profiling: Individuals have the right to not be subject to a decision based solely on automated processing which will have a legal or other effect on them. If the Council is required to perform credit checks or other forms of automated decision-making, it is usually done in the context of a

contract, the individual has given their explicit consent or the Council is required to do so by law. Individuals will still have the right to obtain human intervention, to express their point of view and to contest the decision.

8.2 Procedures for dealing with Data Subject Access Requests

8.2.1 Response to Requests

When a request is received exercising any of the rights outlined in Section 8.1 the Data Protection Officer needs to be **informed immediately**.

Requests can be received in any format, including over the phone and via social media and do not have to be in written format and the Council cannot insist that it be provided in that format. **The formulation of the request may not always make it immediately clear that this is a Data Subject Access Request, it is therefore important to clarify.**

When an oral request is received it is helpful to explain that a written request might be easier to process and will therefore be dealt with faster as it will eliminate uncertainties or inaccuracies.

The person receiving the oral request needs to take down as much information as possible to enable the request to be actioned, including the contact details of the individual making the request. The individual making the request needs to be informed that the Council's Data Protection Officer will be in touch to action the request. If the person asks for a written request form, it is available as Appendix 5.

Once the request has been passed to the Data Protection Officer it will be assessed and managed to completion. The Data Protection Officer will establish the scope of the request to ensure the right data is retrieved and that the rights and freedoms of other individuals affected by the request are considered. If others are affected by the request, they will be consulted and a response provided in such a manner to ensure that their rights are also protected if required. In some cases, this might necessitate providing the information in redacted format.

With all requests the identity of the individual making the request must be positively established before any information may be shared. For more information on this please see Section 8.2.3 below.

The Council needs to be aware of the possibility that a fraudulent access request could be made that may result in a data breach if personal data is shared with someone other than a real data subject.

Correspondence for each request is filed together and each request is allocated a reference number and logged in the Data Subject Access Requests (DSAR) Register which is managed by the Data Protection Officer, refer Appendix 2.

8.2.2 Response Timeframe

The Council is required by law to respond to the individual exercising their individual rights **without undue delay but in any event within one month of the receipt of the request. The Council will require a form of identification and once that is received the period starts.**

The Data Protection Officer will aim **to acknowledge the request via email (if possible) within 24 hours** and provide an indication of when a final response could be expected. **If more time is required due to the complexity of the request and the one-month deadline will not be met, the deadline can be extended by another two months. This will only happen in exceptional circumstances as the Council has a relatively small database and there is no large geographical spread.**

If more time is required the individual will be informed and provided with the reasons within the first one-month deadline period. The Council's expectation is that in most cases a response will be possible within one month.

The time limit is calculated from the day the request is received (whether the day is a working day or not) until the corresponding calendar date in the next month (e.g. request received on 3 September, so calendar response date is 3 October). If this is not possible because the following month is shorter (and there is no corresponding calendar date), the date for response is the last day of the following month. If the corresponding date falls on a weekend or a public holiday, the Council needs to respond by the next working day.

The Council's aim is to complete the request as quickly as possible so as not to run the risk of missing the deadline. If the deadline is missed, the individual has the right to complain to the Information Commissioner's Office.

8.2.3 Identification

The Council is required to ensure that the identity of the individual making the request is established. This is especially important if the request is made orally or through social media.

For the purpose of identification, the Council will accept a copy of the individual's driver's licence or passport. This can be provided via email, post or in person at the Parish Office.

If there is any doubt about the identity of the individual making the request, the Council can ask for additional proof of identification.

If the request is from a former employee or Councillor, identification might be sufficient if the individual is making the request from an email address on record or can provide information on their association with the Council that could only be known by the person in question (e.g. dates of start and end of association, employee number). If there are any doubts, the standard identification methods will be required.

If it is impossible to establish the identity of the person, the Council will be inclined to withhold the information and inform the individual of the reason. **A record of the decision-making process needs to be kept justifying this decision if the individual in question lodges a complaint with the Information Commissioner's Office.**

If the individual making the request is not the same as the person that the request is about (e.g. a solicitor or someone acting on their behalf) the Data Protection Officer will ask for a power of attorney or other proof of authority to act on behalf of the individual concerned.

A copy of the identification method used will be kept on file in accordance with the Retention Policy and recorded in the Data Subject Access Request Register.

8.2.4 Manner of Response

The Data Protection Officer will perform a thorough search of all Council files, both digital and paper, including archives. The results need to be checked to ensure that the data in question is not covered by an exemption. It is important to keep in mind that it is an offence to make any amendments with the intention of preventing its disclosure. The information provided will include all the aspects specified in Section 8.1.1 Right of Access.

Once the required redaction has been done, the copies are provided in such a way that they cannot be altered or changed (e.g. PDF). If the information contains codes or acronyms that will only be known inside Fair Oak and Horton Heath Parish Council and is unlikely to be understood by others, an explanation needs to be provided. If the request is received via email the normal response will be in that format, similarly with postal requests. If the response is sent via post, it needs to be in a manner that records receipt to enable the Council to verify that the individual making the request has received the information. If the copies are collected directly from the Parish Office a signature needs to be recorded confirming receipt.

9. Information Security and Breach Policy

Fair Oak and Horton Heath Parish Council has put appropriate technical and organisational measures in place for an organisation of its size to help safeguard the processing of personal data.

9.1 Information Security

To ensure the Council complies with the Security Principle all staff and Councillors are required to regularly change passwords with complexity enforced on all devices. Appropriate anti-virus and malware protection software must be installed on all devices and there should be an awareness of phishing scams. The access security of mobile devices provided by the Council should not be disabled.

Personal data should not be saved on any shared drives other than that of Fair Oak and Horton Heath Parish Council.

Where Council personal data is stored on home computers or mobile devices, the files and folders should have access controls enabled and only be accessible with a password. This is especially important where home devices are shared.

Only Fair Oak and Horton Heath Parish Council email addresses should be used for Parish Council business. If Councillors represent more than one Council, the business of the different Councils should be strictly separated to avoid creating a Joint Controller situation with the other Council. This will also enable the Council to meet its obligations to ensure that personal data is accurate and have access to all relevant data when a Data Subject Access Request is made. Personal and business email addresses should not be used for Parish Council business.

If a Council-owned device with access to the Council's personal data is lost or stolen it should be reported to the Data Protection Officer immediately. In the case of a mobile phone it is important to report the suspected loss immediately to instigate a temporary block on the device through the service provider. If the device is later recovered, the access can be restored.

If a lost or stolen device is privately-owned and has access to the Council's personal data, it is the responsibility of the owner to take immediate preventative action through their service provider and change passwords to block access to the device. The Data Protection Officer should be informed immediately to enable the Council to remotely disable access to the Council's documents.

The Council will ensure that more than one designated person is registered with the Council's service providers (e.g. mobile operators) to ensure that action can be taken during a data breach if the main registered person is absent. This will include the person who is designated to act on data protection matters when the Data Protection Officer is unavailable or absent.

When a device reaches the end of its useful life all personal data should be wiped and the device securely disposed of. This is especially important if it is a privately-owned device which is later sold. When staff leave the employ of the Council all devices must be returned before the last day of service and the user's private data deleted.

The Council will regularly update information security requirements to maintain security and take corrective action when a data breach occurs. This includes a Bring Your Own Device (BYOD) Acceptable Use Policy.

9.2 Breach Policy and Incident Response Strategy

Fair Oak and Horton Heath Parish Council requires all staff and Councillors to report a data breach to the Data Protection Officer immediately. This includes the loss of equipment containing or accessing personal data, the loss of paper files containing personal

data such as attendee lists at events or a list containing the personal data of residents, an email sent by mistake to the wrong person that contains personal data or accidentally sharing personal data.

Any actions which could be regarded as the “accidental or unlawful destruction loss, alteration, unauthorised disclosure of, or access, to personal data transmitted, stored or otherwise processed” are considered data breaches.

It is preferred that a proactive approach is taken if it is not clear whether an incident constitutes a data breach and it is therefore important to clarify with the Data Protection Officer immediately. Please provide as much information as possible.

When informed of a potential data breach, the Data Protection Officer will investigate and contact any processors involved to establish the likely risks to the individuals involved. Actions will be taken to minimise the risks to the individuals involved if possible.

If the investigation reveals that the personal data breach is unlikely to result in a risk to the rights and freedoms of the individuals affected or effective mitigating actions had been taken minimising the risks, the breach will be recorded in the Breach Register (Appendix 1) and remedial action will be taken to prevent a recurrence. In this case it will not meet the threshold for reporting the data breach to the Information Commissioner’s Office.

Please note that risk to individuals is not only defined in terms of potential monetary loss but includes damage to reputation and harm (see Section 9.4).

9.3 Notifying the Regulator

If the Data Protection Officer finds that the breach is likely to result in a risk to the rights and freedoms of the individuals affected, the Information Commissioner’s Office will be informed.

The notification must be done without undue delay but no later than **72 hours after having become aware of the breach**. The breach will also be recorded in the Breach Register.

The information provided to the Information Commissioner’s Office will include the following:

- Description of the nature of the personal data breach including, where possible, the categories and approximate number of individuals impacted and the categories (e.g. special) and approximate number of personal data records concerned;
- The name and contact details of the Council’s Data Protection Officer;
- A description of the likely consequences of the personal data breach; and
- A description of the measures taken or proposed to be taken by the Council to address the personal data breach, including, where appropriate, measures to mitigate its possible adverse effects.

The Data Protection Officer will report the breach and be the main contact. The Chair and Vice Chair of the Council will be kept informed of all developments.

The document for completing a breach report via email is attached as Appendix 6. A breach can also be reported by calling the Information Commissioner’s Office on 0303 123 1113.

9.4 Notifying the Individuals Concerned

If the investigation conducted by the Data Protection Officer reveals that the data breach is likely to result in a **high risk** to the rights and freedoms of those affected, the Data Protection Officer will inform those affected **without undue delay**.

In assessing the likely risk it is important to keep in mind that damage could be physical, material, and non-material which might give rise to discrimination, identify theft or fraud, financial loss, damage to reputation, loss of confidentiality of personal data protected by professional secrecy, unauthorised reversal of pseudonymisation or other significant economic or social disadvantages.

If the data was encrypted or measures had been taken after the event to ensure the high risks are no longer likely to materialise, it will not be necessary to inform the individuals affected.

The manner in which the individuals affected are informed is at the discretion of the Data Protection Officer and Council but if it is a very large number of individuals, a press statement might be required necessitating a strategy for handling the resultant enquiries.

10. Data Protection Roles, Record of Processing Activity and Performing a DPIA

The accountability framework that Fair Oak and Horton Heath Parish Council has put in place to comply with its data protection responsibilities assigns a number of duties.

10.1 Responsibilities of the Data Protection Officer

The Council has appointed the Clerk, as the Data Protection Officer.

The Data Protection Officer acts independently and does not receive instructions regarding the exercise of the tasks assigned to the role by law. The person holding the position shall not be dismissed or penalised for performing the tasks and reports directly to Full Council.

The duties of the Data Protection Officer are outlined in the legislation and include the following tasks at the Parish Council:

- To inform and advise the Data Controller (Full Council) and staff who carry out processing activities;
- To monitor compliance with the legislation, policies and procedures;
- To maintain an awareness programme, provide training and assign responsibilities;
- To provide advice on data protection impact assessments and monitor performance; and
- To cooperate with the Information Commissioner's Office and act as the contact point on issues when prior consultation is required.

In addition, at Fair Oak and Horton Heath Parish Council the Data Protection Officer has been assigned the following additional tasks:

- Updates the Data Protection Policy in consultation with Full Council;
- Maintains the legal Registers;
- Updates privacy notices, including for the website;
- Advises on changes to Cookie policies and notices;
- Keeps Full Council informed of legislative changes or interpretations and best practice advice from the Information Commissioner's Office; and
- Provides compliant marketing sign-up forms when required.

In the absence of the Clerk, the Council will assign another staff member to perform the duties of the Data Protection Officer. The staff member selected will be trained to perform the required duties, in particular in the handling of data breaches and Data Subject Access Requests.

10.2 Responsibilities of Full Council

Full Council is the Data Controller of Fair Oak and Horton Heath Parish Council and has overall governance responsibilities for the Council including compliance with data protection legislation.

The Data Controller has obligations set out in legislation which includes the implementation of "appropriate technical and organisational measures to ensure and to be able to demonstrate the processing is performed in accordance with the Regulation". This duty includes the implementation of appropriate data protection policies, adherence to approved codes or approved certification mechanisms to demonstrate compliance. Some sector specific codes of conduct might be introduced in future that can be applied to the Council.

Full Council sets the tone for how personal data is handled at the Council and communicates this privacy commitment to all staff and individuals the Council collects personal data from through privacy notices. It is the responsibility of Full Council to set the schedule for annual data protection audits and update reports on improvement programmes. Full Council also decides the parameters of the annual audits.

10.3 Responsibilities of Councillors

Councillors are also Data Controllers in their own right when they process personal data. This is most often the case when they are approached by residents for assistance or perform duties linked to their position on the Council. Councillors therefore also need to follow the data protection principles, lawful bases of processing and retention policy when processing personal data. The processing that Councillors do in the performance of their duties is recorded in the Council's Record of Processing Activity (RoPA) which also specifies the legal basis for the particular processing activity.

In line with the Transparency Principle, Councillors need to inform individuals how their data will be used including any sharing of personal data with colleagues and other Councils. A short paragraph in the email account of Councillors will explain this in brief and link to the Privacy Notice on the Council's website which will provide more detail including outlining individual rights and how to make a complaint.

Councillors must comply with the Council's Retention Schedule which outlines how long correspondence will be kept before it is securely destroyed or deleted. When a Councillor leaves the position, all records containing personal data need to be handed back to the Council or securely destroyed. Councillors leaving their positions must also hand over ongoing case work to a colleague for completion with the agreement of the individuals concerned.

Councillors who also serve on other Councils will use only their Fair Oak and Horton Heath Parish Council email account for parish business.

10.4 Record of Processing Activity (RoPA)

The Data Protection Officer keeps the Council's Record of Processing Activity Register (RoPA) in Appendix 3.

The Register records all the processing activity of the Council, provides the legal basis for each activity, specifies the categories of data and records recipients and transfers.

The RoPA is always kept up to date and is an important part of the accountability framework to provide evidence of the Council's compliance efforts.

The Register records at a minimum the following activities: collection, alteration, consultation, disclosure (including transfers), combination and erasure of personal data.

10.5 Data Protection Impact Assessment (DPIA)

The Data Protection Officer will carry out a Data Protection Impact Assessment if the Council intends to acquire new technology, move to a new database, change its CCTV operations or undertakes any new activities that could have a high impact on the rights and freedoms of the individuals involved. It is also required when a major change is made to an existing process that will impact the individuals concerned.

The DPIA will be carried out according to a prescribed format and will describe the nature, scope, context and purposes of the processing; assess the necessity, proportionality and compliance measures; identify and assess risks to individuals and identify any additional measures to mitigate the identified risks. In the event that the Council acquires new technology or instigates new processes that a DPIA finds will have a high risk to the individuals involved that cannot be adequately overcome by mitigating measures implemented, the Information Commissioner's Office should be consulted.

10.6 Audits and Monitoring

An annual audit of documents and procedures will be carried out to ensure that policies and processes are still compliant and in line with current legislation and best practice. The results of the annual audits are presented to Full Council for action.

11. Privacy Notices

In accordance with the Right to Access and the Transparency and Fairness Principles the Council makes those individuals whom it collects personal data from aware of that fact and what their rights are regarding their personal data.

For these reasons the Council will have Fair Processing Notices (Privacy Notices) in place in the following instances:

- On the Council website;
- As part of contracts and agreements;
- Event registrations;
- Venue hire agreements;
- Staff contracts and Staff Handbook; and
- Marketing sign-up forms.

11.1 Information Provided

The Council will include the following details in privacy notices when it collects personal data:

- Council's name and details;
- Contact details of the Data Protection Officer;
- Why the personal data is collected and the Council's legal basis for doing so;
- When the Council uses legitimate interest as its legal basis it will be explained;
- Whether the data will be shared with other parties and identify them (or provide the categories);
- Whether the data will be sent to another country and the safeguards in place (the DPO can advise on this); and
- How long the data will be retained or provide a link to the Retention Policy.

The Council will also provide information on the rights of the individuals including the right to withdraw consent at any time and the right to complain to the Information Commissioner's Office.

If personal data is requested for legal or contractual reasons it will be made clear and what the implications are if this is not done.

The Council's website will also highlight any profiling done through a Cookie Notice.

11.2 Information Obtained Indirectly

When the Council has obtained personal data from another organisation (e.g. another Council), source or person, the individual affected will be informed when first contacting them and within one month unless the person already has the information, or the Council is legally required to collect the information.

The Council will provide all the information in Section 11.1 and in addition the following:

- Categories of data the Council holds including any sensitive and special category data (e.g. health); and
- Where the data was obtained from including public sources.

When the Council collects personal data or obtains it from another source and intends to use the data for another purpose rather than why it was collected in the first instance, the Council needs to have a valid legal basis for doing so and the individuals concerned informed.

12. Data Transfers, Processor and Joint Controller Responsibilities

Fair Oak and Horton Heath Parish Council does not transfer personal data to third countries as defined by data protection legislation. Should the situation change, the Council will put in place suitable safeguarding measures and the Data Protection Officer will advise on the most appropriate actions to take.

The Council currently uses the following processors:

- a. RBS for financial transactions and burial records;
- b. Microsoft Office 365 for storing information;
- c. MailChimp for email marketing campaigns; and
- d. WordPress and Smart Marketing for the website

These platforms and processors generally have adequate privacy and security procedures in place to safeguard the processing of the Council's personal data. The Council constantly reviews this position to ensure the ongoing safety of the personal data. If any concerns are raised or the Council becomes aware of reports of data breaches involving these service providers, the Council will take the necessary steps to protect the personal data they process.

The Council expects processors and joint controllers to comply with their obligations under data protection legislation to provide safeguards and report data breaches.

Agreements will be put in place with all new processors highlighting their data protection responsibilities regarding the Council's personal data.

At the end of a processing agreement the Council expects the data it provided to processors and joint controllers to be deleted from all databases unless there is a legal obligation to retain it for a specified period. Any paper files need to be securely destroyed.

13. Marketing

Direct marketing involves communications to an identified individual. Blanket marketing such as leaflets, advertisements and magazine inserts are not direct marketing. There is no restriction on sending solicited marketing.

In general, the Council relies on consent and legitimate interest as the valid legal bases for direct marketing and fundraising activities for events. Consent needs to meet the criteria set out in Section 5 and can be withdrawn at any time.

Fair Oak and Horton Heath Parish Council hosts a limited number of events and marketing is currently mainly done through the website, social media, newsletters and advertisements.

The Council intends to do more electronic marketing in future and will capture the consent required through compliant sign-up forms on the website and at events. The privacy notices on the sign-up forms will provide individuals with the required information in line with legislation and the consent will be stored in line with the Council's Retention Schedule.

Individuals will always be informed that they have the opportunity to unsubscribe at any time from marketing communications and how to go about removing their consent. When an individual requests to be removed from a marketing list, it will be done immediately, the person will be informed it had been done and precautions will be taken not to send any marketing communications to the same person by accident in future.

The Council does not buy or sell marketing lists. Should the position change in future a due diligence exercise will be conducted to ensure the existing consent is valid.

14. HR and Recruitment

Fair Oak and Horton Heath Parish Council has a legitimate interest to collect specific personal data for employment purposes and to meet its legal obligations.

14.1 Recruitment

Fair Oak and Horton Heath Parish Council recruits staff for permanent employment.

During the recruitment process and at the time of the first email exchange the Council will inform the applicants how their personal data will be used, including how long the details of unsuccessful applicants will be retained.

During the recruitment process the Council only collects information that is adequate, relevant and necessary for the purpose intended. When interviewing applicants, only information that is relevant to the position is collected. The interviewing panel will have access to information necessary for the purpose of making the selection but the information of applicants will not be made available outside of this panel unless there is a valid legal basis to do so. Access to the personal data of all applicants is restricted. The applicants are entitled to request a copy of their personal data which may include notes of the interview, including handwritten notes.

Background checks are only carried out if necessary for the role and the applicant is informed why it is necessary. If a negative outcome is received, the applicant has the opportunity to correct any inaccurate information. Access to the information is strictly on a need to know basis. The application forms, CVs and covering letters received during a recruitment process will be stored securely with limited access and retained according to the Retention Schedule.

If an applicant is successful, a personnel file will be opened and all documents created during the recruitment process will be securely filed in a secure filing cabinet or/and on password protected computer equipment. The retention period for the file will be for the employment period of the employee plus 7 years. If an applicant is unsuccessful or rejects a job offer, their data will be kept for 6 months and then destroyed. The name of the candidate, their address and email address will be retained for a period of 1 year. These retention periods will be communicated at first contact.

14.2 Processing personal data within the Council

Fair Oak and Horton Heath Parish Council complies with the Transparency Principle in the processing of the personal data of staff and Councillors. Whenever personal data is collected from employees and Councillors, they are informed about how their personal data will be used and how long it will be retained.

Staff will be informed of their privacy rights through the Staff Handbook/employment contract. Personal data of staff should only be collected for activities relating to the employee relationship and only what is needed for the specific purposes. If personal data will be used for a significantly different purpose, the employee has to be informed and the new purpose might require the consent of the employee. Where employees provide personal data about a family member or emergency contact, the employee has to confirm that they have informed the individual concerned and the reason. Consent must meet the requirement of being freely given.

In most cases only a minimum amount of information is required for absence, accident and sickness records. Access to these records is restricted to a need to know basis and will only be disclosed outside the Council if there is a legal obligation to do so, it is necessary for legal proceedings or the employee has been given a genuine choice about the sharing of the data with a third party for a particular purpose.

14.3 Monitoring

Employees can have a reasonable expectation of privacy at work. The monitoring of staff is likely to result in a high risk to their privacy and Fair Oak and Horton Heath Parish Council will in certain circumstances be required to carry out a Data Protection Impact Assessment to mitigate the risks. Staff have the right to be informed if they are subject to monitoring, why it is conducted, what kind of monitoring will take place, how it will be used and to whom it will be disclosed. Notification is required for monitoring activities such as email usage, geo-location device tracking, CCTV, internet and browsing activity tracking and the use of Council equipment. The Staff Handbook/employment contract will provide information on the Council's acceptable use policy and the existence of monitoring.

Covert monitoring is justified only in exceptional circumstances and will be specific and time limited. A valid legal basis needs to exist and the Chair and Vice Chair of the Council will need to approve the covert monitoring and set the limit, scale and scope.

14.4 Staff Performance

Fair Oak and Horton Heath Parish Council will ensure that information relating to performance improvement plans, grievances and dismissal is accurate and objective. Records relating to disciplinary and grievance matters are stored securely and only made available on a need to know basis. All records in the course of disciplinary and grievance proceedings will be accurate and sufficiently detailed to support any conclusions drawn. All HR and legal procedures will be followed while ensuring personal data is secure and only used for the purpose required and not in a way that is disproportionate to the matter under investigation.

14.5 Sharing Staff Data

Fair Oak and Horton Heath Parish Council will not share personal data of staff outside the Council except in the following circumstances:

- The employee has provided their freely given and informed consent (for example for a reference for their new employer). References will only be provided with the consent of the individual involved and will be according to the Council's HR policy;
- To protect an individual's vital interests;
- When required by law, regulation or court order;
- In connection with a legitimate request for assistance by the police or other law enforcement agency;
- To seek advice from the Council's solicitors;
- With respect to a legal dispute or administrative claim between the Council and a third party;
- To engage professional advisers;
- To meet the Council's contractual relationships; and
- To provide contact details for normal Council business such as enquiries from residents.

In all cases only the minimum information required for the purpose will be shared. If there is a likelihood of risk to the employee concerned the Data Protection Officer will be involved and if the risk is likely to be high, a Data Protection Impact Assessment will be conducted.

14.6 Pension, insurance and other benefits

When Fair Oak and Horton Heath Parish Council staff join a pension, health or other benefit scheme the employee will be informed what personal data is provided to the provider and how it will be used. The personal data required for this purpose will not be used or accessed for general employment purposes e.g. a medical record needed for a pension scheme will not be used in connection with eligibility for sick pay etc.

15. Policy Review

Fair Oak and Horton Heath Parish Council will review this Policy on an annual basis, the next review will take place in November 2020.

The Data Protection Officer will update the Policy when there are changes to legislation or new best practice advice is issued by the Information Commissioner's Office.

Appendices

Appendix 1: Breach Register

Appendix 2: Data Subject Access Requests (DSAR) Register

Appendix 3: Record of Processing Activity (RoPA)

Appendix 4: Training Register

Appendix 5: Data Subject Access Request Form

Appendix 6: ICO Breach Reporting Form

Appendix 7: Retention Schedule

© 2019 Jarvisfields Ltd. UK Registered Company 11344686

Jarvisfields Ltd. owns the copyright in this document. This document must not be used in any way that infringes the intellectual property rights in it. The document may be used, copied or reproduced for internal non-profit making purposes. However, under no circumstances is it permitted to use, copy or reproduce this document with a view to profit or gain. **In addition, it must not be sold or distributed to third parties who are not members of the organisation, whether for monetary payment or otherwise.**

Disclaimer:

Jarvisfields Ltd. provides advice and guidance only. We are not liable for any damages arising in contract, tort or otherwise from the use of any material or from any action or decision taken as a result of this document. Data Protection and Privacy legislation and case law is a dynamic field and it remains the responsibility of the organisation to keep up to date with new interpretations or changes to the law. The implementation of an accountability framework is an ongoing effort that can never be assessed as complete and entirely compliant. This document does not constitute legal advice. In no circumstances will Jarvisfields Ltd. be liable for any decision made or action taken in reliance on the information contained within this document or for any consequential, special or similar damages, even if advised of the possibility of such damages.



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairOak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 @fairoakandhortonheathparishcouncil

CONSTITUTION

CHAPTER 19 CHILD & VULNERABLE ADULT PROTECTION POLICY

Adopted

July 2021

1 Introduction

- 1.1 All organisations have a duty of care for the children and any vulnerable adults whom they provide activities or services for. Fair Oak & Horton Heath Parish Council is committed to practices that protect children and vulnerable adults from harm and treat them with dignity and respect. At the same time, the Council will protect its staff from the risk of unfounded allegations. Fair Oak & Horton Heath Parish Council will seek to ensure that any child or vulnerable adult using Council services or facilities can access them in safety without fear of abuse.
- 1.2 The Council seeks to implement its policy on child and vulnerable adult protection by:
- Ensuring that all staff who have regular, direct and unsupervised contact with children and vulnerable adults are carefully selected, including a Disclosure and Barring Service (DBS) check, at least two written references, trained and accredited where necessary (as of July 2021 the Parish do not have any roles which meet this criteria).
 - Ensuring that any Parish Council contractors who have regular, direct and unsupervised contact with children have effective policies and procedures in place.
 - Giving all the parties involved e.g. parents and the general public, information about what they can expect from the Council in relation to protecting and safeguarding children and vulnerable adults.
 - Ensuring that there is a clear complaints procedure in place that can be used if there are any concerns. This can be found in chapter 9 of our Constitution.
 - Sharing information about concerns with appropriate agencies that need to know and involving parents and/or carers as appropriate.

2 Scope

- 2.1 This policy applies to all Councillors and staff regardless of whether they have regular contact with children and vulnerable adults.
- 2.2 For the purposes of the policy, a member of staff covers employees including apprentices, casuals, volunteers, work experience placements and trainees.
- 2.3 This policy should also be read in conjunction with other policies in the Council Constitution.

3 Definitions

- 3.1 For the purposes of the policy, a child is anyone under the age of 18 years.
- 3.2 A vulnerable adult is someone who by reason of mental or other disability, age or illness is unable to take care of themselves or unable to protect themselves against significant harm or exploitation. An adult for the purposes of this policy is anyone over 18 years of age.

4 Procedures

- 4.1 These procedures and the following good practice guidelines seek to ensure that all Cllrs and staff have a clear understanding of their responsibilities when

working with children and vulnerable adults. The aims of these procedures are to ensure that both Cllrs and staff:

- Recognise the signs of abuse and what appropriate course of action should be taken in the circumstances.
- Understand the potential risk to themselves and ensure that good practice is adhered to at all times.
- Recognise signs of improper behaviour from other Cllrs and or staff and report it to the Parish Clerk or the Chairman of the Council at the earliest opportunity.

5 Good Practice Guidelines

5.1 Everyone working in direct or indirect contact with young people and vulnerable adults must abide by the guidelines noted below.

5.2 It is possible to reduce situations where abuse may occur and below are specific examples of the care which should be taken when working with children or vulnerable adults.

5.3 Cllrs and staff must:

- Be identifiable e.g. wearing Parish Council branded clothing or name badges
- Treat all children and people with dignity and respect
- Provide an example for good conduct that others can follow
- Challenge unacceptable behaviour e.g. bullying and report allegations or suspicions of abuse
- Ensure that when possible there is more than one adult present during activities with children and or vulnerable adults, or at least be within sight or hearing of others
- Respect the right of children and vulnerable adults to personal privacy
- Encourage children and vulnerable adults to feel comfortable enough to point out attitudes or behaviours they do not like
- Remember that someone else might misinterpret certain actions, no matter how well intentioned
- Be aware that any physical contact with a child or vulnerable adult may be misinterpreted
- Recognise that special caution is required when discussing sensitive issues with children or vulnerable people
- Always operate within Fair Oak & Horton Heath Parish Council's Code of Conduct, principles, guidance, policies and procedures

5.4 Cllrs and staff must not:

- Have inappropriate or unwarranted physical or verbal contact with children or vulnerable adults
- Be drawn into inappropriate attention-seeking behaviour or make suggestive or derogatory remarks or gestures in front of children or vulnerable adults
- Jump to conclusions about others without checking facts
- Either exaggerate or trivialise any abuse issues
- Show favouritism to any individual
- Rely on your good name or that of Fair Oak & Horton Heath Parish Council to protect

- you
- Believe 'it could never happen to me'
- Take a chance when common sense, policy or practice suggests another more prudent approach

There may be exceptional circumstances where it is necessary to restrain a child or a vulnerable adult to prevent them from damaging themselves or others. Only the minimum reasonable force necessary may be used. All incidents of physical restraint must be recorded on an incident form and submitted to the Parish Clerk, as well as informing the parents and/or carer as soon as possible.

6 Main Forms of Abuse

6.1 The main forms of abuse can be described as: -

a. Physical Abuse

This may involve actions such as hitting, shaking and burning as well as the use of inappropriate restraint. Physical abuse, as well as being a deliberate act, can be caused by an omission or failure to act to protect. In the case of children and vulnerable adults, it includes the giving of alcohol, inappropriate drugs or poison to them.

b. Emotional Abuse

Emotional abuse is a persistent lack of love and affection. A child may be constantly verbally abused, threatened, ignored or taunted. Other forms of emotional abuse include excessive overprotection and unrealistic pressure to succeed. In addition, it may include intimidation, humiliation, verbal abuse, harassment or discriminatory harassment.

c. Sexual Abuse

Sexual abuse involves forcing or enticing a child or vulnerable adult to take part in sexual activities whether or not the child or vulnerable adult is aware of or consents to what is happening. It may also involve non-contact activities such as showing pornographic material, sexual innuendo or encouraging someone to behave in a sexually inappropriate way.

d. Neglect

Neglect is the persistent failure to meet a child's or vulnerable adult's basic physical and/or psychological needs. These needs include adequate food and warm clothing and also medical care, social care and educational services. Neglect may include simply being left alone or excluded.

7 Recognising Abuse

7.1 This is not always easy to do, and it is not the responsibility of Cllrs and staff to decide whether abuse has taken place, or if a child or vulnerable adult is at significant risk. However, Fair Oak & Horton Heath Parish Council does have a responsibility to act and report promptly if they have any concerns or suspicions.

7.2 Indications that a child or vulnerable adult may be subject to abuse include:

- Unexplained or suspicious injuries such as bruises, cuts and burns particularly if situated on parts of the body not normally prone to such injuries
- Injuries for which an explanation seems inconsistent
- Fear of parents or carers being approached about such injuries
- Flinching or cowering when touched or approached
- Sudden or unexplained changes in behaviour
- Fear of being left with a specific person
- Changes in appearance - sudden loss of hair, dirtiness, weight loss etc.
- In children, a failure to grow and thrive and showing difficulties in making friends or socialising
- In vulnerable adults, a loss of assets and possessions

7.3 This list is by no means exhaustive and it is important to remember that many children and people will exhibit some of these indicators at some time, and the presence of one or more should not be taken as proof that abuse is occurring.

7.4 It is crucial that Cllrs and staff realise that this is only a process of observation and that at no point should Cllrs or staff actively seek out abuse or an abuser. The Council's responsibility is to ensure that any concern about the welfare of someone is reported and to never assume that others will do it.

8 Responding to Allegations and Suspicions of Abuse

8.1 It is vitally important the details of an allegation or an incident of abuse or mistreatment are carefully recorded, regardless of whether or not the concerns are later shared with a statutory agency.

8.2 An accurate record should be made of:

- The date and time of the incident and/or disclosure
- The parties who were involved
- What was said and done by whom
- The full name of the person reporting and to whom reported

8.3 And where appropriate:

- Any action taken by Fair Oak & Horton Heath Parish Council
- Reasons why there was no referral to a statutory agency

8.4 Responding to a child or vulnerable adult making an allegation of abuse against a Councillor, staff member or contractor

Cllrs and staff will stay calm and listen carefully, allowing the child or person to continue at their own pace and reassure them that they have done the right thing in speaking out. It may be necessary to ask questions for clarification only and at all times asking questions that suggest a particular answer (i.e. leading questions) should be avoided.

The record keeping advice should be followed and, at an early opportunity, it must be explained to the child or vulnerable adult that the information will need to be shared. Do not promise to keep secrets.

These allegations should be recorded and reported to the Parish Clerk at the earliest opportunity. If the allegations are made in respect of the Parish Clerk then the report must be made to the Chairman of the Council.

- a. Responding to suspicions that a Councillor or member of staff may be abusing a child or vulnerable adult or not following the code of good practice

Anyone that suspects a colleague may be abusing a child or a vulnerable adult should act on their suspicions immediately. These suspicions should be recorded and reported to the Parish Clerk at the earliest opportunity. If the suspicions are raised in respect of the Parish Clerk, then the report must be made to the Chairman of the Council.

If the matter relates to poor practice the disciplinary/capability procedures may be followed.

If it relates to abuse, the matter will later be referred to Social Services who may also involve the Police. The person concerned will be suspended pending the outcome of an internal investigation into the allegations.

Fair Oak & Horton Heath Parish Council acknowledges that this is an extremely sensitive issue for staff and everyone working on its behalf. The Council will fully support and protect anyone who, in good faith, reports a concern that a colleague is or may be abusing a child or a vulnerable adult.

10 Confidentiality

The legal principle that the welfare of the child or vulnerable adult is paramount means that the consideration of confidentiality, which might apply to other situations within the Council, should not be allowed to override the right of the person to be protected from harm.

However, where possible every effort should be made to ensure that confidentiality is maintained for and by all concerned when an allegation is made and whilst it is being investigated.

The Council will seek to balance protecting children and vulnerable adults from harm whilst protecting its staff from the risk of unfounded allegations.

The Parish Clerk will be responsible for dealing with all allegations and suspicions of abuse concerning a member of staff, in conjunction with any relevant authorities and agencies.

The Monitoring Officer at Eastleigh Borough Council will be responsible for dealing with all allegations and suspicions of abuse concerning Councillors, in conjunction with any relevant authorities and agencies.

The Parish Clerk or Monitoring Officer will not decide if anyone has been abused - this is the task of Social Services, which has the legal responsibility.

11 Recruitment, Training and Monitoring

All successful applicants for posts involving contact with children or vulnerable adults will be subject to a Disclosure and Barring Service (DBS) check to ensure there are no irregularities in their background which may give cause for concern. This check will be carried out by Fair Oak & Horton Heath Parish Council prior to employment.

Similarly, staff who regularly have direct and indirect contact with children or vulnerable adults will have training to raise their awareness of protection issues at their induction and at regular intervals throughout their employment at Fair Oak & Horton Heath Parish Council.

12 Publicity - Guidance Notes

These guidelines should be followed if commissioning photographs of children and vulnerable adults or if planning photography of children and vulnerable adults at events and using visual media for publicity purposes.

The guidelines apply to both professional photographers / camera personnel and Cllrs or staff taking personal or informal photographs at Parish Council events.

a. Child and Vulnerable Adult Protection Issues and Visual Media

For the protection of children and vulnerable adults, it is essential that the event organiser obtains a written validation of consent from the subject(s) and their parent(s) or guardian(s) before any images are used.

The request for consent should include an explanation of what the film or footage will contain and how the images will be used.

Where Fair Oak & Horton Heath Parish Council has commissioned a photographer or camera person to attend a Fair Oak & Horton Heath Parish Council event, they will be requested to abide by the following requirements:

- Only take photographs or footage at the designated event or venue
- Ensure that they take the audience and purpose into proper consideration when publishing any photographic/film material i.e. focus on the activity, rather than full shots of children or vulnerable adults.

b. Appropriate Editorial Content

All photographs used in publicity materials must fulfil the following set of criteria to ensure the publication is produced to the highest standard, the content is appropriate and falls in line with equity issues. This includes choosing images which show all sections of society including representatives from black and ethnic communities, people with disabilities etc.

Photographs must not be edited in any way from the originals (except for minor adjustments), for example disproportionately re-sizing, changing colours, distorting the images or airbrushing.

Visual contents or captions cannot be used as means of identifying children or vulnerable adults. This includes names, addresses or any other unnecessary information, which could be used to trace the child or vulnerable adult.

This information must also be withheld in all reproductions.

c. Copyright, Credits and Labelling

Any professional companies or organisations that provide photographs must be appropriately credited before using them. Images supplied should be cleared for copyright and with permission to print or re-produce.

d. Security of Images

All images, photographs and footage should be stored securely, with access to transparencies, film or hard prints restricted to appropriate staff. These arrangements will help to protect potentially any inappropriate use of the collection.

13 Monitoring Arrangements

This policy and procedure will be reviewed annually.

Source Material:

4LSCB Safeguarding Procedures (2011) Hampshire. Southampton, Portsmouth and Isle of Wight Safeguarding Boards.

<http://4lscb.proceduresonline.com/>

'What to do if you're worried a child is being abused', December 2006, HM Government

<https://www.education.gov.uk/publications/standard/publicationdetail/page/dfs-04320-2006>

'Working Together to Safeguard Children', April 2010, HM Government

<https://www.education.gov.uk/publications/standard/publicationdetail/page1/DCSF-00305-2010>

Useful Telephone Numbers:

Children's Social Care – HantsDirect	0845 6035620
Children's Social Care (out of hours)	0845 6004555
Vulnerable Adults Care – HantsDirect	0845 6035630
Vulnerable Adults Care – HantsDirect	0845 6004555
Local Authority Designated Officer	01962 876364
Hampshire Police	0845 0454545
NSPCC Child Protection Helpline	0808 8005000
Child-Line	0800 1111



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairOak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 [@fairoakandhortonheathparishcouncil](https://www.facebook.com/fairoakandhortonheathparishcouncil)

CONSTITUTION

CHAPTER 20

VOLUNTEER POLICY

Adopted on: 19 July 2021

1. Introduction

- 1.1 We recognise the valuable contribution that volunteers can make to Fair Oak & Horton Heath Parish Council. They can bring a diverse range of skills and experience and can often provide a bridge to community involvement that it is sometimes difficult for paid staff to achieve. We recognise that volunteers are motivated because it is their choice to volunteer and give of their time freely; in return, we want to provide volunteers with opportunities that will help them to develop new skills and experiences.
- 1.2 This volunteer policy sets out the principles and practice by which we involve volunteers.

2. Status of Volunteers

- 2.1 A volunteer is not an employee and will not have a contract of employment. The Clerk will discuss the role with the volunteer and there will be an expectation that the volunteer will meet the requirements of the role.
- 2.2 Discussion will take place with volunteers on the amount of time that they are willing to commit, the frequency of their availability and how this will fit in with the Council's needs.
- 2.3 Volunteers are encouraged to let the Council know as soon as possible if they are not available so that a substitute can be found, or different arrangements can be made.
- 2.4 Volunteers wishing to withdraw from their voluntary role are asked to give their named contact as much notice as possible.

3. Principles

- 3.1 Our organisation:
 - Recognises that voluntary work brings benefits to volunteers themselves, to the community and to paid staff.
 - Will ensure that volunteers are properly integrated into the organisational structure and that mechanisms are in place for them to contribute to the volunteer centre's work.
 - Will not introduce volunteers to replace paid staff.
 - Expects that staff at all levels will work positively with volunteers and, will seek to involve them in their work.
 - Recognises that volunteers require satisfying work and personal development and will seek to help volunteers meet these needs, as well as providing the training for them to do their work effectively.
 - Will endeavour to identify and cover the costs of involving volunteers.
 - Recognises that the management of volunteers requires designated responsibilities within specific posts.
 - Will endeavour to involve volunteers from a wide range of backgrounds and abilities to ensure volunteering opportunities are as accessible and inclusive as possible.

4. Recruitment

- 4.1 The Council will recruit volunteers through a range of methods including advertising, talking to other agencies and making contact with local volunteering organisations such as Community First.
- 4.2 The Council will endeavour to help any volunteer overcome barriers that may make it difficult for them to volunteer at Fair Oak Parish Council.
- 4.3 The Council will ensure that the recruitment process is accessible and inclusive.
- 4.4 All volunteers will be asked to sign a Volunteer Agreement, which requires them to abide by the policies and procedures of the Parish Council.
- 4.5 DBS (Disclosure and Barring Service) checks and references will only be required where regular 1:1 contact with children is necessary. A volunteer will be informed of the need to apply for DBS checks. DBS checks are not a reflection on the individual, but a legal requirement in certain circumstances.

5. Health and Safety

- 5.1 The Council has responsibility for the health and safety of volunteers. Volunteers should at all times follow the Health and Safety policies and procedures. Volunteers have a duty to take care of themselves and others who might be affected by their actions. Volunteers should not act outside their authorised area of work. Volunteers should report all accidents to the appropriate person and should be recorded in the accident book.

6. Safeguarding

- 6.1 Fair Oak & Horton Heath Parish Council takes their role in the safeguarding of volunteers, staff and other members of the public seriously and as such have a Safeguarding policy to be followed at all times; it outlines the responsibility of volunteers and the Council in safeguarding children, young people and vulnerable adults.

7. Insurance

- 7.1 The Council will ensure that volunteers are covered for insurance purposes in respect of personal injury. We will also ensure that volunteers are provided with professional and public liability insurance. The insurance will not cover unauthorised actions or actions outside the volunteering agreement.

8. Induction and Training

- 8.1 All volunteers will receive an induction, to familiarise them with the work of the Council in general and their own particular area of work. Training will be offered where it helps to fulfil the role.

9. Support and Supervision

- 9.1 All volunteers will have a named person as their main contact. They will be given regular feedback and provided with an opportunity to discuss how things are going and air any problems.

- 9.2 Networking meetings between volunteers will be developed to encourage peer support and share experiences.

10. Expenses

- 10.1 Volunteers will be reimbursed for out-of-pocket expenses incurred on behalf of the Council as long as this has been approved in advance. Receipts will be required.

11. Grievance

- 11.1 The relationship between Fair Oak & Horton Heath Parish Council and its volunteers is entirely voluntary and it does not imply any contract. However, it is important that the Council can maintain its agreed standards of service to those who visit the premises, and it is also important that volunteers should enjoy making their contribution to this service. If, in their role volunteering for us, a volunteer does not meet with our standards, their case will be dealt with in the same manner as paid staff.
- 11.2 If a volunteer has any concerns regarding our treatment of them and this has been fully discussed with their named contact, but they are still not satisfied, any complaint may be taken to the Project Manager or their manager.

FAIR OAK & HORTON HEATH PARISH COUNCIL VOLUNTEER AGREEMENT

This volunteer agreement describes the arrangement between Fair Oak & Horton Heath Parish Council and you. We wish to assure you of our appreciation of you volunteering with us and will do the best we can to make your volunteer experience enjoyable and rewarding.

Purpose of role:

Possible Tasks:

Part 1: The Organisation

What you can expect from Fair Oak & Horton Heath Parish Council (FOHHPC):

1. Induction and training.

FOHHPC will provide you with:

- An introduction to the Project and your volunteering role within it.
- Training related to your responsibilities as a volunteer. We hope that you will take advantage of this to improve your skills.
- A named contact who will supervise your volunteering and with whom you can discuss your work.
- Personal liability insurance to cover you while you are fulfilling authorised work.
- Injury insurance for injuries incurred while fulfilling your authorised volunteer work.
- Reimbursement of any specific expenses incurred for FOHHPC which has been agreed in advance. Receipts will be required at all times.

2. Supervision, support and flexibility.

- To explain what will be required and to encourage and support you in your work.
- To provide a named person who will meet with you regularly to discuss your volunteering role, your successes, and problems you may have.
- To help develop your volunteering role with us.

3. Health and safety

- To provide adequate training in support of our health and safety policy.

4. Complaints or issues effecting your volunteering

- To try to resolve fairly any problems, complaints and difficulties you may have while you volunteer with us. If you run into problems when performing your duties, please discuss any complaint or problems with your name contact in the first instance or the Parish Clerk.

Part 2: The Volunteer

What we expect from you:

We will discuss with you the amount of time that you are willing to commit to volunteering, the frequency of your availability and how this will fit in with our needs. If, for any reason, you will not be attending a previously agreed volunteering session we would be grateful if you could let other volunteers and the volunteer coordinator know via telephone or email so that a substitute can be found, or different arrangements can be made. If we have no work for you, we will let you know as soon as possible.

We expect you:

- To perform your volunteering role to the best of your ability.
- To follow the organisation's policies & procedures and standards, including Health and Safety and Equality and Diversity, in relation to its staff, volunteers and customers.
- To maintain the confidential information of the organisation and of its users as appropriate. During your volunteering, you may come across confidential information about the project, its staff, and its customers. You must respect this confidentiality and not disclose this information except where required to do so by law.
- To be aware of the importance of safeguarding policies and procedures and to always discuss with a colleague any safeguarding concerns.
- To meet the time commitments and standards which have been mutually agreed with you and to give reasonable notice so other arrangements can be made when this is not possible.

Ideas:

You may have ideas for the better performance of your duties or of ways in which we can meet our objectives as an organisation. Please discuss these with the volunteer co-ordinator.

Termination:

Either you or the organisation can terminate this agreement with or without notice at any time.

This agreement is binding in honour only. It is not a legally binding agreement nor is it intended to create an employment relationship between us now or at any time in the future. It may be cancelled at any time at the discretion of either party.

	Signed by: (volunteer) Date:
	Signed by: (Authorised representative of the Parish Council) Date:



FAIR OAK & HORTON HEATH PARISH COUNCIL

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ enquiries@fairOak-pc.gov.uk

🌐 www.fairoak-pc.gov.uk 📘 @fairOakandhortonheathparishcouncil

CONSTITUTION

CHAPTER 21 INVESTMENT STRATEGY

Date Adopted 9 March 2021

FINANCE & INVESTMENT STRATEGY 2021/22

1. INTRODUCTION

- 1.1 The Finance and Investment Strategy is a high-level document, giving an overview of how prudential financing, treasury management and investment is managed by the Council, with an overview of current activities and the implications for future financial sustainability.
- 1.2 The Strategy has been produced by following statutory guidance issued by the Secretary of State on Local Government Investments (3rd edition) under Section 15(1) of the Local Government Act 2003. It sets out the general principles to be adopted in the management of the Council's finances and investments.

2. OBJECTIVES

- 2.1 The overarching policy objective is the cautious and prudent management of Council investments and finances. The Council will achieve this by: -
 - (a) Ensure that reserve funds are secure;
 - (b) The liquidity of general investments;
 - (c) Generate a good yield from capital reserve investment;
 - (d) To generate sufficient income to support capital expenditure budget on a year by year basis;
 - (e) Ensure that all investment yields grow in line with inflation as a minimum, in order to maintain the capital value of the original investment amount.
- 2.2 The Council will aim to achieve the optimum return on its investments commensurate with proper levels of security and liquidity.
- 2.3 Adequate liquidity is required to ensure that day-to-day activities can be funded and at the same time, to ensure that an appropriate return on cash deposits is achieved.

3. TREASURY MANAGEMENT

- 3.1 Treasury management is concerned with keeping sufficient but not excessive cash available to meet the Council's spending needs, while managing the risks involved. Surplus cash is invested until required, while a shortage of cash will be met through the Council's Capital Reserves to avoid excessive credit balances or overdrafts in the bank current account. The Council is typically cash rich in the short-term as revenue income is received before it is spent; but will become cash poor in the long-term as capital expenditure is incurred before being financed.
- 3.2 When developing financial plans/the annual precept and budget the Council will: -
 - Maintain a working bank account balance of approximately 3 months net anticipated expenditure.
 - Place any surplus monies within UK bank & building society accounts that are accessible immediately or within a specified period of notice in order to generate a suitable level of interest return.
 - Maintain a general fund reserve not earmarked for specific purposes, to cushion the impact of unexpected emergencies or events of 3-6 months gross revenue expenditure.
 - Maintain Earmarked Reserves, for both capital and revenue expenditure, to meet known or predicted future liabilities, identified in the Council's budget planning.

- Only invest in institutions of high credit quality, based on information from credit rating agencies.

- 3.3 The Council will not borrow money. Any borrowing required to meet the Council's capital expenditure is to be met by using cash held in reserves rather than raising loans.

4. **ASSET MANAGEMENT & ASSET DISPOSALS**

Asset Management - The Council's Operations Manager, in consultation with the Clerk, has overall responsibility for the management of the council's property and regularly liaises with the Responsible Finance Officer (RFO) regarding budgeted spends and annually for capital bids.

Asset Disposals – when a capital asset is no longer needed, it may be sold so that the proceeds (capital receipts), can be spent on new assets.

5. **INVESTMENT STRATEGY**

- 5.1 Treasury investments arise from receiving cash before it is paid out again. Investments made for operations reasons or for pure financial gain are not generally considered to be part of treasury management.
- 5.2 Money that is likely to be spent in the near term is invested securely, for example with the government, other local authorities or selected high-quality UK banks, to minimise the risk of loss. Money that is likely to be spent in the longer term is also invested in the same way.

The table below shows the Council's current investments as at 1March 2021

Current Account	£133,257
Premier Account	£337,572
Public Sector Account	£308,625

- 5.3 The Council will ensure that all investments are 'Specified Investments' meaning that:
- (a) All investments will be made in sterling and any payments or repayments will also be made in sterling, with UK registered institutions;
 - (b) The council will invest in the long term. By investing securely in the CCLA property Fund, which will maximise return.
 - (c) All investments will be made with 'A' 'High Credit Quality' institution, as given by a Credit Rating Agency;
 - (d) All investments will be made in UK banks and building societies or other UK regulated institutions or funds;
 - (e) A Credit Rating Agency will be taken as meaning one of the following: -
 - Standard and Poor's
 - Moody's Investors Services Limited
 - Fitch Rating Limited
- 5.4 Credit Ratings will be monitored and reported to the Finance Committee at yearly intervals, if the rating falls during this period, the Responsible Finance Officer, in consultation with the Chairman and Clerk of the Council, will decide on any appropriate action.

- 5.5 Investments will not be made with bodies, institutions or funds that support or exploit, either directly or indirectly the inappropriate welfare and treatment of people of animal/wildlife. The Council may from time to time produce a list of specific investments or investment sectors that it wishes to avoid. The Council will satisfy itself that funds are only invested in an ethical manner commensurate with the use of public monies.
- 5.6 The Council's approach to investment risk can be defined as 'lower-medium' risk. Advice will be sought from a suitably qualified and experienced persons or bodies with a proven track record prior to investment decision being made who must be regulated by the Finance Conduct Authority.
- 5.7 Decisions regarding the investment of Capital Reserves is to be made with a medium-term view of the market in mind of at least 5 years whilst complying with the statutory guidance issued regarding the length of any individual investment.
- 5.8 The Department of Communities and Local Government maintain that borrowing monies purely to invest or to lend in order to make a return is inappropriate for Town/Parish Council's, and the Parish Council will therefore not engage in such activity.

6. FINANCIAL GOVERNANCE

- 6.1 The RFO will review this strategy, in consultation with the Clerk, annually, for approval by the Council prior to the beginning of any new financial year. Should the RFO see necessary, any variations before that time will be referred to the Full Council for approval.
- 6.2 The Council currently employs a professionally qualified and experienced RFO responsible for making capital expenditure, borrowing and investment decisions. Where Council staff do not have the knowledge and skills required, use will be made of external advisers and consultants that are specialists in their field.