

ASH PARISH COUNCIL

Dear Councillors, you are summoned to a meeting of the Parish Council on Monday 7th April 2025 at 7.00pm in Ash Pavilion.

Clerk to the Council.



30th March 2025

The Ash Parish Council Meeting will be held on Monday 07th April 2025 commencing at 7.00pm, to discuss and take decisions on Parish business as outlined on the Agenda.

Public Forum: Members of the public and press are welcome to join the meeting and are able to speak on any matter for up to 10 minutes during the Public Forum which will take place at the start of the meeting. If the matter is likely to take longer than 10 minutes, notice should be provided to the Clerk by 12 noon on the Monday preceding the meeting.

7th April 2025 AGENDA

Public Forum

1. Apologies for Absence
 2. Declarations of Interest
 3. To approve and sign Minutes of the Parish Meeting held on 3rd March 2025
 4. Matters arising (other than those on the agenda)
 5. Somerset Council, Councillor's Report: April 2025
 6.
 - Martock SID – check functionality of equipment - Cllr A Groves
 - Signage Millennium Wood/play area - signage
 - HMRC/payroll arrangements - Clerk
 - Pavillion door replacement – Cllr A Britten
 - VE Day- update re flag
 7. Planning decisions report. None as at 30/03/25
 8. Planning Applications:
 - Proposal:** Outline application with all matters reserved for Erection of two dwellings and formation of joint vehicular access
 - Location:** Land East Of Burrough Street Adj Broad Ham Burrough Street Ash Martock Somerset TA12 6NZ
 - Application Number:** 25/00463/OUT
 - Proposal:** Erection of single storey extension to dwelling
 - Location:** Manor Farm Cottage Milton Lane Ash Martock Somerset TA12 6AL
 - Application Number:** 25/00733/HOU
 - Proposal:** Rear single storey and two storey extension.
 - Location:** 84 Main Street Ash Martock Somerset TA12 6PB
 - Application Number:** 25/00764/HOU
- Links to applications:
<https://publicaccess.southsomerset.gov.uk/online-applications>

Clerk to the Council: Zannette Bougourd. Tel: 01935571050
Email: clerk@ashpcsomerset.com

ASH PARISH COUNCIL

9. **Finance** – To **APPROVE** the regular payment schedule as detailed below, regular payments to be reviewed at the AGM or when the payment amount changes, whichever is sooner.
10. **Finance:** To discuss the payment requests as detailed below & minute decisions
11. **Finance:** To approve & sign the Bank reconciliations - March 2025 to date
12. **Finance:** To approve & sign the Bank Statements – March 2025 to date
13. **Council Matters:** Consider moving Ash PC website to gov.uk domain
14. **Parish Matters:** Consider quote for installing an exterior lighting for ramp to Ash Pavilion
15. **Parish Matters:** Consider quote to replace/repair carpark barrier
16. **Parish Matters** Consider and update Asset Register
17. **Council Matters:** Consider policies and adoption of policies as required.
18. **Actions & allocations.**
19. **Date and time of next meeting.**

ASH PARISH COUNCIL

Schedule of Regular Monthly Payments, for report only.

Monthly	S Davey	Virtual Landline	£6.50	SO Report
Monthly	R A Evis	Ground Maintenance	£458.33	SO Report
Monthly	KL Bungay	Pavilion cleaning	£102.00	SO Report

Signed: Date:

Payment requests as at 30th March 2025

Z Bougourd	SLCC	Renew membership 50%	£90.00	
RA Evis	March 2025	Lengthsman	£235.00	Invoice due
Millennium Wood Invoice	Annual fee		£1060.00	Due 1 st April (2025/6)

Signed:.....Date:

Direct Debit payments between 28/02/25 – 30/03/25

28/02/25	BRITISH GAS	Utility	214.55	
31/03/25	BT GROUP	Utility	34.46	

Signed: Date:

ASH PARISH COUNCIL

Minutes of the meeting held on 3rd March 2025 at Ash Pavilion @ 7pm

Public Forum. There were two members of the public present – no comments were received.

25/12 Somerset Council, Councillor's Report: March 2025. Cllrs J Bailey & E Pearlstone were present. Matters of note included a recruitment drive for social workers, completion of 3000 health checks across the region and the visitor centre at Ham Hill with associated access improvements had now commenced. Issues with accommodating pupils and infrastructure at Hill View School are ongoing.

Somerset Council are due to approve the 2025/6 budget on Wednesday, 70% of the total budget is now allocated to adult and children's social care. Despite an increase in Council Tax, SC have a significant budget deficit.

25/13 Apologies for Absence. Apologies were received from Cllrs Z England & A Britten. The Council noted the resignation of Cllr L Andrew. Cllr Andrew served on the Parish Council from May 2022, her contribution and local knowledge was greatly appreciated and the Council thank her for her service and wish her well in the future. The Clerk will notify SC election section of the casual vacancy.

25/14 Declarations of Interest – none received.

25/15 To approve and sign Minutes of the Parish Meeting held on 3rd February 2025. The minutes were approved and signed.

25/16 Matters arising (other than those on the agenda)

25/17 Martock SID – the equipment has been collected from Martock Parish, there are some fixing brackets that need to be collected. Cllr A Groves will charge the units to confirm viability

25/18 Signage Millennium Wood/play area – the wording copied below was agreed. The heading will be:

Ash Parish – Use of Open Spaces:

- Keep dogs on a lead unless they have reliable recall.
- Off-lead dogs must be in sight and under control.
- Leash your dog near others; ask before contact.
- Respect all: pedestrians, children, dogs and runners.
- Stay on paths to protect plants and young trees.
- Take your litter home; clean up after your dog.
- Respect and enjoy observing wildlife and natural habitats.
- No fires or barbecues.
- Report any hazards or damage to report@ashpcsomerset.com
- **Members of the public use this area at their own risk.**

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25/19 HMRC/payroll arrangements – ongoing awaiting response from HMRC

25/20 Pavillion door replacement – awaiting update from Cllr Britten

25/21 Tree damage/Burrough Street- Cllr E Pearlstone reported that SC had indicated that the trees did not appear to pose any immediate hazard. Any further damage will be reported to SC. The barriers used after the recent damage have been returned to APC

25/22 VE Day events: Suggested that a flag is purchased and flown from the Church Tower. Cllr Hafhhide will arrange this with assistance from a resident. An appropriate donation will be made.

25/23 Playground footpath access update/inspection date. The report had been circulated and noted, some of the minor issues are seasonal.

25/24 SC Gully clearance/maintenance schedule. SC have provided the gully cleaning schedule for the coming year, noted. Drain jetting is carried out ad-hoc or on a request basis.

25/26 Auditor – Cllr Davey signed the Terms of Business provided by PATAS, clerk will forward to Auditor.

25/27 Planning decisions report. None as at 21st February 2025

25/28 Planning Applications:

- **Location: 17 Back Street Ash Martock Somerset TA12 6NY**

Application Type : Listed Building Consent

Proposal: Enhancive conversion of Barn and erection of an adjoining greenhouse extension to be used as ancillary to the main dwelling that sits within Grade II Listed Farmhouse curtilage and replacement/renovation of a number of windows to the main dwelling. The Council considered this to be in keeping with the locality and when complete will be an enhancement to the area. Clerk to revert to SC planning immediately.

25/29 Finance – The payment schedule was approved and signed.

25/30 Finance: The payment requests were approved and signed. Clerk will set up payments for authorisation. Cllr A Groves will confirm completion of February lengthsman work prior to payment.

25/31 Finance: The bank reconciliations to date were approved and signed

25/32 Finance: The bank statements to date were approved and signed.

25/33 Parish Matters: The update regarding Witcombe Lane and Milton Lane road/pothole repairs was tabled and noted.

25/34 Parish Matters: Notice Board: The notice board has been skilfully & economically repaired by Mr Davis, the PC thanked him for his assistance, the notice board has been re-

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ASH PARISH COUNCIL

instated into the previous location. It was not considered necessary to install a light above the notice board.

25/34 Parish Matters: It was agreed to ask Cllr England to arrange the installation of an extra light above the access ramp to the Pavilion. Cllr A Groves has sourced some reflective tape for the edges of the steps and ramps, agreed that this purchase can be made and tape installed.

25/35 Parish Matters: Invoices to the Post Office and Woodturners have been issued, the Post Office have paid. Cllr Davey to provide usage data for the field to the Clerk.

25/37 Parish Council matters: It was agreed that the number format and presentation was clear and user friendly.

25/38 Reports noted:

- **Community Health & Wellbeing Programme Newsletter February 2025**
- **Active Travel Group report**

The Council is recommended to resolve that under section 1, paragraph 2 of The Public Bodies (admission to meetings) Act 1960, the press and public be excluded from the meeting for the following items of business because publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

25/39 Parish Council Matters: It was agreed that at present the use of amenity facilities within the Parish are acceptable and will be kept under review. It was noted that damage had occurred to the Pavilion carpark barrier by a vehicle driven by a non-resident. Clerk will notify the insurance company and revert with response.

The meeting closed at 20.50hrs

Date and time of next meeting:

Monday April 7th @ 7pm.

Schedule of Regular Monthly Payments, for report only.

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Email: clerk@ashpcsomerset.com

ASH PARISH COUNCIL

Monthly	S Davey	Virtual Landline	£6.50	SO Report
Monthly	R A Evis	Ground Maintenance Sept	£458.33	SO Report
Monthly	KL Bungay	Pavilion cleaning	£102.00	SO Report

Signed: Date:

Payment requests as at 22nd February 2025

FPI	S Davey	Postage response to footpath communications	1.64	
RA Evis	January 2025	Lengthsman	£235.00	

Signed:.....Date:

Direct Debit payments between 30/01/25 – 28/02/25

28/02/25	BRITISH GAS	Utility	256.23	
28/02/25	BT GROUP	Utility	34.46	

Signed: Date:

Invoices received after the Agenda was published			
RA Evis	February 2025	Lengthsman	£235.00
RA Evis	November 2024	Lengthsman	£235.00
Mr Davies	March 2025	Repairs to notice board	£33.75 + (£15.00)

Zannette Bougourd (Ash P.C.)

Clerk@ashpcsomerset.com

Date: 4 March 2025

Our Ref: **25/00463/OUT**

Stanley Norris (Planning Officer)

Email: stanley.norris@somerset.gov.uk
01935 462462

PARISH/TOWN COUNCIL CONSULTATION
Town and Country Planning Act 1990

Dear Zannette Bougourd (Ash P.C.)

Proposal: Outline application with all matters reserved for Erection of two dwellings and formation of joint vehicular access

Location: Land East Of Burrough Street Adj Broad Ham Burrough Street Ash Martock Somerset TA12 6NZ

Applicant: Mrs J Sibley

Application Type : Outline Application

Application Number: 25/00463/OUT

The Council has received the above application and the documents are available on the website, [Planning Search \(somerset.gov.uk\)](http://PlanningSearch(somerset.gov.uk))

Comments are welcome by **25 March 2025**. If you need more time to consider this application, please contact the Planning Officer as early as possible to agree an extension.

The application is being dealt with by Stanley Norris (Planning Officer) who can be contacted by email at stanley.norris@somerset.gov.uk or by telephone on Tel No: 01935 462462

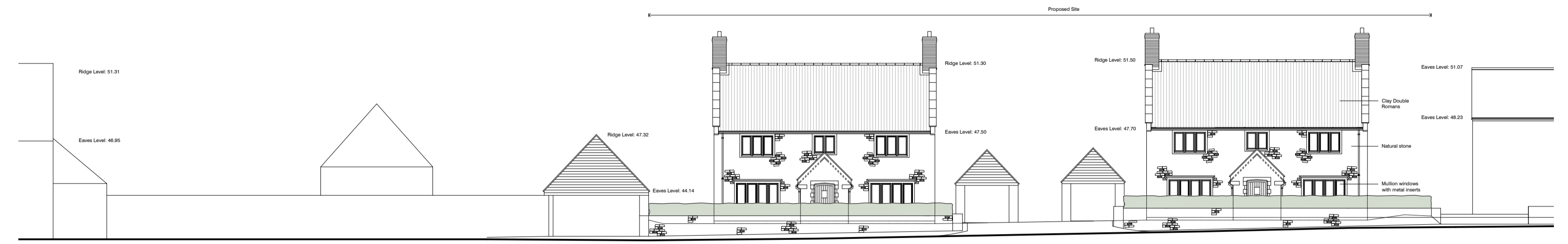
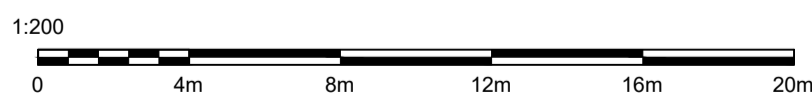
You can Comment, Support or Object to the proposal but material planning reasons must be provided. Please use the response template issued to the Clerk to submit your comments. Any comments made will be taken into account in any Officer recommendation. Please do not submit them via the public comment facility on the Council's website above, this facility is currently only for use for members of the public and your comments may not be logged correctly.

Your response should be returned by email to PlanningSouth@somerset.gov.uk Please do not send direct to the Case Officer or include signatures or any other personal information that may need redacting.

Stanley Norris (Planning Officer)
Planning Team South
Somerset Council



PROPOSED SITE PLAN 1:200

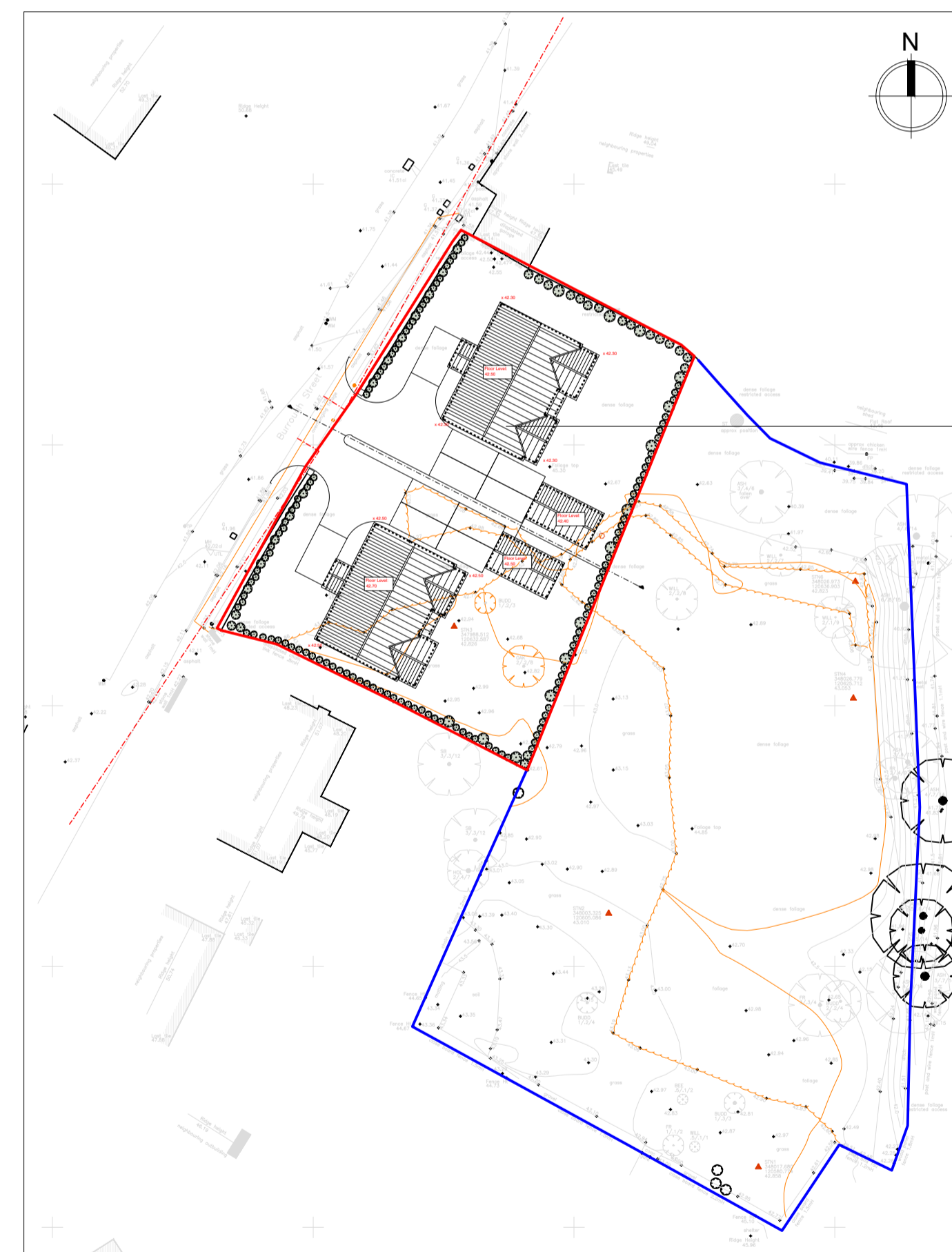


PROPOSED STREET SCENE 1:200



PROPOSED SITE SECTION 1:200

- 1m high natural stone wall
- Native hedge
- 2.4 x 43m visibility splay
- Proposed Dwelling
- Driveway and Turning Area to be Permeable Surface
- Repositioned Telegraph Pole
- Vehicle crossover
- Parking and turning area
- Proposed Garage
- Driveway and Turning Area to be Permeable Surface
- Post and rail fence with native hedge
- Proposed Garage
- Proposed Dwelling
- 2.4 x 43m visibility splay



PROPOSED BLOCK PLAN 1:500



**Paul Day
Architectural
Designs Ltd**

Great Bow Wharf, Bow Street,
Langport, Somerset, TA10 9PN
Tel: 01935 826805 Mob: 07737 389065
Email: paul@architecturaldesigns.uk.com
www.architecturaldesigns.uk.com

JOB TITLE

Proposed Erection of Two Detached Dwellings on Land Adjacent
22 Burrough Street, Ash, Somerset

DRAWING TITLE

Proposed Indicative Site Plan and Street Scene

CLIENT

Mr and Mrs K. Sibley

REVISIONS:

- A
- B
- C

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All dimensions are in millimeters, all levels are in metres unless shown otherwise.

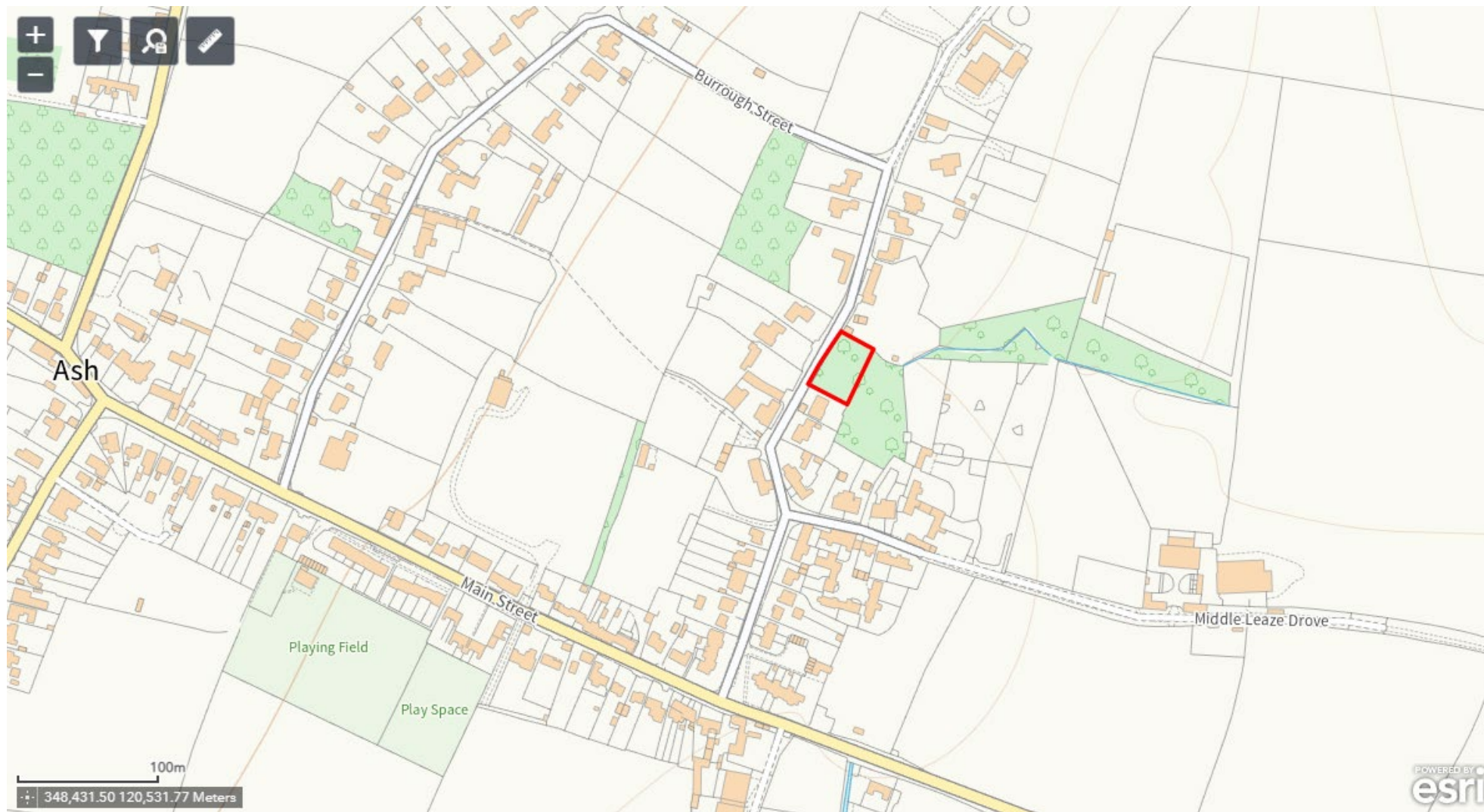
JOB NUMBER: 7272

DRAWING NUMBER: 7272 - 02

DATE: 28/10/24

SCALE: 1:200, 1:500, 1:1250 @ A1





Ash

Burrough Street

Main Street

Middle Leaze Drive

Playing Field

Play Space

100m

348,431.50 120,531.77 Meters

POWERED BY
esri

Zannette Bougourd (Ash P.C.)

Clerk@ashpcsomerset.com

Date: 27 March 2025
Our Ref: **25/00733/HOU**
Sarah Beckett (Planning Officer)
Email: sarah.beckett@somerset.gov.uk
(01935) 462461

PARISH/TOWN COUNCIL CONSULTATION
Town and Country Planning Act 1990

Dear Zannette Bougourd (Ash P.C.)

Proposal: Erection of single storey extension to dwelling
Location: Manor Farm Cottage Milton Lane Ash Martock Somerset TA12 6AL
Applicant: Mr and Mrs Luke Wycherley
Application Type : Householder Application
Application Number: 25/00733/HOU

The Council has received the above application and the documents are available on the website, [Planning Search \(somerset.gov.uk\)](http://somerset.gov.uk/planning-search)

Comments are welcome by **17 April 2025**. If you need more time to consider this application, please contact the Planning Officer as early as possible to agree an extension.

The application is being dealt with by Sarah Beckett (Planning Officer) who can be contacted by email at sarah.beckett@somerset.gov.uk or by telephone on Tel No: (01935) 462461

You can Comment, Support or Object to the proposal but material planning reasons must be provided. Please use the response template issued to the Clerk to submit your comments. Any comments made will be taken into account in any Officer recommendation. Please do not submit them via the public comment facility on the Council's website above, this facility is currently only for use for members of the public and your comments may not be logged correctly.

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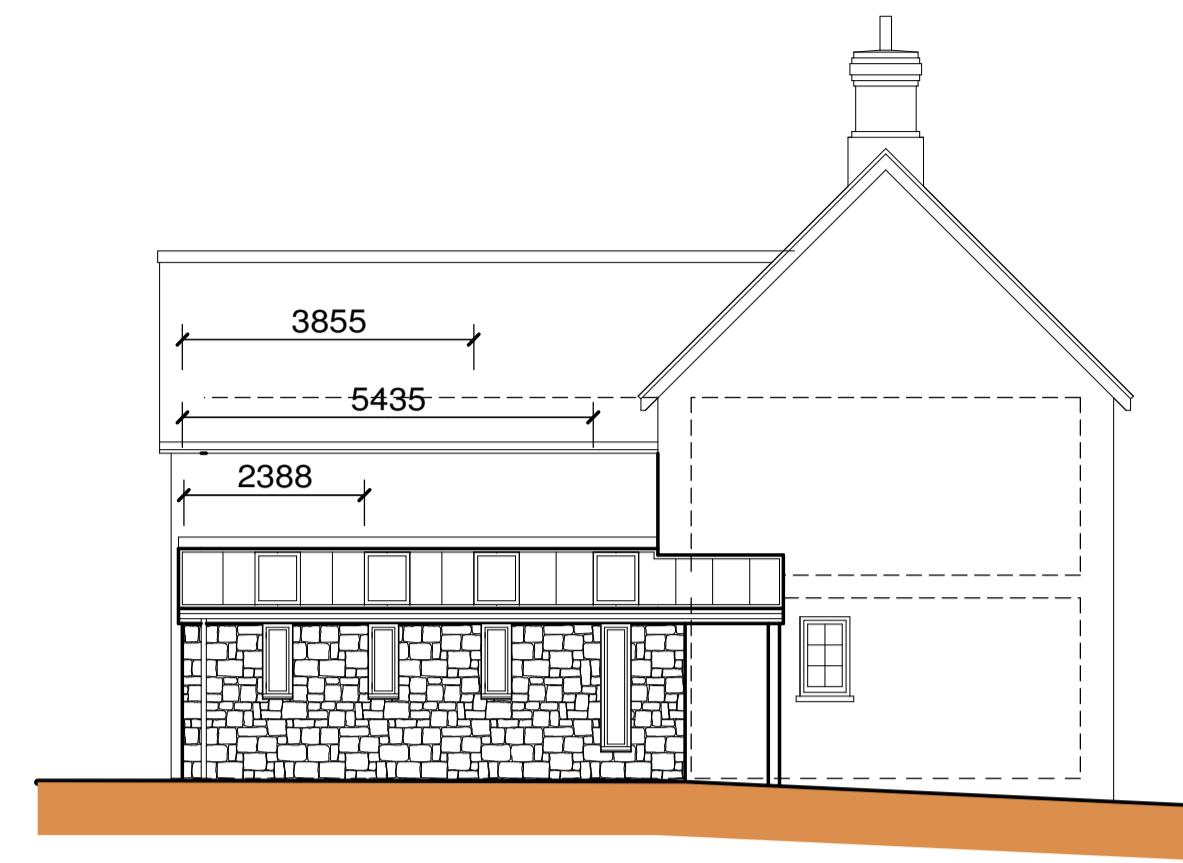
Sarah Beckett (Planning Officer)
Planning Team South
Somerset Council



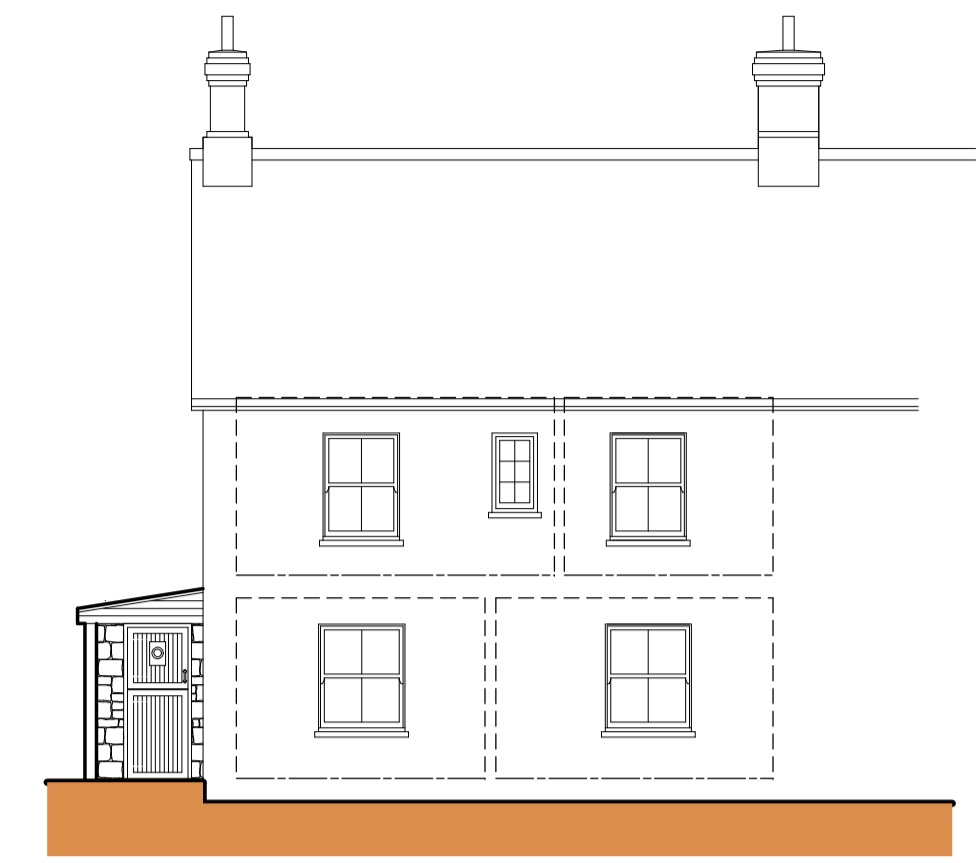
Proposed Section
Scale 1:100



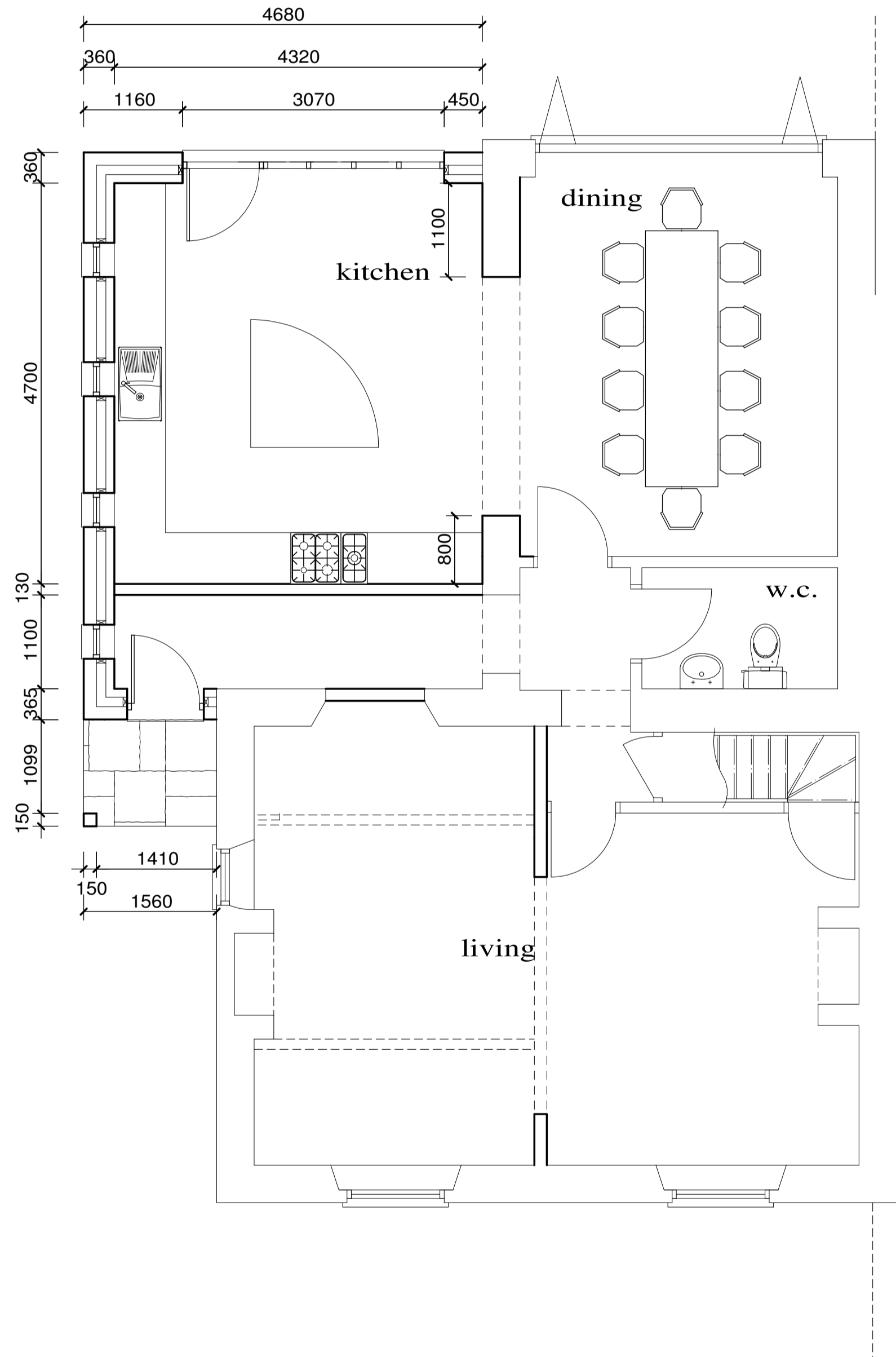
East Elevation
Scale 1:100



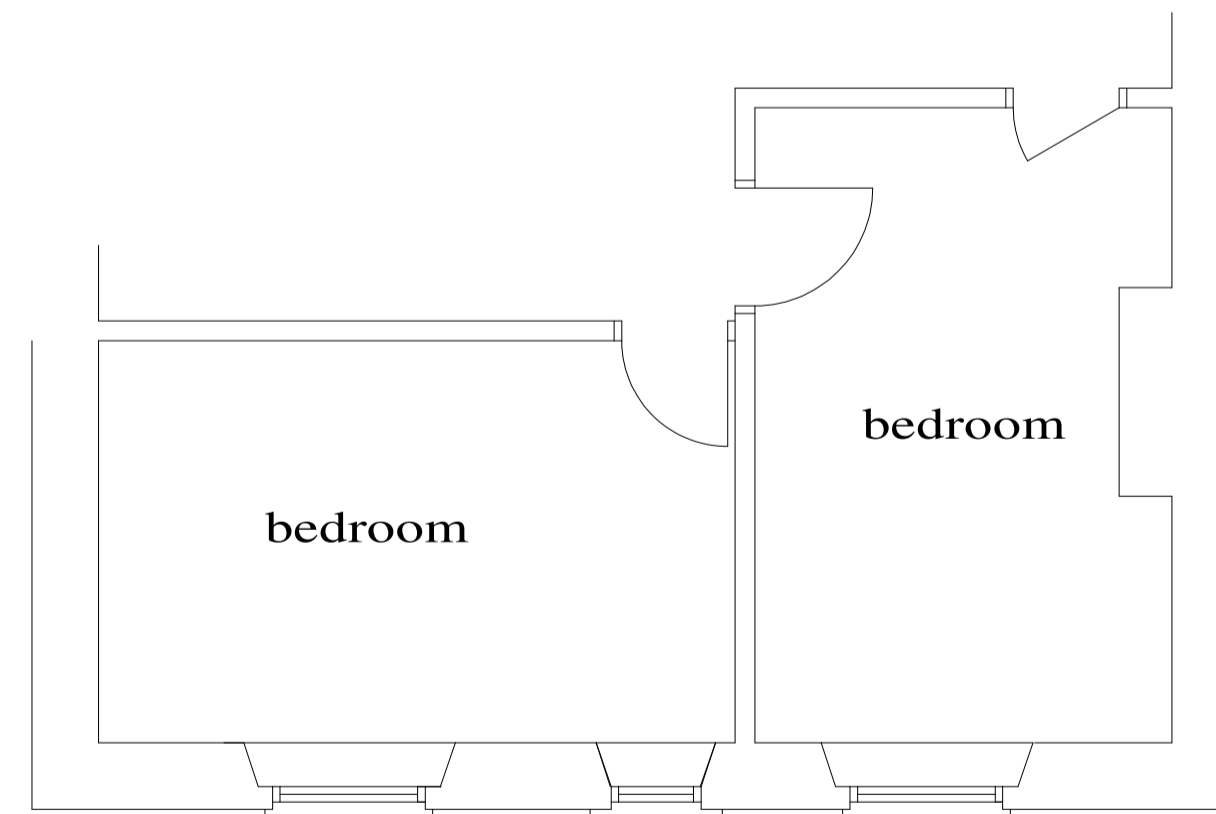
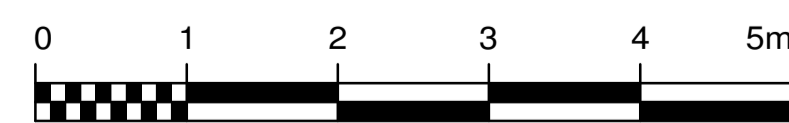
North Elevation
Scale 1:100



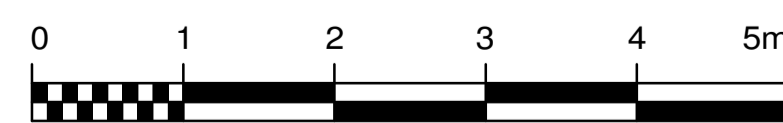
West Elevation
Scale 1:100



Ground Floor Plan
Scale 1:50



Part First Floor Plan
Scale 1:50



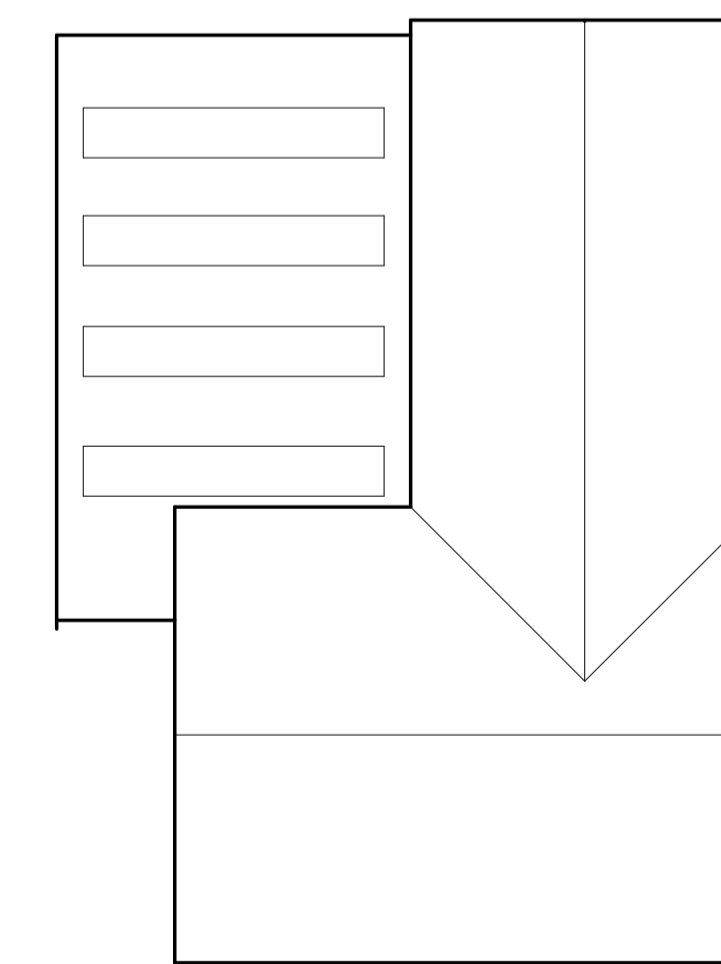
Materials :

Walls - Natural Stone to match existing

Roof - Metal Seam Roof

Roof Windows - Glazed Panels


Windows and Doors - Timber painted to match existing.
Crittall Large Screen to Kitchen



Roof Plan

Scale 1:100



Rev.	Description	Date
 <p>Alastair R Dalziel M.C.L.A.T. Chartered Architectural Technologist Architectural Design</p> <p>Chartered Institute of Architectural Technologists Registered Practice</p> <p>Sherborne Dorset DT9 3RQ Telephone 01935 816564</p>		
<p>Project Proposed Two Storey Extension, Manor Farm Cottage, Milton, Ash, Martock, Somerset.</p>		
<p>Client Mr and Mrs L. Wycherley.</p>		
<p>Title Planning Drawing</p>		
<p>Scale 1:100 1:50</p>		<p>Drawing No. 6.0</p>



Zannette Bougourd (Ash P.C.)

Clerk@ashpcsomerset.com

Date: 1 April 2025
Our Ref: **25/00764/HOU**
Nick Toop (Planning Officer)
Email: nick.toop@somerset.gov.uk
01935 462198

PARISH/TOWN COUNCIL CONSULTATION
Town and Country Planning Act 1990

Dear Zannette Bougourd (Ash P.C.)

Proposal: Rear single storey and two storey extension.
Location: 84 Main Street Ash Martock Somerset TA12 6PB
Applicant: Mr and Mrs Hooper
Application Type : Householder Application
Application Number: 25/00764/HOU

The Council has received the above application and the documents are available on the website, [Planning Search \(somerset.gov.uk\)](http://somerset.gov.uk/planning-search)

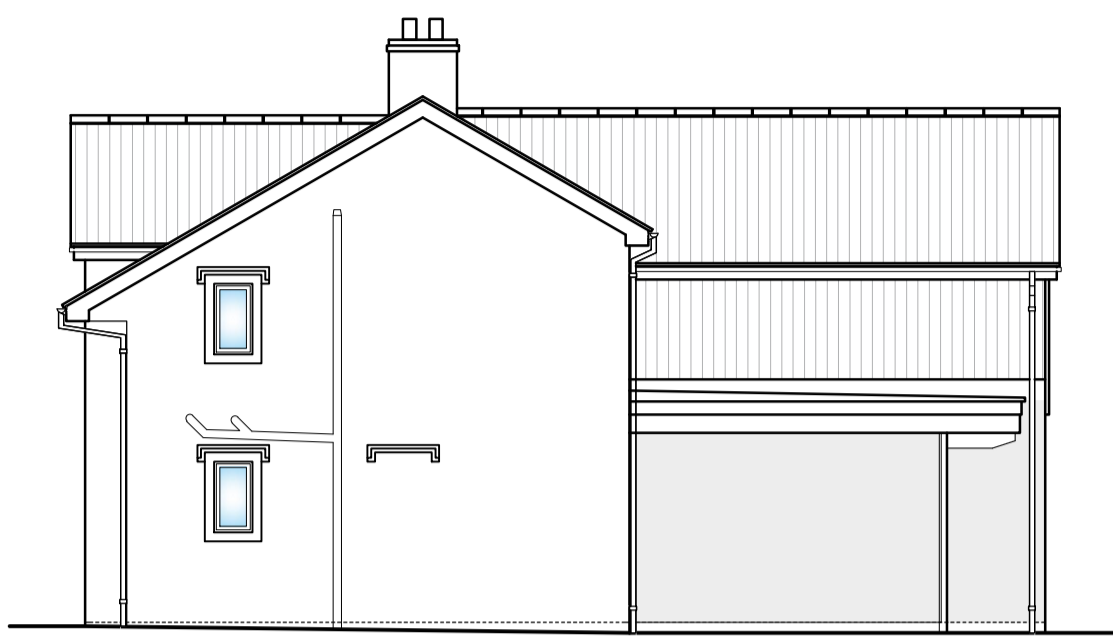
Comments are welcome by **22 April 2025**. If you need more time to consider this application, please contact the Planning Officer as early as possible to agree an extension.

The application is being dealt with by Nick Toop (Planning Officer) who can be contacted by email at nick.toop@somerset.gov.uk or by telephone on Tel No: 01935 462198

You can Comment, Support or Object to the proposal but material planning reasons must be provided. Please use the response template issued to the Clerk to submit your comments. Any comments made will be taken into account in any Officer recommendation. Please do not submit them via the public comment facility on the Council's website above, this facility is currently only for use for members of the public and your comments may not be logged correctly.

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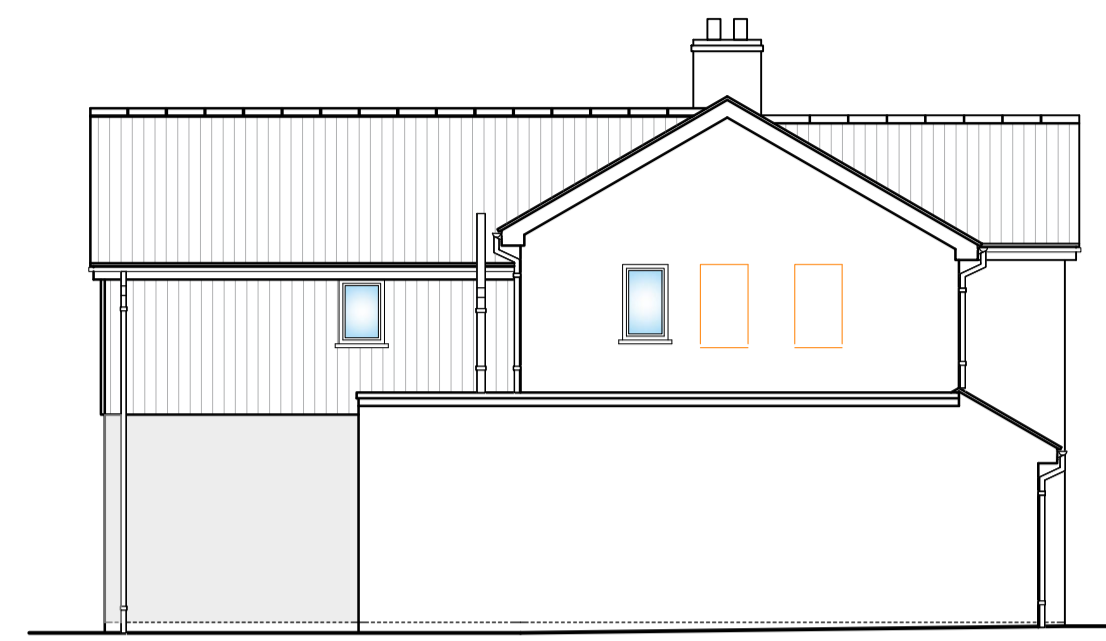
Nick Toop (Planning Officer)
Planning Team South
Somerset Council



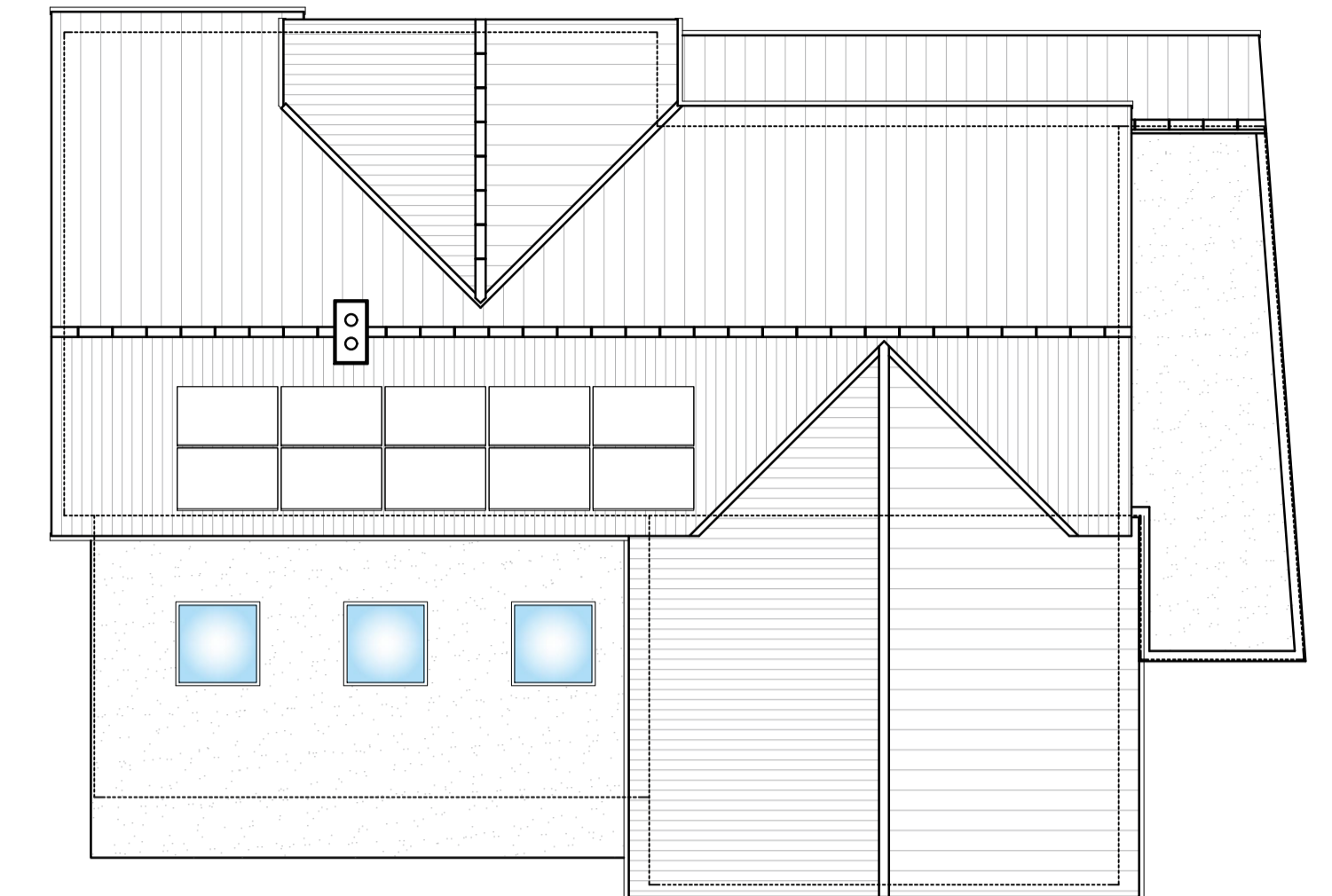
PROPOSED WEST ELEVATION 1:100



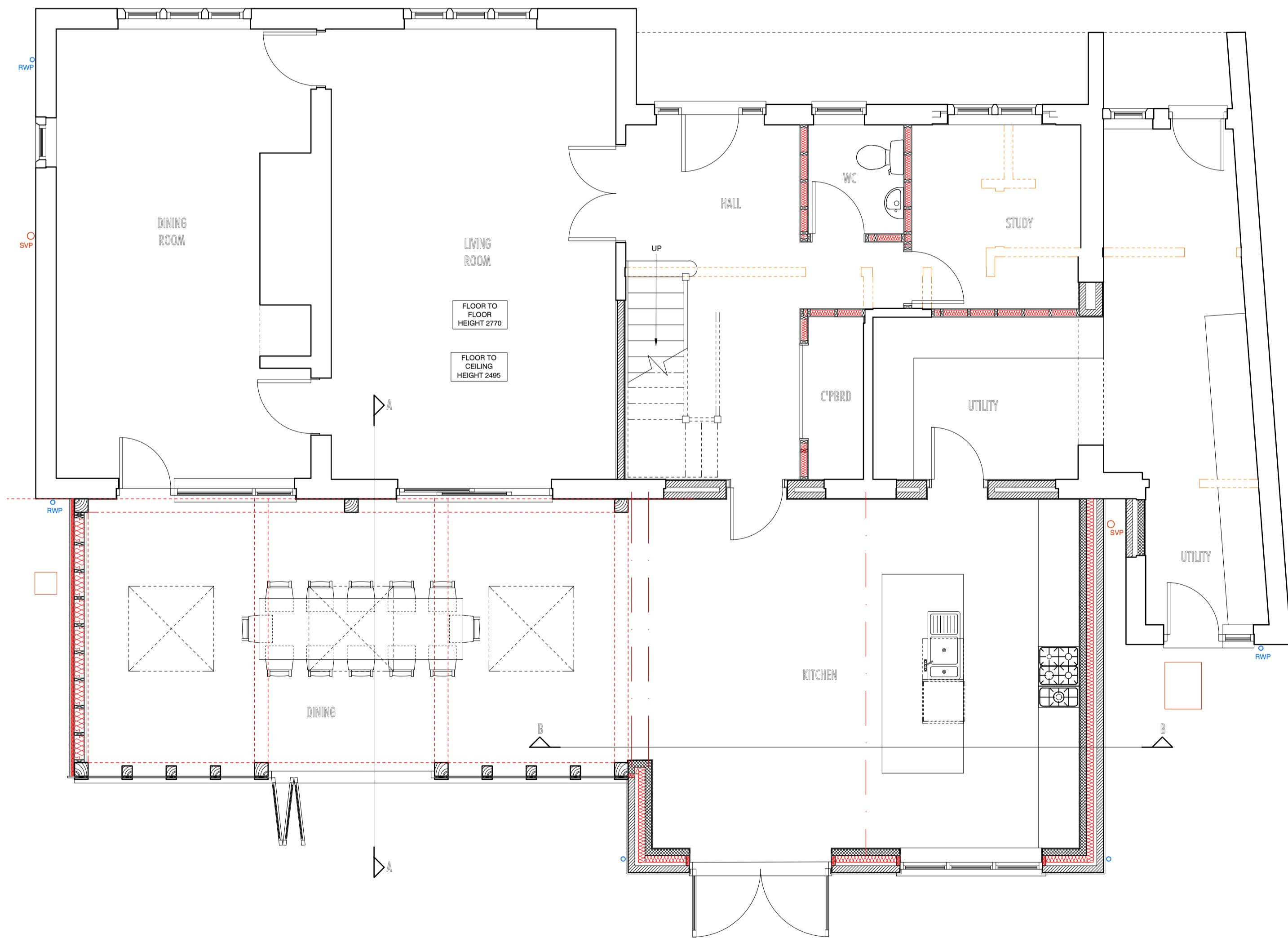
PROPOSED SOUTH ELEVATION 1:100



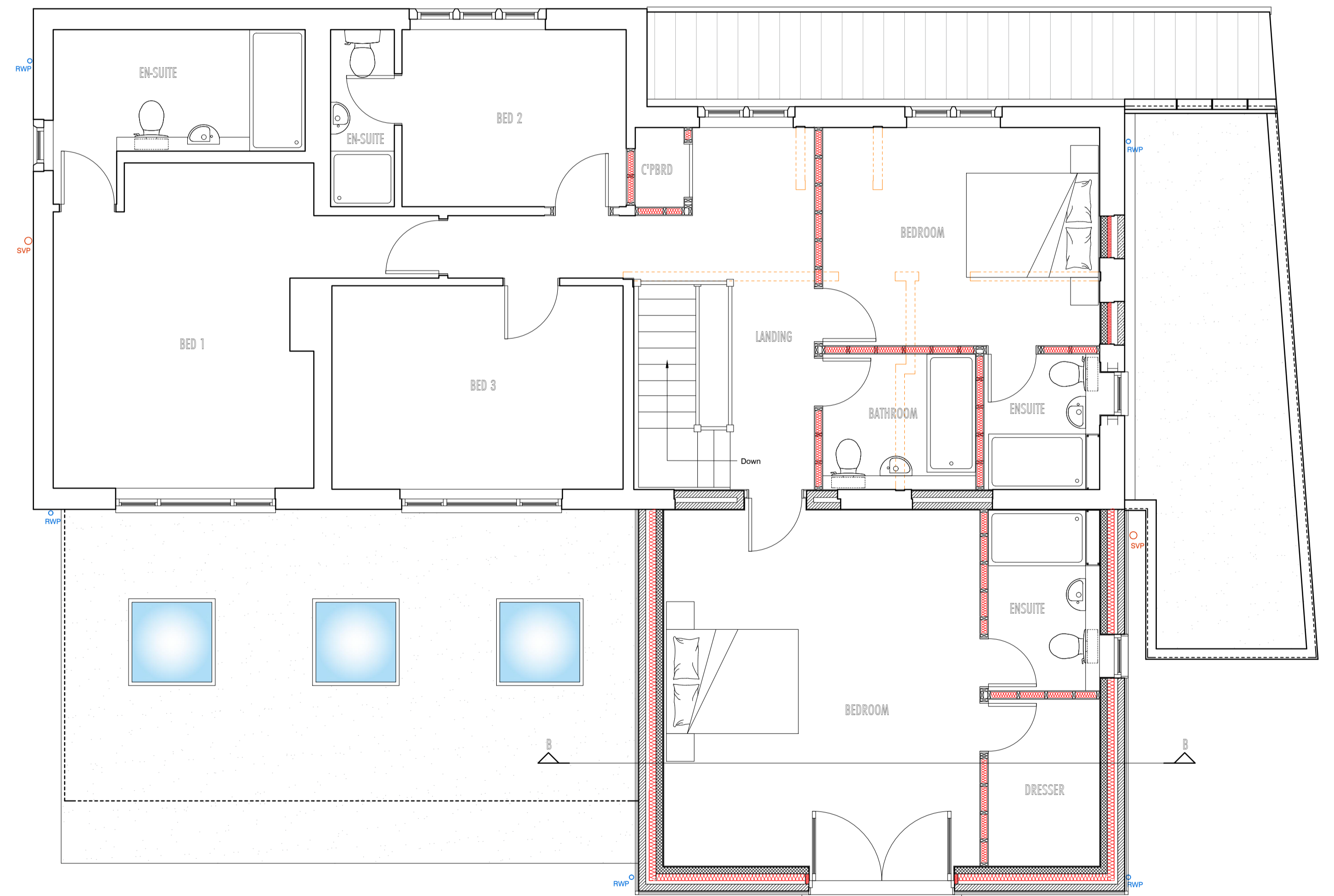
PROPOSED EAST ELEVATION 1:100



PROPOSED ROOF PLAN 1:100



PROPOSED GROUND FLOOR PLAN 1:50



PROPOSED FIRST FLOOR PLAN 1:50

Paul Day Architectural Designs Ltd.

Email: paul@architecturaldesigns.co.uk
Phone: 01935 826805 Mob: 07737 389065
Great Bow Wharf, Bow Street
Langport, Somerset, TA10 9PN



JOB TITLE

Proposed Rear Single Storey and Two Storey Extension.

DRAWING TITLE

Proposed Floor plans, Elevations and Roof Plan

CLIENT/SITE ADDRESS

Mr A. Hooper,
84 Main Street,
Ash, Martock, Somerset,
TA12 6PB

REVISIONS:

A
B
C

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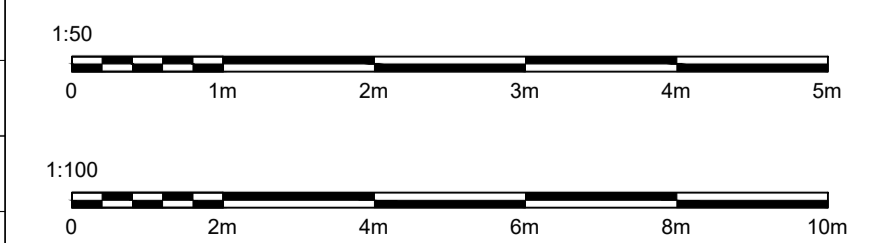
ALL DIMENSIONS ARE IN MILLIMETERS. ALL LEVELS ARE IN METRES UNLESS SHOWN OTHERWISE.

JOB NUMBER: 7506

DRAWING NUMBER: 7506 - 02

DATE: 25/09/2025

SCALE: 1:50, 1:100 @ A1



Ash PC February/March 2025 Bank recs for signature						
Date	Type	Payee	Description	Money rec'd	Payments	Balance
28/01/2025	DEP	M Trusson		30		
18/02/2025	DEP	Bank charges			9.82	
18/02/2025	PAY	Refund bank charges		9.82		
28/02/2025	DD	British Gas			256.23	
03/03/2025	DD	S Davey			6.5	
03/03/2025	SO	RA Evis			458.33	
03/03/2025	SO	KL Bungay			102	
04/03/2025	FPO	Z Bougourd			381.9	
04/03/2025	FPO	R A Evis	Jan/Dec lengthsman		470	
04/03/2025	FPO	S Davey	Postage		1.64	
04/03/2025	FPO	J Davies	Noticeboard repair		33.75	
05/03/2025	DD	BT Group			34.46	
12/04/2025	FPO	HMRC			90.48	
12/04/2025	TFR	From deposit account		1700		
17/03/2025	FPO	RA Evis	Feb lengthsman		235	
18/03/2025	PAY	Bank service charges			15.78	
24/03/2025	DEP	M Trusson		50		
07/03/2025	DEB	Amazon	Flag		6.99	
28/03/2025	SO	HMRC			90.48	
28/03/2025	SO	Clerk			381.9	
28/03/2025	DD	British Gas			214.55	
				1789.82	2789.81	
Opening Balance						
February	3554.91					
INCOME	1789.82					
EXPENDITURE	2789.81					
BALANCE C/F	2554.92					
SIGNED						
NAME						
DATE						

I am proposing that we migrate our domain from the current .com to a .gov.uk domain.

Currently this is voluntary, but I believe that having a .com is something of an anachronism for a public body as this is intended for businesses,. Public bodies have been advised that they should switch to the official UK government .gov.uk suffix. Currently this is voluntary, but this position may well change in the future, and it may well become compulsory.

Our current registration expires on the 2 June 2027, and the logical thing to do would be to wait until closer to this expiry time. However, we are poised to spend money on signs for the Cemetery and also for Millennium Wood. This will carry an email address for reporting issues, and this will be using the old .com domain.

This had made tackling this a much more pressing issue, and something that I believe needs to be dealt with before we go ahead and commission the signs. Otherwise if this change becomes compulsory at some point in the future we will have to replace the new signage. I also believe that a gov.uk domain will better reflect our status as a public body.

There appears to have been some level of confusion as to the costs and difficulty of making this change in the past, and the really good news is that the process is far easier and quicker – and indeed much cheaper than we all thought.

I have been researching this with a UK company – Cloud Next, and have been very impressed by their responses. They offer .gov.uk registration and Wordpress hosting.

<https://www.cloudnext.uk/>

The costs for registrations are:

.gov.uk domain name - £50 + VAT per year

Website and Email hosting - £49.99 + VAT per year

This is for Wordpress hosting and up to 25 email addresses.

The good news is that the Government are currently offering a £100 grant, which Cloud Next will apply directly, so in effect the first year of hosting and registration will be free.

Cloud Next have confirmed that there is no exit fee should we subsequently decide to move the domain to another registrant.

Note that we are currently paying for domain privacy, which as a public body, I don't think that we should be doing. The registration details should be the Clerk.

Timewise, once we apply for a domain, then registration approval can take anywhere from a few hours to up to 5 days, it mainly depending on the Government Digital Service (GDS). This means that any signage will only be delayed by at worst a week by us waiting for the new domain/email address to be used.

Cloud Next also offer a Migration service. This only takes a few hours and will transfer any IMAP emails and also the Wordpress site to the new domain. Cloud Next have actually reviewed our site, and do not anticipate any issues with migration. The only changes that will need to be made is changing the email addresses and web address where they appears to the new domain.

As we effectively get the first year of the new registration and hosting for free, there will only be a paid overlap with the old domain of around a year. This will be a duplication of around £100, which is unfortunate, but far less than the potential cost of re-making any signage. Indeed having an overlap can be seen as a good thing, as it will allow us to have domain and mail forwarders on the old domain reinforcing the change. It will also mean that we will have some time for the text changes on the website, and will be able to check there are no issues before notifying parishioners of the change.

Ash Parish Council
C/O Zak England

Q Ref: 08-25

20th March 2025

Dear Zak

Following my visit on the 17th March, please see below my quotation for the electrical works.

Ash Pavillion

Supply, wire and fit 1 No 50w LED floodlight c/w PIR to front elevation of pavilion to light pathway

For the sum of £200.00 plus VAT.

I hope this meets with your approval, if you have any questions or queries please do not hesitate to contact me. Should you wish me to undertake the works please contact me at your earliest convenience to arrange a suitable time.

Quotations are currently only valid for 30 days due to frequent changes in material costs.

Yours sincerely

Martin Bristow

The above is subject to our standard conditions of sale (available on request)

For the Attention of Zak England,

Ham and Douling Stone Co Ltd,
Tout Quarry,
Charlton Adam,
Somerton,
Somerset,
TA11 7AN

Dear Zak
REF: Ash Recreational ground - Barrier

Further to your discussion with John last week, I have pleasure in submitting our quotation for the steelwork as detailed below.

Scope of Work

Dig out posts
Straighten posts
To supply material and fabricate
Shop Prime the finished work
To deliver material to your site, unload and install on prepared and ready site

Material List

10mm plate

Specification

Execution Class 2 unless specified otherwise
Steel Grade S355
Finish Shop Prime
Bolts Grade 8.8
Finish Zinc Plate

Price

The price quoted is based on rates as at 11 March 2025. Unfortunately, we can't guarantee prices at the moment due to the volatile market, therefore the quote may be subject to be re-priced on placement of order for material from steel supplier.

Price £420.00+ VAT

Payment Terms

Forge standard payment terms, a deposit may be required.



BS EN 1090 EXC-2, ISO 9001 CERT 14114.



Forge Plant & Fabrications Ltd

Unit 4, Transport Depot, Thorney, Langport, Somerset, TA10 0DW

T: 01458 253140 M: 07767 894087 E: enquiries@forgeplant.co.uk W: www.forgeplant.co.uk

Feorge Clarifications/Provisions

- Price Subject to final design and specification
- No main contractors discount allowed

30 Days Nett

Note-

- If any changes in the current design that will make any additional material, it will be charged as extra.
- Please note, all prices quoted are subject to stock availability and any statutory price rises at time of order.

Program

The steelwork could be ready for delivery in line with the main contractor program.

Q.A. Accreditation

BS EN ISO 9001:2015 CERT 14025
BS EN 1090-1 + A1 Execution Class EXC-2

Responsibilities & Assurances

We look forward to working closely with you to enhance our trading relationship, whilst still incorporating the principles of quality, safety and continuous value enhancement.

Conclusion

I hope the above is satisfactory but if you require any further information or assistance please do not hesitate to contact the undersigned.

Assuring you of our best attention at all times.

Yours sincerely,
For and on behalf of Feorge Plant & Fabrications Ltd

Chris Clark
Draughtsman

John Fevin
Director



BS EN 1090 EXC-2, ISO 9001 CERT 14114.



Feorge Plant & Fabrications Ltd

Unit 4, Transport Depot, Thorney, Langport, Somerset, TA10 0DW

T: 01458 253140 M: 07767 894087 E: enquiries@feorgeplant.co.uk W: www.feorgeplant.co.uk

MILLENNIUM WOOD MANAGEMENT GROUP

4 Wayside Row, Martock Lane, Ash, Somerset TA12 6FD
Tel: 01935 822103 Mob: 07795 170271

Clerk to Ash Parish Council
Zannette Bougourd
9 Redgate Park
Crewkerne
TA18 7NL

15 March 2025

Dear Ms Bougourd,

Millenium Wood Management Group Invoice for period 1st April 2025 to 31st March 2026


Please find enclosed the above described Invoice payable by Ash Parish Council as per our Memorandum of Understanding.

If you have any questions you can telephone Mick Wooden at the number shown above or myself on 01935 829360.

Yours sincerely



Hugh Thomson



MILLENNIUM WOOD MANAGEMENT GROUP

4 Wayside Row, Martock Lane, Ash, Somerset TA12 6FD

Tel: 01935 822103 Mob: 07795 170271

INVOICE

INVOICE DATE : 15/03/25

INVOICE NO: 2025/1

TO:
Ash Parish Council
Ash
Somerset

c/- Clerk to Ash Parish Council
Zannette Bougourd
9 Redgate Park
Crewkerne
TA18 7NL
01935 571050
clerk@ashpcsomerset.com

DESCRIPTION:

Annual Management Fee for the period 1st April 2025 to 31st March 2026 for the management, maintenance and improvement of Ash Millennium Wood on behalf of Ash Parish Council as per our Memorandum of Understanding.

AMOUNT: £1060.00

PLEASE MAKE PAYMENT TO :-

Sort Code 08-92-99
Account No 65691195
A/C Name Millennium Wood Management Group

Hugh T. _____
SECRETARY

[ASH PARISH COUNCIL STANDING ORDERS adopted May 2024](#)

[ASH PARISH COUNCIL DIGNITY AT WORK POLICY adopted May 2024](#)

[ASH PARISH COUNCIL GREIVANCE POLICY adopted May 2024](#)

[ASH PARISH COUNCIL COMPLAINTS POLICY adopted May 2024](#)

[ASH PARISH COUNCIL DATA PROTECTION POLICY adopted May 2024](#)

[ASH PARISH COUNCIL FREEDOM OF INFORMATION POLICY adopted May 2024](#)

[ASH PARISH COUNCIL CODE OF CONDUCT POLICY adopted May 2024](#)

[Ash Parish Council Financial Regulations 2025](#)

[Ash Parish Council Publication SCHEME adopted May 2023](#)

[Ash Parish Council Safeguarding Policy Adopted November 2022](#)

[Ash Parish Council Risk Management Scheme 2023-2024 – Adopted 6th March 2023](#)

[Ash Parish Council Recording Policy March 2020](#)

[Ash Parish Council Asset Register adopted May 2022](#)

[Ash Parish Council Public Land and Buildings Register April 2018](#)

[Ash Parish Council Cemetery Charges as at 1st July 2018](#)

[Ash Biodiversity Working Group Terms of Reference Adopted November 2022](#)
[Ash Biodiversity Action Plan](#)

[Ash Parish Council Tree Policy Adopted 2nd March 2020](#)

[ASH PARISH COUNCIL BIODIVERSITY POLICY adopted 2023](#)
[Ash Biodiversity Working Group ToR adopted 2023](#)

[The Good Councillors Guide 2024](#)

ASH PARISH COUNCIL

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ASH PARISH STANDING ORDERS

Adopted May 2024

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INTRODUCTION

This is version two of Model Standing Orders 2018 (England) updated on April 2022.

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

1. RULES OF DEBATE AT MEETINGS

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

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

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2. DISORDERLY CONDUCT AT MEETINGS

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. MEETINGS GENERALLY

Full Council meetings ●

Committee meetings ●

Sub-committee meetings ●

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed (15) minutes unless directed by the chair of the meeting.

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- g Subject to standing order 3(f), a member of the public shall not speak for more than (3) minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.
- i A person shall raise his/her/their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chair of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his/her/their comments to the chair of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.
- l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her/their absence be done by, to or before the Vice-Chair of the Council (if there is one).**
- p **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
-

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- r **The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her/their casting vote whether or not he/she/they gave an original vote.**
- *See standing orders 5(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.*
- s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his/her/their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- t The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting;
 - ii. the names of councillors who are present and the names of councillors who are absent;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - vi. if there was a public participation session; and
 - vii. the resolutions made.
- u **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his/her/their right to participate and vote on that matter.**
- v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**
See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.
- w **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.**

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- x A meeting shall not exceed a period of (2) hours.

4. COMMITTEES AND SUB-COMMITTEES

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

ASH PARISH COUNCIL REGISTER OF FIXED ASSETS

ASSET DETAIL	ASSET LOCATION	VALUES		Notes (policy detail)	Annual check completed? 2023-24
		Historical Cost	Insurance value 2023-24		
Pavilion	Rec ground	£ 213,815.00	£ 291,328.00	Pavilion	
Millennium Wood shed	Millennium Wood	£ 600.00	£ 727.00	Timber shed	
Pavilion shed	Rec ground	£ 1,200.00	£ 1,528.00	Pavilion Shed	
TOTAL		£ 215,615.00	£ 293,583.00	Buildings	
Play Equipment (New)	Rec ground	£ 48,654.00			
Willow Den	Rec ground	£ 200.00			
TOTAL		£ 48,854.00	£ 63,925.00	Playground equipment	
Dog bins (4)	Rec ground, Millennium Wood, Burrough Street, Witcombe	£ 800.00			
Noticeboards (2)	Main Street and Burrough Street	£ 2,000.00			
Grit bins (3)	Rec ground entrance, Milton, village car park entrance	£ 416.27			
Hamstone planters (3)	Main Street	£ 768.00			
Adopted telephone kiosks (2)	Main Street and Milton	£ 2.00			
Seats (7)	Burrough Street, Main Street, Cemetery, playground, Pavilion, Millennium Wood	£ 2,500.00			
Lamp post planters	Main Street	£ 2,000.00			
Barrier planters	Main Street	£ 300.00			
Bus Shelters (2)	Main Street and Burrough Street	£ 7,796.00			
Dog waste bag bin	Millennium Wood	£ 147.18			
Wooden Bench	Millennium Wood	£ 1,024.00			
Teak Bench	Pavilion	£ 1,000.00			
Half barrow planter	Main Street	£ 100.00			
Wheelbarrow	Main Street	£ 300.00			
TOTAL		£ 19,153.45	£ 5,824.00	Street furniture	
Water bowser	Shed behind Pavilion	£ 100.00			
Pressure washer	Shed behind Pavilion	£ 200.00			
Irrigation System	Cemetery	£ 500.00			
Strimmer & hand tools	Shed behind Pavilion	£ 200.00		Gardening equip, plant & machinery	
TOTAL		£ 1,000.00	£ 584.00		
Traffic cones (10), high visibility jacket (2) Road signs (2)	Pavilion cupboard	£ 200.00			
Steel cabinet	Pavilion office	£ 200.00			
Pavilion Chairs	Pavilion	£ 360.00			
Office printer	Pavilion office	£ 150.00			
Projector and screen	Pavilion office	£ 445.00			
Office equipment (Laptop, printer (50% share with Mudford PC - £167))	Clerks home	£ 667.00		General contents inc. computer & anc. equip.	
TOTAL		£ 2,022.00	£ 2,362.00		
Defibrillators, cabinets & additional pads (no.2)	Pavilion and Village Hall	£ 2,807.98			
TOTAL		£ 2,807.98	£5,000	Defibrillator gen. cover	
Chain link fencing	Rec ground and Cemetery extension	£ 2,340.00			
Wooden fence	Rec ground				
Wooden fence	Millennium Wood				
Wooden fence	Village car park				
Disabled access gates (3)	Rec ground (2) and Millennium Wood	£ 2,995.00			
TOTAL		£ 5,335.00	£ -	Gates and fences	
Concrete surface	Pavilion car park	unknown			
Tarmac surface (?)	Village car park	unknown			
TOTAL			£ -	Other surfaces	
Basis of Valuation: Nominal Valuation					
Cemetery		£ 1.00			
Cemetery extension		£ 1.00			
Village Car Park		£ 1.00			
Millennium Wood		£ 1.00			
Recreation ground and play area		£ 1.00			
TOTALS		£ 294,792.43	£ 371,278.00		

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are permitted to attend; and

- xii. may dissolve a committee or a sub-committee.

5. ORDINARY COUNCIL MEETINGS

- a In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.
- b In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.
- c If no other time is fixed, the annual meeting of the Council shall take place at 6pm.
- d In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.
- e The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.
- f The Chair of the Council, unless he/she/they has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her/their successor is elected at the next annual meeting of the Council.
- g The Vice-Chair of the Council, if there is one, unless he/she/they resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.
- h In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.
- i In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a new Chair of the Council has been elected. He/she/they may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.
- j Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:
 - i. In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his/her/their acceptance of office form unless the Council resolves for this to be done at a later date;

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

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6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- a **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chair of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chair of a committee [or a sub-committee] does not call an extraordinary meeting within (7) days of having been requested to do so by (2) members of the committee [or the sub-committee], any (2) members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

7. PREVIOUS RESOLUTIONS

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least (3) councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. VOTING ON APPOINTMENTS

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

9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.

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- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least (7) clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least (5) clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular committee or sub-committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;
 - viii. to require a written report;
 - ix. to appoint a committee or sub-committee and their members;

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- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

11. MANAGEMENT OF INFORMATION

See also standing order 20.

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

12. DRAFT MINUTES

Full Council meetings ●

Committee meetings ●

Sub-committee meetings ●

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

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

- e **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
-
-
- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he/she/they has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she/they has a disclosable pecuniary interest. He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.
- c Unless he/she/they has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which

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he/she/they has another interest if so required by the Council's code of conduct. He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.

- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
- f A dispensation request shall confirm:
 - i.i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - i.ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - i.iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - i.iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required].
- h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - ii. **granting the dispensation is in the interests of persons living in the Council's area;**
or
 - iii. **it is otherwise appropriate to grant a dispensation.**

14. CODE OF CONDUCT COMPLAINTS

- a Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the

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complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).

- c The Council may:
- i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

15. PROPER OFFICER

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
- i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;
 - ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least (5) days before the meeting confirming his/her/their withdrawal of it;
 - iii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his/her/their office;**
 - iv. **facilitate inspection of the minute book by local government electors;**
 - v. **receive and retain copies of byelaws made by other local authorities;**

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- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;
(see also standing order 23);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the Chair or in his/her/their absence the Vice-Chair (if there is one) of the Council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council;
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(see also standing order 23).

16. RESPONSIBLE FINANCIAL OFFICER

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

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17. ACCOUNTS AND ACCOUNTING STATEMENTS

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i.i. the Council's receipts and payments (or income and expenditure) for each quarter;
 - i.ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - i.iii. the balances held at the end of the quarter being reported andwhich includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - b.i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - b.ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;

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- iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

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- f. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

19. HANDLING STAFF MATTERS

- a A matter personal to a member of staff that is being considered by a meeting of Council is subject to standing order 11.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the HR representative or, if he/she/they is not available, the chair of absence occasioned by illness or other reason and that person shall report such absence to the council at its next meeting.
- c The HR representative or in his/her/their absence, the chair of the Council shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Proper Officer. The reviews and appraisal shall be reported in writing and are subject to approval by the chair of the Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the HR representative or in his/her/their absence, the chair of the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Proper Officer relates to the HR representative, this shall be communicated to another member of the Council, which shall be reported back and progressed by resolution of the Council.
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

20. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 21.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**

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- b *[If gross annual income or expenditure (whichever is higher) does not exceed £25,000]* **The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

OR

[If gross annual income or expenditure (whichever is the higher) exceeds £200,000] **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

See also standing order 11.

- a The Council may appoint a Data Protection Officer.
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her/their personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f **The Council shall maintain a written record of its processing activities.**

22. RELATIONS WITH THE PRESS/MEDIA

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

23. EXECUTION AND SEALING OF LEGAL DEEDS

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

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to standing order 23(a), any two councillors may sign, on behalf of the**

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Council, any deed required by law and the Proper Officer shall witness their signatures.

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

24. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

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

25. RESTRICTIONS ON COUNCILLOR ACTIVITIES

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

26. STANDING ORDERS GENERALLY

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least (3) councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d **The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.**

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ASH PARISH COUNCIL DIGNITY AT WORK POLICY

Adopted May 2024

Ash Parish Council believes that civility and respect are important in the working environment, and expect all councillors, officers and the public to be polite and courteous when working for, and with the council.

Purpose

Ash Parish Council is committed to creating a working environment where all council employees, councillors, contractors and others who come into contact with us in the course of our work, are treated with dignity, respect and courtesy. We aim to create a workplace where there is zero tolerance for harassment and bullying

In support of this objective, Ash Parish Council has signed up to the Civility Pledge, as a commitment to civility and respect in our work, and politeness and courtesy in behaviour, speech, and in the written word. Further information about the Civility and Respect Pledge is available [NALC](#) & [SLCC](#)

We recognise that there is a continuum where unaddressed issues have the potential to escalate and become larger, more complex issues and this policy sets out how concerns will be managed however the emphasis of this policy is on resolution and mediation where appropriate, rather than an adversarial process.

This document:

- explains how we will respond to complaints of bullying or harassment;
- ensures that we respond sensitively and promptly; and,
- supports our employees in ensuring their behaviour does not amount to bullying and/or harassment by giving examples.

Scope

This policy covers bullying and harassment of and by clerks/chief officers and all employees engaged to work at Ash Parish Council. Should agency staff, or contractors have a complaint connected to their engagement with Ash Parish Council this should be raised to their nominated contact, manager, or the Chair of the Council, in the first instance. Should the complaint be about the chair of the council the complaint should be raised to the deputy chair.

Agency staff, or contractors are equally expected to treat council colleagues, and other representatives and stakeholders with dignity and respect, and the council may terminate the contract, without notice, where there are suspicions of harassment or bullying.

Complaints about other employment matters will be managed under the council's grievance policy.

It is noted that the management of a situation may differ depending on who the allegations relate to (e.g. employees, contractor, councillor), however, the council will take appropriate action if any of its employees are bullied or harassed by employees, councillors, members of the public, suppliers or contractors.

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The position on bullying and harassment

All staff and council representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. Ash Parish Council will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether harm is intended or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. You should also be aware that, if you have bullied or harassed someone (e.g. physical violence, harassment), in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

We expect all representatives of the council to treat each other with respect and uphold the values of the code of conduct, civility and respect pledge, equality opportunities policy, and all other policies and procedures set by the Council.

We expect you to demonstrate respect by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. See the grievance policy for further details regarding the process. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. While we will assume that all complaints of bullying and harassment are made in good faith, in the event that allegations are found to be malicious or vexatious the person raising the complaint may be subject to action under the council's disciplinary procedure.

Harassment

- ◆ Where a person is subject to uninvited conduct that violates their dignity, in connection with a protected characteristic
- ◆ Behaviour that creates a hostile, humiliating, degrading or similarly offensive environment in relation to a protected characteristic

Bullying

- ◆ Behaviour that leaves the victim feeling threatened, intimidated, humiliated, vulnerable or otherwise upset. It does not need to be connected to a protected characteristic.

What Type of Treatment amounts to Bullying or Harassment?

'Bullying' or 'harassment' are phrases that apply to treatment from one person (or a group of people) to another that is unwanted and that has the effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.

Examples of bullying and harassment include:

- Physical conduct ranging from unwelcome touching to serious assault
- Unwelcome sexual advances
- The offer of rewards for going along with sexual advances e.g. promotion, access to training
- Threats for rejecting sexual advances
- Demeaning comments about a person's appearance

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- Verbal abuse or offensive comments, including jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Unwanted nicknames, especially related to a person's age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Spreading malicious rumours or insulting someone
- Lewd or suggestive comments or gestures
- Deliberate exclusion from conversations, work activities or social activities.
- Withholding information a person needs in order to do their job
- Practical jokes, initiation ceremonies or inappropriate birthday rituals
- Physical abuse such as hitting, pushing or jostling
- Rifling through, hiding or damaging personal property
- Display of pictures or objects with sexual or racial overtones, even if not directed at any particular person
- Isolation or non-cooperation at work
- Subjecting a person to humiliation or ridicule, belittling their efforts, whether directly and / or in front of others
- The use of obscene gestures
- Abusing a position of power

Bullying and harassment can occur through verbal and face to face interactions, but can also take place through sharing inappropriate or offensive content in writing or via email and other electronic communications and social media.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable and behaviour could be harassment when the person had no intention to offend. We all have the right to determine what offends us. Some behaviour will be clear to any reasonable person that it is likely to offend – for example sexual touching. Other examples may be less clear, however, you should be aware that harassment will occur if behaviour continues after the recipient has advised you that the behaviour is unacceptable to them.

Harassment can also occur where the unwanted behaviour relates to a perceived characteristic (such as offensive jokes or comments based on the assumption someone is gay, even if they are not) or due to their association with someone else (such as harassment related to their partner having a disability for example).

It is important to recognise that bullying does not include appropriate criticism of an employee's behaviour or effective, robust performance management. Constructive and fair feedback about your behaviour or performance from your manager or colleagues/Councillors is not bullying. It is part of normal employment and management routines, and should not be interpreted as anything different.

All employees must, therefore, treat their colleagues with respect and appropriate sensitivity and should feel able to challenge behaviour that they find offensive even if it is not directed at them.

Victimisation

Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would

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include isolating someone because they have made a complaint or giving them a heavier or more difficult workload.

Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the council will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

Reporting Concerns

What you should do if you feel you are being bullied or harassed by a member of the public or supplier (as opposed to a colleague)

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with your nominated manager in the first instance or, with the clerk/or a councillor. Any such report will be taken seriously, and we will decide how best to deal with the situation, in consultation with you.

What you should do if you feel you are being bullied or harassed by a councillor: If you are being bullied or harassed by a councillor, please raise this with the clerk/chief officer or the chair of the council in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is described below. Formal concerns regarding potential breaches of the Councillors Code of Conduct must be investigated by the Monitoring Officer.

The council will consider reasonable measures to protect your health and safety. Such measures may include a temporary change in duties or change of work location, not attending meetings with the person about whom the complaint has been made etc.

What you should do if you witness an incident you believe to harassment or bullying: If you witness such behaviour you should report the incident in confidence to the clerk/chief officer or a councillor. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

What you should do if you are being bullied or harassed by another member of staff: If you are being bullied or harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.

Informal resolution

If you are being bullied or harassed, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to the council's policy and must stop. Alternatively, you may wish to ask the clerk/chief officer, your nominated manager or a colleague to put this on your behalf or to be with you when confronting the perpetrator(s).

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own nominated manager, you should raise the issue with the chair of the council. (If your concern relates to the chair, you should raise it with the chair of the personnel/staffing committee). The chair (or another appropriate person) will discuss with you the

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option of trying to resolve the situation informally by telling the alleged perpetrator, without prejudicing the matter, that:

- there has been a complaint that their behaviour is having an adverse effect on a member of the council staff
- such behaviour is contrary to our policy
- for employees, the continuation of such behaviour could amount to a serious disciplinary offence

It may be possible for this conversation to take place with the alleged perpetrator without revealing your name, if this is what you want. The person dealing with it will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The chair (or another appropriate person) will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as extremely serious allegation or in cases where a problem has happened before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

Raising a formal complaint

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about bullying and harassment through the council's grievance procedure. You should raise your complaint to the clerk/chief officer or the chair of the council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The clerk/chief officer or the chair of the council will appoint someone to investigate your complaint in line with the grievance policy. You will need to co-operate with the investigation and provide the following details (if not already provided):

- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred,
- The names of any witnesses and
- Any action taken by you to resolve the matter informally.

The alleged perpetrator(s) would normally need to be told your name and the details of your grievance in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to make temporary adjustments to working arrangements whilst the matter is being investigated.

Where your complaint relates to potential breaches of the Councillors Code of Conduct, these will need to be investigated by the Monitoring Officer. The council will consider any adjustments to support you in your work and to manage the relationship with the councillor the allegations relate to, while the investigation proceeds.

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Investigations will be carried out promptly (without unreasonable delay), sensitively and, as far as possible, confidentially. When carrying out any investigations, we will ensure that individuals' personal data is handled in accordance with the data protection policy.

The council will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to understand better your complaint (see the grievance policy for further information, and details of your right to be accompanied).

After the investigation, a panel will meet with you to consider the complaint and the findings of the investigation in accordance with the grievance procedure. At the meeting you may be accompanied by a fellow worker or a trade union official.

Following the conclusion of the hearing the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the grievance procedure.

The use of the Disciplinary Procedure

If at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. We will keep you informed of the outcome.

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

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Notes:

Protected Characteristics

A 'protected characteristic' is defined in the Equality Act 2010 as age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is unlawful to discriminate against an individual because of any of the protected characteristics.

Discrimination includes treating people differently because of a protected characteristic. Employees can complain of harassment even if the behaviour in question is not directed at them. This is because the complainant does not actually need to possess the relevant protected characteristic. An employee can complain of unlawful harassment if they are related someone with a protected characteristic, or because a colleague believes they have a protected characteristic.

Examples of harassment related to a protected characteristic could include;

- Making assumptions about someone's ability due to their age, or denying development opportunities to someone based on their age. This could also include assumptions about their lifestyle or making inappropriate jokes related to age.
- Making fun or mimicking impairments related to a health condition, or using inappropriate language about disabilities. Constantly selecting social activities that make it impossible for a colleague with a disability to participate in.
- Refusing to treat a person as their new gender, or disclosing information about their gender identity could be harassment on the grounds of gender reassignment.
- Pregnancy/Maternity harassment could include refusing opportunities due to pregnancy or maternity leave, or inappropriate touching and invasion of personal space such as unwanted touching of a pregnant person's stomach.
- Harassment based on race could include derogatory nicknames, or stereotyping based on ethnicity. It could include racist comments or jokes, or assumptions about someone's lifestyle based on their ethnicity.
- Gender harassment could include not considering people for a job based on gender stereotyping roles, or implementing practices that disadvantage one gender over another. Rude, explicit jokes, even if not directed at an individual, or comments on individuals dress or appearance.
- Regularly arranging team meals over periods of fasting or religious occasions or failing to adjust a dress code to accommodate religious dress could be examples of harassment based on religion/belief.
- Excluding same sex partners from social events could be both sexual orientation and marriage/civil partnership discrimination, as could not offering the same work-related benefits.

A person does not need to be employed or have 2 years qualifying service to make a discrimination claim at a tribunal.

- Job applicants who believe they have not been appointed because of a 'protected characteristic' can make a claim.
- New or established employees who are dismissed, or treated unreasonably because of a health condition can make a discrimination claim.
- An employee subjected to harassment can make a discrimination claim at a tribunal.
- An employee asked to retire can make a discrimination claim at a tribunal

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Legal risks

Successful unfair dismissal claims are limited to a compensation cap, whereas those for unlawful discrimination have no cap.

A positive employment culture, and swift action if conduct falls beneath acceptable standards will help mitigate the risks. An unhealthy culture will make it difficult to defend claims.

The time to defend and the cost of defending tribunal claims can be significant, irrespective of the outcome.

Culture and behaviour

We work in eclectic communities and working environments, and a positive culture within the council enables employees with different backgrounds and beliefs to share ideas and shape how the council achieves its objectives for their community.

It is important to recognise that different individuals may find different behaviours bullying or harassing so while there is not always intent to offend or cause harm, that does not mean that the effect of the behaviour has not caused harm or offence.

It can take people a period of time to decide to raise their concerns, as they worry about consequences (perhaps from peers by complaining about a colleague who is popular, or they fear victimisation from the perpetrator or others). The council should consider whether there are opportunities (such as 121s to offer opportunity to reflect on relationships/morale) to identify issues earlier and address negative behaviours. Individuals can often mention concerns they are experiencing but not want to take it further. The council should remind the complainant that it has a zero tolerance to bullying and harassment and remind them of the policy in place to address concerns. If the allegations mentioned are significant, the council may want to suggest that it will need to investigate further, even if a 'grievance' is not raised, so as to ensure that any concerns and risks are managed, and the council is meeting its responsibilities and duty of care as an employer.

Whilst both staff and councillors jointly determine the working culture, councillors are key in demonstrating what is and isn't acceptable behaviour. This is apparent from how councillors behave with each other in council meetings and also in how standards of behaviour are applied through the use of informal discussion and formal policies.

Scope

All council representatives are expected to uphold the values of the Dignity at Work Policy, however this policy sets out how allegations from employees will be managed. As indicated in the policy, concerns from a contractor, agency worker etc. should be raised to the identified person, and an appropriate approach will be considered based on the situation and relationship of the complainant with the council.

Likewise, concerns raised about the behaviour of a contractor or agency worker would not generally be managed via the full process (such as the disciplinary process) but appropriate action would be considered based on the situation. To treat people (such as contractors, or a casual worker) engaged by the council the same as an employee could blur the status of the employment relationship, so consider seeking professional advice if needed.

Managers

Recognising that councils are of varying sizes, where the term manager/nominated manager is used it is recognised this could be the clerk/chief officer, another employee of the council, or a councillor

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depending on the situation. It is good practice to have a clearly identified person who is the responsible 'line manager' or equivalent contact for an employee so that there is clarity on how the employee should report concerns to, who they notify if they are sick or to request leave etc. More often for council employees this may be the clerk/chief officer, and for the clerk/chief officer this could be the chair/deputy Chair, or possibly chair of a staffing/personnel committee.

Bullying and harassment & performance management

The policy sets out that bullying and harassment does not include appropriate criticism of an employee's behaviour or effective, robust performance management. It is not uncommon for an employee, when receiving critical feedback, to claim that this is bullying and/or harassing. It is the role of the nominated manager to provide effective and constructive feedback to encourage performance at the required standard.

Even when the feedback is not positive it should be fair, communicated in a professional and reasonable manner and shared with the objective of aiding understanding and achieving an improvement to overcome the shortfalls. There is no absolute definition of when the feedback may not be appropriate. Often it will be for the person/panel hearing the dignity at work complaint/grievance to determine whether the performance management has upheld the standards expected in terms of respect and civility and any feedback has been shared in a fair and professional way.

Responsibilities

All staff and representatives of the council are responsible for their own behaviour in the workplace and for taking steps to revise unacceptable behaviour and appropriately challenge that of others.

Leaders – councillors, clerks, chief officers, managers - are responsible for ensuring that these standards of treating people with civility, respect and courtesy are upheld, both through their own example, and by communicating and promoting these expectations to all employees. They are also responsible for ensuring that concerns raised are treated seriously and addressed in line with this policy in a timely manner.

During the investigation

Employers have a duty of care to provide a safe place of work. If a complaint is made, discuss how to manage working relationships whilst the allegation is being investigated and until the outcome is disclosed. This is as much for the protection of the alleged perpetrator as for the aggrieved.

Consider whether a neutral person should be offered as a 'listening ear' for both parties in the investigation. This could be a councillor or nominated manager who is not involved in the investigation or allegations and can be a point of check in as raising, or being subject to allegations can be stressful.

Offer other support that may be appropriate to the situation such as signposting to support groups, time off for counselling etc. If you have suspended a staff member, your duty of care continues and it is important to consider their wellbeing and mental health.

Ensure that you communicate regularly with both parties.

The investigation and any subsequent hearing should be completed in accordance with the grievance policy which sets out a process for dealing with concerns. You should ensure that the grievance policy adopted adheres to any local policies and procedures, with consideration of any timescales and escalation routes in your locally adopted policy.

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Confidentiality

It may be possible for concerns to be raised with the perpetrator without disclosing the name of the complainant however in a small council it is likely that it will be clear that the accused will know where the accusation has come from. The council representative (clerk/chief officer/councillor) speaking to the alleged perpetrator must be clear that the discussion is confidential and the individual would be at risk of formal disciplinary action if there is any sort of victimisation or retaliation for the individual raising their concern.

During any formal investigation it may be necessary to disclose the nature of the allegations and where they came from to ensure a fair and balanced investigation and process. This should be discussed with the person raising the concerns to understand any issues and how they may be mitigated. In some situations it may be appropriate to provide anonymised witness statements however this would be a last resort, and could compromise the fairness of the process. Where there is a genuine fear of consequences and this may need to be considered, it is recommended that professional advice is sought. For the same reason it can be difficult for a council to consider an anonymous complaint, however if the concerns are significant and compromise the council in their duty of care to employees, then consideration of how the deal with the matter may be required.

Victimisation

All employees have the right to raise genuine concerns without the fear of reprisals. If the aggrieved (or a witness) is treated differently / less favourably because they have raised a complaint, then this is victimisation. This would include isolating someone because they have made a complaint, cancelling a planned training event, or giving them a heavier or more difficult workload. Victimisation can lead to a claim to an employment tribunal.

False allegations

If an employee makes an allegation that they know to be untrue, or gives evidence that they know to be untrue, the council should consider the matter under the disciplinary procedure. Such an allegation would be potentially be gross misconduct.

Complaints against Councillors

Following the Ledbury case, the law is clear that any formal complaint about a councillor regarding a breach of the code of conduct must be referred to the Monitoring Officer for investigation (either by the complainant, or the Council with agreement of the complainant). During the investigation, it is critical to ensure that where an employee of the council has made the complaint, that the council agrees reasonable measures with the employee to protect their health and safety. Such measures may include a temporary change in duties, change of work location, not attending meetings with the person about whom the complaint has been made etc.

Careful consideration is required where a grievance is raised against the council as a whole due to lack of support related to councillor behaviours. The specific allegations will need to be considered to determine whether the allegations can be addressed by the council, or require exploration of the councillors behaviour in order to respond, in which case the Monitoring Officer may be required to investigate the alleged behaviours of a/any councillors where this may relate to the code of conduct. It is a matter of fact whether the complaint is against the council and can therefore be dealt with by the council's grievance procedure or against a councillor and can only be dealt with by the Monitoring Officer.

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ASH PARISH COUNCIL GRIEVANCE POLICY

Adopted May 2024

Introduction

1. This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/index.aspx?articleid=2174>). It also takes account of the ACAS guide on discipline and grievances at work. It aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
2. Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.
3. This policy confirms:
 - Employees have the right to be accompanied or represented at a grievance meeting or appeal by a companion who can be a workplace colleague, a trade union representative or a trade union official. This includes any meeting held with them to hear about, gather facts about, discuss, consider or resolve their grievance. The companion will be permitted to address the grievance/appeal meetings, to present the employee's case for his /her grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case.
 - The Council will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date unless it is unreasonable not to propose a later date
 - Any changes to specified time limits must be agreed by the employee and the Council
 - An employee has the right to appeal against the decision about his/her grievance. The appeal decision is final
 - Information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance records will be held by the Council in accordance with the General Data Protection Regulation (GDPR)
 - Audio or video recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
 - If an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure
 - If a grievance is not upheld, no disciplinary action will be taken against an employee if he/she raised the grievance in good faith

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- The Council may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the consent of affected parties
- Employees can use all stages of the grievance procedure If the complaint is not a code of conduct complaint about a councillor. Employees can use the informal stage of the council's grievance procedure (paragraph 4) to deal with all grievance issues, including a complaint about a councillor Employees cannot use the formal stages of the council's grievance procedure for a code of conduct complaint about a councillor. If the complaint about the councillor is not resolved at the informal stage, the employee can contact the monitoring officer of Somerset Council who will inform the employee whether or not the complaint can be dealt with under the code of conduct. If it does not concern the code of conduct, the employee can make a formal complaint under the council's grievance procedure (see paragraph 5)
- If the grievance is a code of conduct complaint against a councillor, the employee cannot proceed with it beyond the informal stage of the council's grievance procedure. However, whatever the complaint, the council has a duty of care to its employees. It must take all reasonable steps to ensure employees have a safe working environment, for example by undertaking risk assessments, by ensuring staff and councillors are properly trained and by protecting staff from bullying, harassment and all forms of discrimination
- If an employee considers that the grievance concerns his or her safety within the working environment, whether or not it also concerns a complaint against a councillor, the employee should raise these safety concerns with his or her line manager at the informal stage of the grievance procedure. The council will consider whether it should take further action in this matter in accordance with any of its employment policies (for example its health and safety policy or its dignity at work policy) and in accordance with the code of conduct regime

Informal grievance procedure

4. The Council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with the HR representative to see if an informal solution is possible. Both should try to resolve the matter at this stage. If the employee does not want to discuss the grievance with the HR representative (for example, because it concerns the HR representative), the employee should contact the Chairman of the Parish Council or, if appropriate, another member of the Parish Council. If the employee's complaint is about a councillor, it may be appropriate to involve that councillor at the informal stage. This will require both the employee's and the councillor's consent.

Formal grievance procedure

5. If it is not possible to resolve the grievance informally and the employee's complaint is not one that should be dealt with as a code of conduct complaint (see above), the employee may submit a formal grievance. It should be submitted in writing to the Chairman of the Parish Council
6. The Parish Council will appoint a committee of three members to hear the grievance. The committee will appoint a Chairman from one of its members. No councillor with direct involvement in the matter shall be appointed to the committee.

Investigation

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7. If the committee decides that it is appropriate, (e.g. if the grievance is complex), it may appoint an investigator to carry out an investigation before the grievance meeting to establish the facts of the case. The investigation may include interviews (e.g. the employee submitting the grievance, other employees, councillors or members of the public).
8. The investigator will summarise their findings (usually within an investigation report) and present their findings to the committee.

Notification

9. Within 10 working days of the Council receiving the employee's grievance (this may be longer if there is an investigation), the employee will normally be asked, in writing, to attend a grievance meeting. The written notification will include the following:
 - the names of its Chairman and other members
 - the date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will normally be within 25 working days of when the Council received the grievance
 - the employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official
 - a copy of the Council's grievance policy
 - confirmation that, if necessary, witnesses may attend (or submit witness statements) on the employee's behalf and that the employee should provide the names of his/her witnesses as soon as possible before the meeting
 - confirmation that the employee will provide the Council with any supporting evidence in advance of the meeting, usually with at least two days' notice
 - findings of the investigation if there has been an investigation
 - an invitation for the employee to request any adjustments to be made for the hearing (for example where a person has a health condition).

The grievance meeting

10. At the grievance meeting:
 - the Chairman will introduce the members of the committee to the employee
 - the employee (or companion) will set out the grievance and present the evidence
 - the Chairman will ask the employee questions about the information presented and will want to understand what action does he/she wants the Council to take
 - any member of the committee and the employee (or the companion) may question any witness
 - the employee (or companion) will have the opportunity to sum up the case
 - a grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the committee.

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11. The Chairman will provide the employee with the committee's decision, in writing, usually within five working days of the meeting. The letter will notify the employee of the action, if any, that the Council will take and of the employee's right to appeal.

The appeal

12. If an employee decides that his/her grievance has not been satisfactorily resolved by the committee, he/she may submit a written appeal to the Parish Council. An appeal must be received by the Council within five working days of the employee receiving the committee's decision and must specify the grounds of appeal.
13. Appeals may be raised on a number of grounds, e.g.:
 - a failure by the Council to follow its grievance policy
 - the decision was not supported by the evidence
 - the action proposed by the sub-committee was inadequate/inappropriate
 - new evidence has come to light since the grievance meeting.
14. The appeal will be heard by a panel of three members of the Parish Council who have not previously been involved in the case. The appeal panel will appoint a Chairman from one of its members.
15. The employee will be notified, in writing, usually within 10 working days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will normally take place within 25 working days of the Council's receipt of the appeal. The employee will be advised that he/she may be accompanied by a workplace colleague, a trade union representative or a trade union official.
16. At the appeal meeting, the Chairman will:
 - introduce the panel members to the employee
 - explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the committee
 - explain the action that the appeal panel may take.
17. The employee (or companion) will be asked to explain the grounds of appeal.
18. The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, within five working days of the appeal meeting.
19. The appeal panel may decide to uphold the decision of the committee or substitute its own decision.
- 20. The decision of the appeal panel is final.**

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ASH PARISH COUNCIL COMPLAINTS POLICY

Adopted May 2024

1. Introduction

- 1.1 Ash Parish Council ('the Council') is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this Council or are unhappy about an action or lack of action by the Council, this policy document sets out how you may complain and how the Council will try and resolve your complaint.
- 1.2 Complaints received from members of the public about the administration or procedures of the Council are not subject to the jurisdiction of the Local Government Ombudsman. There are few remedies available, aside from the four-yearly election cycle where Councillors may not be re-elected if the public are unhappy with the representation that they have had. The Government has taken the view that town and parish councils are accountable to their electorate, principally, through the ballot box.
- 1.3 However, in the interests of transparency and accountability the Council has adopted a formal procedure for considering complaints.
- 1.4 It is essential that complaints are dealt with positively. The Council is anxious to hear people's comments and committed to making full use of complaints information to contribute to continuous service improvement.
- 1.5 The Council's Complaints Policy applies to but may not deal with, the following three areas of complaint:
 - a. Complaints about a Council service or function.
 - b. Complaints about a member of staff.
 - c. Complaints about a Councillor.
- 1.6 The appropriate 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. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.
- 1.7 Additionally, every elector has the right to raise any matter affecting parish business at the Annual Parish Meeting. Members of the public are also able to come along and ask questions or raise issues during public question time at the start of every meeting of the Council and its constituent committee.

2. Definition of a complaint

A complaint is defined as 'any expression of dissatisfaction, however made, about the standard of service, action or lack of action by the Council, Councillors or staff, which affects an individual or group of individuals'.

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3. What the Complaints Policy will deal with

The policy will deal with:

- Neglect or unjustified delay
- malice, bias, or unfair discrimination
- failure to provide advice or information when reasonably requested
- providing misleading or inaccurate advice
- inefficiency, ineffectiveness, bad and unprofessional practice or conduct.

4. What the Complaints Policy will not deal with

The policy will not deal with:

- complaints for which there is a legal remedy or where legal proceedings already exists
- complaints about employment matters; these will be dealt with by the Council's internal grievance procedure
- complaints about an incident or matter which took place more than 12 months before a complaint is lodged

5. This Complaints Policy does not apply to:

- complaints by one employee against another employee, or between an employee and the Council as employer. These matters are dealt with under the Council's disciplinary and grievance procedures.
- complaints against Councillors. Such complaints will be dealt with under the Code of Conduct for Members, adopted by the Council at any given time. If a complaint against a Councillor is received by the Council, it will be referred to the Monitoring Officer at Somerset Council for investigation. Further information on the process of dealing with complaints against Councillors may be obtained from the Monitoring Officer at Somerset Council.

6. Equal Opportunities

6.1 The Council is committed to equal opportunities. Complaints/feedback will be used to highlight discriminatory practices, and to promote equality of opportunity.

6.2 Complaints by members of the public of discrimination and/or harassment by the Council will be dealt with through the complaints procedure unless it is a complaint that should be dealt with through a statutory procedure.

7. Stages of the Complaints Procedure

7.1 The stages of the procedure are designed to provide the complainant with a thorough and fair means of redress and to provide a framework for officers to work within. However, there may be occasions when a complainant makes an approach in a different manner and it is important that the procedure does not in itself become a barrier to effective communication.

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Ash Pavilion, Recreation Ground, Main Street, Ash TA12 6PA

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8. Informal Complaints

8.1 During the course of daily business, minor complaints may be made to officers regarding the service the Council provides. The appropriate officer or Clerk will usually deal with these. It is not appropriate for every comment received to be treated as a formal complaint. Every effort should be made to deal with these problems immediately, either by providing information, instigating appropriate action or explaining a decision.

9. Formal Complaints

The procedure for handling formal complaints is set out below:

Stage 1

- 9.1 A complainant may notify a complaint orally to a councillor or the Parish Clerk (as the Proper Officer of the Council). This will be recorded as a complaint and passed to the appropriate person to investigate.
- 9.2 If the complainant remains dissatisfied with the response they will be asked to put their complaint in writing to the Parish Clerk. An acknowledgement will be sent within 2 working days
- 9.3 If a complainant indicates that he/she would prefer not to put the complaint to the Parish Clerk then he/she should be advised to put it to the Chair of the Council. An acknowledgement will be sent within 2 working days.

Stage 2

- 9.4 The Parish Clerk or the Chair of the Council, will endeavour to settle the complaint directly with the complainant within 14 working days of receipt of thereof, but shall not do so without first notifying any person who is the subject of the complaint, providing an opportunity to comment.
- 9.5 If the investigation of the complaint is likely to take more than 14 working days, the complainant will be notified together with a reason for the extended investigation period.
- 9.6 Where the Parish Clerk receives a written complaint about his/her own actions, he/she shall immediately refer the complaint to the Chair of the Council.

Stage 3

- 9.7 The formal response to the complaint must also advise the complainant that, if having received a full response to the complaint, the issue remains unresolved, the complainant has the right to request, within 7 days, that the matter be referred to:
- a) the Committee responsible for the service or function for the next available meeting; or
 - b) the Staffing Committee, in the case of a member of staff, at the next available meeting.
- 9.8 A decision made by (a) or (b) above shall be considered final and the complaint considered closed.
- 9.9 If the complainant does not make such a request within 7 working days, the complaint is considered closed.

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Stage 4

- 9.10 If the complainant responds and requests the matter to be referred to the relevant committee, as detailed above, the Parish Clerk shall consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and the public. If the matter is such that the Council or the Parish Clerk believes that the matter may lead to a disciplinary hearing then the matter must be heard with the press and public excluded.
- 9.11 If the complaint is against any employee, even if the matter is being dealt with initially out of the act as set out in the Employment Relations Act 1999 s.10. The matter before the Council in this case will be to establish whether there is a factual basis to the complaint and the action that should then be taken. The proceedings at this stage cannot be a formal disciplinary hearing, which must be convened on a separate occasion in the proper manner.
- 9.12 If the complaint is against any elected member, which cannot be resolved at a local level, this will be referred to the Monitoring Officer at Somerset Council.

Stage 5

- 9.13 The complainant will be notified, in writing, of the final decision within 14 working days of the meeting of the relevant committee.

10. Unreasonable and Vexatious Complaints

- 10.1 In the event of repeated vexatious or malicious complaints from a member of the public the Council will consider taking legal advice before writing any letters to the complainant. If new evidence is provided, it will be evaluated in case the subject matter is sufficiently different from any previous vexatious or malicious complaint as to justify consideration as a new complaint.

11. Anonymous Complaints

- 11.1 Anonymous complaints should be referred to the Parish Clerk, and may be acted on at his/her discretion, according to the type and seriousness of the allegation.

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ASH PARISH COUNCIL DATA PROTECTION POLICY

Adopted May 2024

Purpose

The council is committed to being transparent about how it collects and uses the personal data of staff, and to meeting our data protection obligations. This policy sets out the council's commitment to data protection, and your rights and obligations in relation to personal data in line with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy applies to the personal data of current and former job applicants, employees, workers, contractors, and former employees, referred to as HR-related personal data. This policy does not apply to the personal data relating to members of the public or other personal data processed for council business.

The council has appointed the Parish Clerk and RFO as the person with responsibility for data protection compliance within the council. Questions about this policy, or requests for further information, should be directed to them.

Definitions

"Personal data" is any information that relates to a living person who can be identified from that data (a 'data subject') on its own, or when taken together with other information. It includes both automated personal data and manual filing systems where personal data are accessible according to specific criteria. It does not include anonymised data.

"Processing" is any use that is made of data, including collecting, recording, organising, consulting, storing, amending, disclosing or destroying it.

"Special categories of personal data" means information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and genetic or biometric data as well as criminal convictions and offences.

"Criminal records data" means information about an individual's criminal convictions and offences, and information relating to criminal allegations and proceedings.

Data protection principles

The council processes HR-related personal data in accordance with the following data protection principles the council:

- processes personal data lawfully, fairly and in a transparent manner
- collects personal data only for specified, explicit and legitimate purposes
- processes personal data only where it is adequate, relevant and limited to what is necessary for the purposes of processing
- keeps accurate personal data and takes all reasonable steps to ensure that inaccurate personal data is rectified or deleted without delay
- keeps personal data only for the period necessary for processing
- adopts appropriate measures to make sure that personal data is secure, and protected against unauthorised or unlawful processing, and accidental loss, destruction or damage

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The council will tell you of the personal data it processes, the reasons for processing your personal data, how we use such data, how long we retain the data, and the legal basis for processing in our privacy notices.

The council will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it. The council will not process your personal data if it does not have a legal basis for processing.

The council keeps a record of our processing activities in respect of HR-related personal data in accordance with the requirements of the General Data Protection Regulation (GDPR).

Processing

Personal data

The council will process your personal data (that is not classed as special categories of personal data) for one or more of the following reasons:

- it is necessary for the performance of a contract, e.g., your contract of employment (or services); and/or
- it is necessary to comply with any legal obligation; and/or
- it is necessary for the council's legitimate interests (or for the legitimate interests of a third party), unless there is a good reason to protect your personal data which overrides those legitimate interests; and/or
- it is necessary to protect the vital interests of a data subject or another person; and/or
- it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

If the council processes your personal data (excluding special categories of personal data) in line with one of the above bases, it does not require your consent. Otherwise, the council is required to gain your consent to process your personal data. If the council asks for your consent to process personal data, then we will explain the reason for the request. You do not need to consent or can withdraw consent later.

The council will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it.

Personal data gathered during the employment is held in your personnel file in hard copy and electronic format on HR and IT systems and servers. The periods for which the council holds your HR-related personal data are contained in our privacy notices to individuals.

Sometimes the council will share your personal data with contractors and agents to carry out our obligations under a contract with the individual or for our legitimate interests. We require those individuals or companies to keep your personal data confidential and secure and to protect it in accordance with Data Protection law and our policies. They are only permitted to process that data for the lawful purpose for which it has been shared and in accordance with our instructions.

The council will update HR-related personal data promptly if you advise that your information has changed or is inaccurate. You may be required to provide documentary evidence in some circumstances.

The council keeps a record of our processing activities in respect of HR-related personal data in accordance with the requirements of the General Data Protection Regulation (GDPR).

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Special categories of data

The council will only process special categories of your personal data (see above) on the following basis in accordance with legislation:

- where it is necessary for carrying out rights and obligations under employment law or a collective agreement;
- where it is necessary to protect your vital interests or those of another person where you are physically or legally incapable of giving consent;
- where you have made the data public;
- where it is necessary for the establishment, exercise or defence of legal claims;
- where it is necessary for the purposes of occupational medicine or for the assessment of your working capacity;
- where it is carried out by a not-for-profit body with a political, philosophical, religious or trade union aim provided the processing relates to only members or former members provided there is no disclosure to a third party without consent;
- where it is necessary for reasons of substantial public interest on the basis of law which is proportionate to the aim pursued and which contains appropriate safeguards;
- where it is necessary for reasons of public interest in the area of public health; and
- where it is necessary for archiving purposes in the public interest or scientific and historical research purposes.

If the council processes special categories of your personal data in line with one of the above bases, it does not require your consent. In other cases, the council is required to gain your consent to process your special categories of personal data. If the council asks for your consent to process a special category of personal data, then we will explain the reason for the request. You do not have to consent or can withdraw consent later.

Individual rights

As a data subject, you have a number of rights in relation to your personal data.

Subject access requests

You have the right to make a subject access request. If you make a subject access request, the council will tell you:

- whether or not your data is processed and if so why, the categories of personal data concerned and the source of the data if it is not collected from yourself;
- to whom your data is or may be disclosed, including to recipients located outside the European Economic Area (EEA) and the safeguards that apply to such transfers;
- for how long your personal data is stored (or how that period is decided);
- your rights to rectification or erasure of data, or to restrict or object to processing;
- your right to complain to the Information Commissioner if you think the council has failed to comply with your data protection rights; and
- whether or not the council carries out automated decision-making and the logic involved in any such decision-making.

The council will also provide you with a copy of your personal data undergoing processing. This will normally be in electronic form if you have made a request electronically, unless you agree otherwise. If you want additional copies, the council may charge a fee, which will be based on the administrative cost to the council of providing the additional copies.

To make a subject access request, you should send the request to the Clerk or Chairman of the Council. In some cases, the council may need to ask for proof of identification before the request can

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be processed. The council will inform you if we need to verify your identity and the documents we require.

The council will normally respond to a request within a period of one month from the date it is received. Where the council processes large amounts of your data, this may not be possible within one month. The council will write to you within one month of receiving the original request to tell you if this is the case.

If a subject access request is manifestly unfounded or excessive, the council is not obliged to comply with it. Alternatively, the council can agree to respond but will charge a fee, which will be based on the administrative cost of responding to the request. A subject access request is likely to be manifestly unfounded or excessive where it repeats a request to which the council has already responded. If you submit a request that is unfounded or excessive, the council will notify you that this is the case and whether or not we will respond to it.

Other rights

You have a number of other rights in relation to your personal data. You can require the council to:

- rectify inaccurate data;
- stop processing or erase data that is no longer necessary for the purposes of processing;
- stop processing or erase data if your interests override the council's legitimate grounds for processing data (where the council relies on our legitimate interests as a reason for processing data);
- stop processing or erase data if processing is unlawful; and
- stop processing data for a period if data is inaccurate or if there is a dispute about whether or not your interests override the council's legitimate grounds for processing data.
- complain to the Information Commissioner. You can do this by contacting the Information Commissioner's Office directly. Full contact details including a helpline number can be found on the Information Commissioner's Office website (www.ico.org.uk).

To ask the council to take any of these steps, you should send the request to the Clerk or Chairman of the Council.

Data security

The council takes the security of HR-related personal data seriously. The council has internal policies and controls in place to protect personal data against loss, accidental destruction, misuse or disclosure, and to ensure that data is not accessed, except by employees in the proper performance of their duties.

Where the council engages third parties to process personal data on our behalf, such parties do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

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Data breaches

The council have robust measures in place to minimise and prevent data breaches from taking place. Should a breach of personal data occur the council must take notes and keep evidence of that breach.

If you are aware of a data breach you must contact the Clerk or Chairman of the Council immediately and keep any evidence, you have in relation to the breach.

If the council discovers that there has been a breach of HR-related personal data that poses a risk to the rights and freedoms of yourself, we will report it to the Information Commissioner within 72 hours of discovery. The council will record all data breaches regardless of their effect.

If the breach is likely to result in a high risk to the rights and freedoms of individuals, we will tell you that there has been a breach and provide you with information about its likely consequences and the mitigation measures we have taken.

International data transfers

The council will not transfer HR-related personal data to countries outside the EEA.

Individual responsibilities

You are responsible for helping the council keep your personal data up to date. You should let the council know if data provided to the council changes, for example if you move to a new house or change your bank details.

Everyone who works for, or on behalf of, the council has some responsibility for ensuring data is collected, stored and handled appropriately, in line with the council's policies.

You may have access to the personal data of other individuals and of members of the public in the course of your work with the council. Where this is the case, the council relies on you to help meet our data protection obligations to staff and members of the public. Individuals who have access to personal data are required:

- to access only data that you have authority to access and only for authorised purposes;
- not to disclose data except to individuals (whether inside or outside the council) who have appropriate authorisation;
- to keep data secure (for example by complying with rules on access to premises, computer access, including password protection, locking computer screens when away from desk, and secure file storage and destruction including locking drawers and cabinets, not leaving documents on desk whilst unattended);
- not to remove personal data, or devices containing or that can be used to access personal data, from the council's premises without prior authorisation and without adopting appropriate security measures (such as encryption or password protection) to secure the data and the device; and
- not to store personal data on local drives or on personal devices that are used for work purposes.
- to never transfer personal data outside the European Economic Area except in compliance with the law and with express authorisation from the Clerk or Chair of the Council
- to ask for help from the council's data protection lead if unsure about data protection or if you notice a potential breach or any areas of data protection or security that can be improved upon.

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Failing to observe these requirements may amount to a disciplinary offence, which will be dealt with under the council's disciplinary procedure. Significant or deliberate breaches of this policy, such as accessing personal data without authorisation or a legitimate reason to do so or concealing or destroying personal data as part of a subject access request, may constitute gross misconduct and could lead to dismissal without notice.

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

Please note: This Policy is the NALC Model Parish Council Data Protection Policy

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ASH PARISH COUNCIL FREEDOM OF INFORMATION POLICY

Adopted May 2024

The Parish Council is committed to openness and transparency and wishes to make relevant information available wherever possible to individuals who may request it, subject to safeguarding the privacy of individuals and to legitimate considerations of national security, law enforcement and commercial interests where relevant. The Freedom of Information Act gives everyone a statutory right of access to information held by bodies such as the Parish Council.

Model publication scheme

This document is based on the revised model publication scheme issued by the Information Commissioner's Office. The model scheme is at www.ico.org.uk/model-publication-scheme.pdf

Information about the Parish Council

A significant amount of information about the Parish Council is available on its website. The Parish Council Clerk should be contacted if information is needed in an alternative format.

Making a request for information

Individuals or organisations may make a written request for other information which they believe the Parish Council holds. To request information under the provisions of the Act an email (or if not possible: a letter) should be sent to the Clerk at clerk@ashpcsomerset.com or by letter to the Clerk's address. This should include the full name and valid postal address of the person or organization making the request, as required under the Act, and a clear description of the information sought.

When a request is made, a preference about the desired format of the information may be made: for example: hard copy, an opportunity to inspect a record containing the information, or providing a digest or summary of the information. The Council will try to meet the preference as far as is reasonably practical or explain if it cannot do so.

It is noted that when forwarding on documents and especially emails in a digital format, that mistakes over GDPR regulations can easily be made. Names and contact information that should remain private can easily be sent out to third parties. It is further noted that it is impossible to redact forwarded emails, and that documents can include metadata, the disclosure of which can be contrary to GDPR regulations. It is also acknowledged that Ash Parish Council has inadvertent disclosed such information in the past, and consequently, and to avoid these mistakes being made, the Parish Council deems that it is reasonable to have a policy to only send out hard copies of any documents, and that before these documents are sent to the Requestor, they will be checked by a Councillor and any personal information redacted. Each page will be initialled by said councillor to indicate that it has been checked. To ensure that there is an adequate accountability and paper trail, the redacted documents will be sent Special Delivery.

Responding to requests

The Council will inform the person or organisation making the request in writing whether it holds the information requested and if so, provide it to not later than 20 working days after it receives the request. The Freedom of Information Act identifies several categories of information which the Parish Council is not

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required to disclose under the Act. In this case, the Council will write stating the exemption which provides the basis for refusal within the Act and why it applies to the information requested. The Council will communicate this within the above 20-day time period.

Charges for providing information under the Freedom of Information Act

There is no 'flat rate' fee to receive information and in many cases the Council will provide the information free of charge. However, it should be noted that if the information sought is not readily available in the form in which it is requested, the Parish Council may charge a fee based on the costs associated with providing the information, for example photocopying and postage (known as 'disbursements'). The Freedom of Information Act does permit the Parish Council to refuse a request if it estimates that it will cost in excess of the appropriate cost limit (currently £450) to fulfil that request.

Freedom of information Fees Notice

If it is necessary to charge a fee for disbursements, or because the costs exceed the appropriate limit, the Council will write advising of the fee required within 20 working days of receipt of the request. This is known as a 'Fees Notice'. When a Fees Notice is issued, the noted 20-day limit for a response will stop, and will start again when the Council receives payment. If the fee is not received within three months the Council is not obliged to comply with the request.

The current printing and scanning costs are as follows:

A4 black and white print out: 17 pence per page

A4 colour print out: 60 pence per page

A4 scan: 50 pence per page

Transparency of requests

Ash Parish Council is committed to a policy of transparency, and so will publish as much information about each request as it is legally allowed to. They will also publish information that allows parishioners to see the costs of every request, and information that will allow parishioners to see if multiple requests are being made, in order to allow Parishioners to check that the Parish Council are doing enough to tackle repeat and vexatious requests.

Transparency notwithstanding, Ash Parish Council will not publish any information that is contrary to the prevailing GDPR regulations.

Costs of requests

It is noted that any time that it takes to gather the information for any request may fall outside of the usual paid hours of any Council Officer or employee and in this case these hours will be payable at their usual hourly rate or the statutory rate of £25 per hour whichever is higher, and that this will be payable even if the total chargeable falls below the Fees Notice threshold.

Complaints

If anyone is dissatisfied with the way the Parish Council has responded to a request for information, they should write to:

Ash Parish Council, Ash Pavilion, Recreation Ground, Main Street, Ash TA12 6PA.

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ASH PARISH COUNCIL CODE OF CONDUCT

Adopted May 2024

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to city, town and parish councils.

Definitions

For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

For the purposes of this Code of Conduct, "local authority" includes county councils, district councils, London borough councils, parish councils, city and town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

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Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer. The Monitoring Officer will be able to advise on any matters that relate to the Code of Conduct.

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Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two

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occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's

identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral. They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - A. reasonable and in the public interest; and**
 - B. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - C. I have consulted the Monitoring Officer prior to its release.**

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4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

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7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

7B Consideration of advice

As a councillor:

7B. 1 I will, when reaching decisions on any matter, consider and pay due regard to any relevant advice provided to me by the Council's Responsible Finance Officer in accordance with their legal requirements.

7B. 2 I will give reasons for departing from the advice of the Responsible Finance Officer

It is extremely important for you as a councillor to have regard to advice from your Responsible Finance Officer where they give that advice under their statutory duties. As a councillor you must give reasons for all decisions in accordance with any legal requirements and any reasonable requirements imposed by your local authority.

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8. Complying with the Code of Conduct

As a Councillor:

- 8.1 I will undertake Code of Conduct training provided by my local County Association (SALC) or by the Monitoring Officer.**
- 8.2 I do not make trivial or malicious complaints against other councillors.**
- 8.3 I cooperate with any Code of Conduct investigation and/or determination.**
- 8.4 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings including the complainant and any witnesses.**
- 8.5 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is

a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Clerk or the Monitoring Officer.

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10. Gifts and hospitality

As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Clerk or Monitoring Officer for guidance.

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Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

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Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office or within 28 days of your interests changing you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or 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.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non-participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

Disclosure of Other Registerable Interests

5. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

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7. Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a relative or close associate; or
- c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

8. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the parish affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest. In the event that your non-registerable interest relates to -

- (1) an unpaid directorship on a company owned by your authority or
- (2) another local authority of which you are a member,

subject to your declaring that interest, you are able to take part in any discussion and vote on the matter.

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Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>

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Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor'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 £25,000 or one hundredth of the total issued share capital of that body; or (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 councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* '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.

Table 2: Other Registrable Interests

You must register as an Other Registerable Interest :

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
 - i. exercising functions of a public nature
 - ii. directed to charitable purposes or
 - iii. 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

MODEL FINANCIAL REGULATIONS FOR LOCAL COUNCILS

This Model Financial Regulations template was produced by the National Association of Local Councils (NALC) in April 2024 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.

ASH PARISH COUNCIL FINANCIAL REGULATIONS

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These Financial Regulations were adopted by the council at its meeting held on 04th November 2024

1. General

- 1.1. These Financial Regulations govern the financial management of the council and may only be amended or varied by resolution of the council. They are one of the council's governing documents and shall be observed in conjunction with the council's Standing Orders.
- 1.2. Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of councillor into disrepute.
- 1.3. Wilful breach of these regulations by an employee may result in disciplinary proceedings.
- 1.4. In these Financial Regulations:
 - 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
 - "Approve" refers to an online action, allowing an electronic transaction to take place.
 - "Authorise" refers to a decision by the council, or a committee or an officer, to allow something to happen.
 - 'Proper practices' means those set out in *The Practitioners' Guide*
 - *Practitioners' Guide* refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council Clerks in Wales.
 - 'Must' and **bold text** refer to a statutory obligation the council cannot change.
 - 'Shall' refers to a non-statutory instruction by the council to its members and staff.
- 1.5. The Clerk has been appointed as RFO and these regulations apply accordingly.
- 1.6. The Clerk/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 control systems;
 - ensures the accounting control systems are observed;
 - ensures the accounting records are kept up to date;
 - seeks economy, efficiency and effectiveness in the use of council resources; and
 - produces financial management information as required by the council.
- 1.7. **The council must not delegate any decision regarding:**
 - **setting the final budget or the precept (council tax requirement);**

- **the outcome of a review of the effectiveness of its internal controls**
- **approving accounting statements;**
- **approving an annual governance statement;**
- **borrowing;**
- **declaring eligibility for the General Power of Competence; and**
- **addressing recommendations from the internal or external auditors**

1.8. In addition, the council shall:

- determine and regularly review the bank mandate for all council bank accounts;
- authorise any grant or single commitment in excess of £5,000; and

2. Risk management and internal control

2.1. **The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.**

2.2. The Clerk shall prepare, for approval by Ash Parish Council, a risk management policy covering all activities of the council. This policy and consequential risk management arrangements shall be reviewed by the council at least annually.

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

2.4. **At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**

2.5. **The accounting control systems determined by the RFO must include measures to:**

- **ensure that risk is appropriately managed;**
- **ensure the prompt, accurate recording of financial transactions;**
- **prevent and detect inaccuracy or fraud; and**
- **allow the reconstitution of any lost records;**
- **identify the duties of officers dealing with transactions and**
- **ensure division of responsibilities.**

2.6. At every ordinary Parish Council Meeting or least once in each quarter, and at each financial year end, a member other than the Chair shall be appointed to verify bank reconciliations for all accounts produced by the RFO. The member shall sign and date the reconciliations and the original bank statements as evidence of this. This activity, including any exceptions, shall be reported to and noted by the council.

2.7. Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.

3. Accounts and audit

- 3.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.
- 3.2. **The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:**
 - **day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;**
 - **a record of the assets and liabilities of the council;**
- 3.3. The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual Governance and Accountability Return.
- 3.4. The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual Governance and Accountability Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them with any related documents to the council, within the timescales required by the Accounts and Audit Regulations.
- 3.5. **The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**
- 3.6. **Any officer or member of the council must make available such documents and records as the internal or external auditor consider 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.
- 3.7. The internal auditor shall be appointed by Ash Parish Council and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.
- 3.8. The council shall ensure that the internal auditor:
 - is competent and independent of the financial operations of the council;
 - reports to council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
 - can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - has no involvement in the management or control of the council
- 3.9. Internal or external auditors may not under any circumstances:
 - perform any operational duties for the council;

- initiate or approve accounting transactions;
 - provide financial, legal or other advice including in relation to any future 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.
- 3.10. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.
- 3.11. 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 documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.
- 3.12. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

4. Budget and precept

- 4.1. **Before setting a precept, the council must calculate its council tax (England) requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.**
- 4.2. Budgets for salaries and wages, including employer contributions shall be reviewed by Ash Parish Council at least annually for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the Clerk and the Chair of the Council. The RFO will inform committees of any salary implications before they consider their draft their budgets.
- 4.3. No later than December each year, the RFO shall prepare a draft budget with detailed estimates of all receipts and payments/income and expenditure for the following financial year {along with a forecast for the following three financial years}, taking account of the lifespan of assets and cost implications of repair or replacement.
- 4.4. Unspent budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds for partially completed projects may only be carried forward by placing them in an earmarked reserve with the formal approval of the full council.
- 4.5. Each committee (if any) shall review its draft budget and submit any proposed amendments to the council not later than the end of [November] each year.
- 4.6. The draft budget with any committee proposals and three-year forecast, including any recommendations for the use or accumulation of reserves, shall be considered by the council.
- 4.7. Having considered the proposed budget and three-year forecast, the council shall determine its council tax (England) requirement by setting a budget. The council

shall set a precept for this amount no later than the end of January for the ensuing financial year.

- 4.8. **Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must and must disclose at the start of the meeting that Section 106 applies to them.**
- 4.9. The RFO shall **issue the precept to the billing authority no later than the end of February** and supply each member with a copy of the agreed annual budget.
- 4.10. The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.
- 4.11. Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the council

5. Procurement

- 5.1. **Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.
- 5.2. The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.
- 5.3. Every contract shall comply with these the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.
- 5.4. **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Public Contracts Regulations 2015 or any superseding legislation (“the Legislation”), must be followed in respect of the tendering, award and notification of that contract.**
- 5.5. Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 6.12) obtain prices as follows:
- 5.6. For contracts estimated to exceed £60,000 including VAT, the Clerk shall {seek formal tenders from at least three suppliers agreed by Ash Parish Council OR {advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation}. Tenders shall be invited in accordance with Appendix 1.
- 5.7. **For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation¹ regarding the advertising of contract opportunities and the publication of notices about the award of contracts.**

¹ The Regulations require councils to use the Contracts Finder website if they advertise contract opportunities and also to publicise the award of contracts over £30,000 including VAT, regardless of whether they were advertised.

- 5.8. For contracts greater than £3,000 excluding VAT the Clerk or RFO shall seek at least 3 fixed-price quotes;
- 5.9. where the value is between £500 and £3,000 excluding VAT, the Clerk or RFO shall try to obtain 3 estimates {which might include evidence of online prices, or recent prices from regular suppliers.}
- 5.10. For smaller purchases, the clerk shall seek to achieve value for money.
- 5.11. **Contracts must not be split into smaller lots to avoid compliance with these rules.**
- 5.12. The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:
- i. specialist services, such as legal professionals acting in disputes;
 - ii. repairs to, or parts for, existing machinery or equipment;
 - iii. works, goods or services that constitute an extension of an existing contract;
 - iv. goods or services that are only available from one supplier or are sold at a fixed price.
- 5.13. When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the council {or relevant committee}. Avoidance of competition is not a valid reason.
- 5.14. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- 5.15. Individual purchases within an agreed budget for that type of expenditure may be authorised by:
- The Clerk, under delegated authority, for any items below £500 excluding VAT.
 - the Clerk, in consultation with the Chair of the Council {or Chair of the appropriate committee}, for any items below £2,000 excluding VAT.
 - {a duly delegated committee of the council for all items of expenditure within their delegated budgets for items under £5,000 excluding VAT}
 - {in respect of grants, a duly authorised committee within any limits set by council and in accordance with any policy statement agreed by the council.}
 - the council for all items over £5,000;
- Such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail.
- 5.16. No individual member, or informal group of members may issue an official order {unless instructed to do so in advance by a resolution of the council} or make any contract on behalf of the council.
- 5.17. No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the council {or a duly delegated committee acting within its Terms of Reference} except in an emergency.

- 5.18. In cases of serious risk to the delivery of council services or to public safety on council premises, the clerk may authorise expenditure of up to £2,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair as soon as possible and to Ash Parish Council as soon as practicable thereafter.
- 5.19. No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless Ash Parish Council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.
- 5.20. An official order or letter shall be issued for all work, goods and services {above £250 excluding VAT} unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.
- 5.21. Any ordering system can be misused and access to them shall be controlled by the RFO.

6. Banking and payments

- 6.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the council; banking arrangements shall not be delegated to a committee. The council has resolved to bank with Lloyds Bank plc. The arrangements shall be reviewed [annually] for security and efficiency.
- 6.2. The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.
- 6.3. All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the council before being certified by the RFO {Where the certification of invoices is done as a batch, this shall include a statement by the RFO that all invoices listed have been 'examined, verified and certified' by the RFO}.
- 6.4. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.
- 6.5. All payments shall be made by online banking, in accordance with a resolution of the council {or duly delegated committee}{or a delegated decision by an officer}, unless Ash Parish Council resolves to use a different payment method.
- 6.6. For each financial year the RFO may draw up a schedule of regular payments due in relation to a continuing contract or obligation (such as Salaries, PAYE, National

Insurance, pension contributions, rent, rates, regular maintenance contracts and similar items), which the council may authorise in advance for the year}.

- 6.7. A copy of this schedule of regular payments shall be signed by two Councillors on each and every occasion when payment is made - to reduce the risk of duplicate payments.
- 6.8. A list of such payments shall be reported to the next appropriate meeting of the council or Finance Committee for information only.
- 6.9. The Clerk/ RFO shall have delegated authority to authorise payments {only} in the following circumstances:
 - i. {any payments of up to £500 excluding VAT, within an agreed budget}.
 - ii. payments of up to £2,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.
 - iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 {or to comply with contractual terms}, where the due date for payment is before the next scheduled meeting of [the 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}.
 - iv. Fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee].
- 6.10. The RFO shall present a schedule of payments requiring authorisation, forming part of the agenda for the meeting, together with the relevant invoices, to the council {or finance committee}. The council {or committee} shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution. The authorised schedule shall be initialled immediately below the last item by the person chairing the meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting.

7. Electronic payments

- 7.1. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The bank mandate agreed by the council shall identify [a number of] councillors who will be authorised to approve transactions on those accounts and a minimum of two people will be involved in any online approval process. {The Clerk may be an authorised signatory, but no signatory should be involved in approving any payment to themselves.}
- 7.2. All authorised signatories shall have access to view the council's bank accounts online.
- 7.3. No employee or councillor shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.

- 7.4. The Service Administrator shall set up all items due for payment online. A list of payments for approval, together with copies of the relevant invoices, shall be sent by email to two authorised signatories.
- 7.5. In the prolonged absence of the Service Administrator an authorised signatory shall set up any payments due before the return of the Service Administrator.
- 7.6. Two councillors who are authorised signatories shall check the payment details against the invoices before approving each payment using the online banking system.
- 7.7. Evidence shall be retained showing which members approved the payment online {and a printout of the transaction confirming that the payment has been made shall be appended to the invoice for audit purposes}.
- 7.8. A full list of all payments made in a month shall be provided to the next council meeting and appended to the minutes.
- 7.9. With the approval of [the council] in each case, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are [signed/approved online] by [two authorised members]. The approval of the use of each variable direct debit shall be reviewed by Ash Parish Council at least every two years.
- 7.10. Payment may be made by BACS or CHAPS by resolution of Ash Parish Council provided that each payment is approved online by two authorised bank signatories, evidence is retained and any payments are reported to Ash Parish Council at the next meeting. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
- 7.11. If thought appropriate by the council, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed or approved online by two Councillors, evidence of this is retained and any payments are reported to council when made. The approval of the use of a banker's standing order shall be reviewed by Ash Parish Council at least every two years.
- 7.12. Account details for suppliers may only be changed upon written notification by the supplier verified by the RFO and the Chairman or Vice Chairman. This is a potential area for fraud and the individuals involved should ensure that any change is genuine. Data held should be checked with suppliers every [two years].
- 7.13. Members and officers shall ensure that any computer used for the council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.
- 7.14. Remembered password facilities {other than secure password stores requiring separate identity verification} should not be used on any computer used for council banking.

8. Cheque payments

- 8.1. Cheques or orders for payment in accordance with a resolution or delegated decision shall be signed by two signatories.
- 8.2. A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.
- 8.3. To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil and invoice.
- 8.4. Cheques or orders for payment shall not normally be presented for signature other than at, or immediately before or after a council meeting}. Any signatures obtained away from council meetings shall be reported to the council {or Finance Committee} at the next convenient meeting.

9. Payment cards

- 9.1. Any Debit Card issued for use will be specifically restricted to the Clerk/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.
- 9.2. Personal credit or debit cards of members or staff shall not be used under any circumstances

10. Petty Cash

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

11. Payment of salaries and allowances

- 11.1. **As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.**
- 11.2. **Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**
- 11.3. Salary rates shall be agreed by the council, or a duly delegated committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the council.
- 11.4. Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.
- 11.5. Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.
- 11.6. Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record, with the total of such payments each calendar month reported in the cashbook. Payroll reports will be reviewed by [the finance committee] to ensure that the correct payments have been made.

11.7. Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council.

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

12. Loans and investments

12.1. Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.

12.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the full council, following a written report on the value for money of the proposed transaction.

12.3. The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

12.4. All investment of money under the control of the council shall be in the name of the council.

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

12.6. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

13. Income

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

13.2. The council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process, following a report of the Clerk/RFO. The Clerk/RFO shall be responsible for the collection of all amounts due to the council.

13.3. Any sums found to be irrecoverable and any bad debts shall be reported to the council by the RFO and shall be written off in the year. The council's approval shall be shown in the accounting records.

13.4. All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.

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

13.6. Any repayment claim under section 33 of the VAT Act 1994 shall be made annually at the end of the financial year.

13.7. Where significant sums of cash are regularly received by the council, the RFO shall 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 record such as ticket issues, and that appropriate care is taken for the security and safety of individuals banking such cash.

13.8. Any income that is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting.

14. Payments under contracts for building or other construction works

14.1. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.

14.2. Any variation of, addition to or omission from a contract must be authorised by [the Clerk] to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

15. Stores and equipment

15.1. {[The officer in charge of each section] shall be responsible for the care and custody of stores and equipment [in that section].}

15.2. 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.

15.3. {Stocks shall be kept at the minimum levels consistent with operational requirements.}

15.4. {The RFO shall be responsible for periodic checks of stocks and stores, at least annually.}

16. Assets, properties and estates

16.1. The Clerk shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.

16.2. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their 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.

16.3. 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.

16.4. No interest in land 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. In each case a written report 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 where required by law).

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, except where the estimated value of any one item does not exceed £500. In each case a written report shall be provided to council with a full business case.

17. Insurance

- 17.1. The Clerk/RFO shall keep a record of all insurances effected by the council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the council's review of risk management.
- 17.2. The Clerk/RFO shall give prompt notification to the Council of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 17.3. The RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to Ash Parish Council at the next available meeting. The RFO shall negotiate all claims on the council's insurers.
- 17.4. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or duly delegated committee.

18. Suspension and revision of Financial Regulations

- 18.1. The council shall review these Financial Regulations annually and following any change of clerk or RFO. The Clerk shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.
- 18.2. The council may, by resolution 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 presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.
- 18.3. The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

Appendix 1 - Tender process

- 1) Any 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.
- 2) The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post, unless an electronic tendering process has been agreed by the council.
- 3) Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. 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.
- 4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- 5) Any invitation to tender issued under this regulation shall be subject to Standing Order [insert reference of the council's relevant standing order] and shall refer to the terms of the Bribery Act 2010.
- 6) Where 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, 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.

Ash Parish Council Publication Scheme

PUBLICATION SCHEME

Adopted by Ash Parish Council on

3rd May 2023

Information to be published	How the information can be obtained	Cost (* see p7)
<p>Class1 - Who we are and what we do (Organisational information, structures, locations and contacts)</p> <p>This will be current information only.</p>	<p>Note: Ash PC Website: ashpcsomerset.com</p>	
Who's who on the Council and its Committees	Website & Clerk	
Contact details for Parish Clerk and Council members (named contacts where possible with telephone number and email address (if used))	Website & Clerk	(see p6)
Location of main Council office and accessibility details	Website & Clerk	
Staffing structure	Website & Clerk	
<p>Class 2 – What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)</p> <p>Current and previous financial year as a minimum</p>		
Annual return form and report by Auditor	Website & Clerk	
Finalised budget	Website & Clerk	
Precept	Website & Clerk	
Financial Standing Orders and Regulations	Website & Clerk	
Grants given and received	Website & Clerk	
List of current contracts awarded and value of contract	Clerk	
Members' allowances and expenses	N/A	

Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) Current and previous year as a minimum		
Parish Plan	N/A	
Annual Report to Parish Meeting (current and previous year as a minimum)	Website & Clerk	
Class 4 – How we make decisions (Decision making processes and records of decisions) Current and previous council year as a minimum		
Timetable of meetings (Council and any committee/sub-committee meetings)	Website & Clerk	
Agendas of meetings (as above)	Website & Notice Boards	(# see p6)
Minutes of meetings (as above) – n.b. this will exclude information that is properly regarded as private to the meeting.	Website & Clerk	
Reports presented to council meetings – n.b. this will exclude information that is properly regarded as private to the meeting.	Website & Clerk	
Responses to consultation papers	Hard copy	25p/sheet
Responses to planning applications (Council minutes/SSDC website)	Website & Clerk	
Bye-laws	N/A	

<p>Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities)</p> <p>Current information only</p>		
<p>Policies and procedures for the conduct of Council business:</p> <p>Procedural Standing Orders Code of Conduct Policy statements</p>	<p>Website & Clerk</p>	
<p>Policies and procedures for the provision of services and about the employment of staff:</p> <p>Internal instructions to staff and policies relating to the delivery of services Bullying and Harassment Policy Policies and procedures for handling requests for information Complaints procedures (including those covering requests for information and operating the publication scheme) Grievance Policy</p>	<p>Website & Clerk</p>	

Class 6 – Lists and Registers Currently maintained lists and registers only	(hard copy or website; some information may only be available by inspection)	
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)	Clerk	
Assets register	Website & Clerk	
Register of members' interests	SSDC Website & Clerk	
Register of gifts and hospitality	Clerk	
Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only		
Burial grounds and closed churchyards	Website & Clerk	
Community centres and village halls	N/A	
Parks, playing fields and recreational facilities	Clerk	
Seating, litter bins, clocks, memorials and lighting	Clerk	
Markets	N/A	
Public conveniences	N/A	
Agency agreements	N/A	
Services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)	Website & Clerk	
Allotments	N/A	

Contact details:

Mrs Julie Ferguson

Chilthorne Knapp

Chilthorne Domer

Yeovil

BA22 8QZ

Email: clerk@ashpcsomerset.com

Telephone: 07783 475200

Exempt Material

Personal information relating to Councillors (other than required to be declared in the Members' Register of Interests)

Personal Information relating to employees

Tenders and bids from contractors and suppliers

Note: Data Protection Legislation prohibits the publication of certain categories of information.

Notice boards – (1) Corner of Martock Lane/Main Street. (2) Corner of Burrough Street/Main Street

Charging Policy

Information can be inspected by arrangement with the Clerk, free of charge. There is no Parish Office so the information requested will be made available at the next parish council meeting. If this is impracticable for any reason, then copies of the documents will be sent by post. There is unlikely to be any further charge other than printing and second class Royal Mail postage, but the Parish Council reserve the right to do so to reimburse the cost of the Clerk's time. Applicants will be informed if there is an intention to charge.

Information, which can be photocopied, without breaching copyright laws, can be copied by the Clerk at a cost of 20p per single sided A4 sheet (25p per colour single sided A4 sheet).

* SCHEDULE OF CHARGES

This describes how the charges have been arrived at.

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying 20p per sheet (black & white)	Actual cost 20p
	Photocopying 25p per sheet (colour)	Actual cost 25p
	Postage	Actual Royal Mail cost
Other	A search of archived records (for example pre-1994 Council Minutes)	£50 per Search
	Copies of documents held at SSDC Archive Library	Actual Library charge

ASH PARISH COUNCIL

Safeguarding Policy

Adopted 7th November 2022

1. Introduction

1.1 Everyone has a duty to safeguard children, young people and vulnerable adults.

1.2 This policy outlines practices that will promote the safety of children, young people and vulnerable adults using Ash Parish Council facilities.

1.3 This policy will be reviewed regularly.

2. Definitions

1.1 Children and young people: anyone under the age of 18 years.

1.2 Vulnerable adult: anyone over 18 who is unable to care for themselves; unable to protect themselves from significant harm or exploitation; or may need community care services.

2. To whom this policy applies

2.1 This policy applies to anyone working for or on behalf of Ash Parish Council whether in a paid, voluntary or commissioned capacity.

3. Promoting a safe environment

3.1 In order to promote a safe environment for children, young people and vulnerable adults, Ash Parish Council wishes to promote a safeguarding culture in its premises and activity areas. In order to achieve this, Ash Parish Council will:

- provide safe facilities and undertake regular safety assessments.
- ensure that employees and councillors are aware of safeguarding expectations.
- make available on public noticeboards and to employees and councillors relevant contact details.

3.2 Employees, councillors and volunteers all have a duty to protect children, young people and vulnerable adults but are not responsible for deciding whether abuse is taking place. If they have concerns, these should be passed on to the authorities as detailed below as soon as possible.

4. Allegations against staff and volunteers

4.1 All staff should take care not to place themselves in a vulnerable position with a child or vulnerable adult. It is always advisable for interviews or work with individual children or parents to be conducted in view of other adults.

4.2 No attempt should be made to investigate or act on any allegation before

consultation with the Somerset Safeguarding Childrens and Adults teams (contact details below).

Somerset Safeguarding Adults

Please don't stay silent to report a safeguarding concern call:

Adult Social Care on 0300 123 2224 (Monday to Friday 8.30am to 5.30pm, Saturday and Sunday closed).

The phone number for Adults and Mental Health out of hours is 0300 123 23 27

Email: Adult Social Care on adults@somerset.gov.uk

Police: 101 or in emergency 999

Somerset Safeguarding Children

If you are worried about a vulnerable child, **please don't stay silent** to report a safeguarding concern call:

Early Help Advice Hub on 01823 355803

Children's Social Care on 0300 123 2224

Consultation line for DSLs and GPs on 0300 123 3078

Email: childrens@somerset.gov.uk

Police: 101 or in emergency 999

If you know a child already has a social worker then contact the social worker's telephone number.

Somerset Safeguarding Vulnerable Adults

If you are worried about a vulnerable adult and would like help, contact:

Phone Adult Social Care on 0300 123 2224

Email at adults@somerset.gov.uk

If you would like to speak to a social worker outside of office hours please phone Adults and Mental Health out of hours on 0300 123 23 27

Police: 101 or in emergency 999

Area-wide

Urgent enquiries will be made to understand the situation by the Somerset Safeguarding teams and they will make decisions about what needs to be done next, to make sure people are safe. All calls will be dealt with in the strictest confidence.

You should always call 999 in an emergency – for example when someone's life is at risk or someone is seriously injured or critically ill.

Avon and Somerset Police – 101
NSPCC Helpline – 0808 800 500

5. Whistleblowing

5.1 We recognise that children or vulnerable adults cannot be expected to raise concerns in an environment where staff or volunteers fail to do so.

5.2 All staff and volunteers should be aware of their duty to raise concerns about the attitude or actions of colleagues and appropriate advice will be sought from the Safeguarding Teams at Somerset County Council.

6. What should be a cause for concern

6.1 Staff and volunteers should be concerned by any behaviour, action or inaction, which significantly harms the physical and/or emotional development of a child or a vulnerable adult. A child or vulnerable adult may be abused by parents, other relatives or carers, professionals and their peers, and abuse can occur in any family OR in any other area of society, regardless of social class, wealth or geographical location.

6.2 Abuse falls into four main categories:

- physical abuse
- emotional abuse
- sexual abuse
- neglect

6.3 All staff and volunteers need to have an awareness that there are many other forms of abuse ranging from Child Sexual Exploitation (CSE) through to Female Genital Mutilation (FGM).

6.4 Ideally, staff and volunteers who engage with children or vulnerable adults will have accessed appropriate training.

6.5 Further information about types of abuse, signs to look for and what to do if you are concerned are also available on the Somerset County Council website.

Signed:

Date:

Ash Parish Council Risk Management Scheme 2023 – 24

Reviewed: March 2023

Risk assessment is a systematic general examination of working conditions, workplace activities and environmental factors that will enable the Parish Council to identify any and all potential inherent risks. The Parish Council, based on a recorded assessment, will take all practical and necessary steps to reduce or eliminate the risks, insofar as is practically possible. This document has been produced to enable Ash Parish Council to assess the risks that it faces and satisfy itself that it has taken adequate steps to minimise them.

KEY	
HIGH	
MEDIUM	
LOW	

FINANCIAL AND MANAGEMENT

Subject	Risk(s) identified	Severity of hazard H/M/L	Management/control of Risk	Risk after Control H/M/L	Assess/Revise
Precept	Adequacy of precept in order for the Council to carry out its Statutory duties	H	To determine the precept amount required, the Council regularly receives budget update information usually monthly, at least quarterly. At the precept meeting Council receives a budget report, including actual position and projected position to the end of year and indicative figures or costings obtained by the Clerk and relevant Councillor. With this information the Council maps out the required monies for standing costs and projects for the following year and	L	Existing procedure adequate. Request deadline in November 2023 in order to plan the PC Precept meeting in a timely manner

			<p>applies specific figures to budget headings, the total of which is used to agree the precept amount to be requested from Somerset Council (SC). The figure is submitted by the RFO in writing on the forms supplied by SC. The RFO informs the Council when the monies are received.</p> <p>Somerset Council not informing of date to submit the precept amount</p>		
Financial Records	Inadequate records Financial irregularities	H	<p>The Council has Financial Regulations which sets out the requirements.</p> <p>Back up of the accounting system</p>	L	<p>Existing procedure adequate</p> <p>Review the Financial regulations when necessary, at least annually.</p> <p>Backed up monthly to a Microsoft ONEDRIVE Account and external hard drive</p>
Bank and banking	Inadequate checks Management of income Bank mistakes	H	<p>The Council has Financial Regulations which set out banking requirements. Bank reconciliation presented for approval.</p> <p>The PC receive income from both Cemetery and Pavilion users and the clerk manages the payments to the bank.</p>	M	<p>Bank reconciliations are presented at least quarterly (usually monthly) and signed by a member other than the Chairman and minuted.</p> <p>Cemetery income is managed by the Clerk and takes the form of BACs with occasional cheques.</p> <p>Pavilion income is a combination of BACs, cheques and cash. Hirers to be asked to pay via BACs or cheque.</p>

Reporting and auditing	Information communication	M	<p>Financial information is a regular agenda item and discussed/reviewed and approved at each meeting.</p> <p>Internal and External auditors are commission to undertake yearly audits.</p>	L	<p>Existing procedures adequate.</p> <p>Note comments from Auditors and action them where necessary.</p>
Grants and Donations	Power to pay	H	All such expenditure goes through the required Council process of approval, Clerk checks powers available (no GPC) being minuted and listed accordingly if a payment is made.	L	Existing procedure adequate.
Best value accountability	<p>Work awarded Incorrectly.</p> <p>Overspend on services.</p>	M	<p>Normal Parish Council practice would be to seek, if possible, competitive tenders for major work.</p> <p>If problems encountered with a contract the Clerk would investigate the situation and report to the Council.</p>		<p>Existing procedure adequate.</p> <p>Include when reviewing Financial regulations.</p>
Salaries and assoc. costs	Salary paid incorrectly. Unpaid Tax to Inland Revenue.	H	<p>Salary rates are notified by NALC annually and contractual increases agreed and minuted by Council.</p> <p>Payslips and P30 generated by payroll contractor.</p> <p>All payments are approved monthly at FC meeting.</p> <p>The Parish Clerk/RFO has a contract of employment and job description</p>	L	<p>Continue to use Payroll company to provide payslips and calculate HMRC payments monthly.</p> <p>Checked by Internal auditor</p>
Employees	<p>Fraud by staff</p> <p>Health and safety</p>	H	Requirements of Fidelity Guarantee insurance adhered to with regards to fraud.	M	Monitor health and safety requirements and carry out risk assessments and review insurance annually.

			<p>Cash income is provided to the clerk at monthly meetings.</p> <p>All employees to be provided adequate direction and safety equipment needed to undertake their roles.</p>		<p>Stop cash transactions.</p>
VAT	Reclaiming/charging	M	<p>VAT is claimed back annually and recorded separately in the cashbook and minuted when received.</p> <p>VAT Invoices are checked to be made out to Mudford Parish Council before VAT reclaimed.</p> <p>The council is not VAT registered so no VAT is charged.</p>	L	Existing procedures adequate
Annual Return	Submit within time limits	H	<p>Employers Annual Return is completed and submitted online with the prescribed time frame by the Clerk.</p> <p>Annual Return completed and signed by the Council, submitted to internal auditor for completion and signing then checked and sent to External Auditor within time frame.</p>	L	Existing procedures adequate.
Legal Powers	Illegal activity or payments	H	<p>All activity and payments within the powers of the Parish Council to be resolved at full Council Meetings. List of powers checked by clerk as necessary before payment approved.</p>	L	Existing procedures adequate
Minutes/agendas/ Notices Statutory Documents	Accuracy and legality	H	<p>Minutes and agenda are produced in the prescribed manner by the Clerk and adhere to the legal requirements.</p> <p>Minutes are approved and signed at the next Council meeting. Agenda</p>	L	Existing procedures adequate.

	Business conduct		displayed according to legal requirements. Business conducted at Council meetings should be managed by the Chair.		Members adhere to Code of Conduct
Members interests	Conflict of interests Register of members interests	M	Declarations of interest by members at Council meetings. Register of members interest forms reviewed regularly and revisited annually.	M	Existing procedures adequate. Members take responsibility to update register and provide to SC.
Policies	Missing or not kept up to date	M	Policies available on website, notified by Clerk and checked by auditor and adopted annually at the APCM	L	Existing procedures adequate.
Insurance	Adequacy Cost Compliance Fidelity Guarantee	H	A broker is used and provides quotes from upto 3 providers to demonstrate competitive pricing. Council approve the most suitable cover. An annual review is undertaken of all insurance arrangements before the renewal date and at the same time as the Asset Register. Employers and Employee liabilities a necessity and within policies. Full Council take responsibility for checking levels and scope of cover is adequate. Measures are in place. Fidelity checks in place.	L	Existing procedure adequate. Insurance is in place and considered annually.
Data protection	Policy provision	H	The Parish Council is registered with the Data Protection Agency. Payments set up by Direct Debit.	L	Ensure annual renewal of registration

Freedom of Information	Policy Provision	M	The Council has a Model Publication scheme in place. The Parish Council is aware that if a substantial request came in it could create a number of additional hours work they can request a fee to supplement the extra hours	M	Monitor any requests made under FOI
Outside Spaces	Contact number on signs incorrect.	M	Check signs annually when reviewing parish assets	L	Ensure signs are kept up to date.

Physical Equipment or Areas

Subject	Risk(s) identified	Severity of hazard H/M/L	Management/control of Risk	Risk after Control H/M/L	Assess/Revise
Assets	Loss or damage Risk/damage to third party (ies) property	H	An annual review of assets is undertaken by 2 members of the PC locating and visually inspecting all assets for insurance provision Auditor checks all assets covered by insurance. Public Liability cover included with PC insurance.	M	Asset Register updated annually and checked alongside the insurance.
Maintenance	Poor performance of assets or amenities	M	All assets owned by the Parish Council are regularly reviewed and maintained.	L	Existing procedures adequate

			<p>All repairs and relevant expenditure for any repair is actioned/authorised in accordance with the correct procedures of the Parish Council.</p> <p>Assets are insured.</p>		
Play Equipment	<p>Risk of damage</p> <p>Health & Safety Regular Inspections Repairs</p>	H	<p>Any reports of damage and faults must be reported to the Parish Council and dealt with in accordance of the correct procedures of the Council.</p> <p>Play Equipment is included in insurance cover. Playground Risk Assessment is being put in place.</p> <p>Regular reviews of the equipment must be undertaken and any damage or faults dealt with in accordance with the correct procedures of the Council.</p> <p>The Council employs an inspection company to inspect play equipment on an annual basis.</p>	M	<p>The Play Inspection Company carries out a full playground assessment annually and all issues are reported and considered at a full council meeting, with any repairs agreed.</p> <p>Playground Risk assessment will be considered at least annually.</p> <p>The required monthly checks are not being carried out currently due a lack of trained personnel.</p> <p>Consider employing a company or trained person to carry out monthly checks as required by the insurance company.</p>
Notice Board	Risk of damage	M	The Parish Council own 2 noticeboards that are used monthly by the clerk to post the statutory notices. Any repairs/damage is reported at FC meeting. Noticeboards are insured.	L	Existing procedures adequate
Meeting location	Adequacy Health & Safety	H	The Parish Council meeting is held in a venue considered to have appropriate facilities for the Clerk, members and the general public.	M	Need to carry out a Pavilion Risk assessment (inc. meeting Risk assessment) to ensure public,

					members and employee safety is not compromised. Electrical safety checks need to be considered annually.
Pavilion	Adequacy Health & Safety	H	The Pavilion is managed by the PC and is hired out to a number of village groups. The PC has responsibility to ensure the building is safe for all users.	M	The building is currently awaiting refurbishment as part of an ongoing insurance claim. Pavilion risk assessment needs to be put in place and electrical safety inspections carried out.
Cemetery	Topple Testing	H	Any deficiencies are managed by Councillors upon notification. Insurance cover for public liability in place for the Cemetery.	M	Cemetery Risk Assessment required to ensure all risks are considered. Cemetery caretaker with responsibility for topple testing checks (NAMM certified) is being considered.
Council records – paper	Loss through: Theft Fire Damage	H	The Parish Council records are stored at the home of the Clerk. Records include correspondence, minutes, annual financial accounts and cemetery records	L	Damage and theft is unlikely and so provision is adequate. Measures are in place to archive documents to Somerset Heritage in Taunton. A Fire-safe could be considered for irreplaceable cemetery records. Minutes, correspondence and financial records are scanned and kept electronically, in the Cloud.
Council records – electronic	Loss through: Theft, fire damage or corruption of computer	H	The Parish Council electronic records are stored on the Council laptop held with the Clerk/RFO at home. Backups of electronic data is made at regular	L	Existing procedures considered adequate.

			intervals using external back up device and also cloud storage is used.		
Council records – electronic Retained by Cllrs	Documents stored on personal laptops	H	Councillors have been told that parish council business is not be to stored on personal devices.	M	Parish Council documents should not be provided electronically to councillors.

ASH PARISH COUNCIL

Clerk: Julie Ferguson. Chilthorne Knapp, Chilthorne Domer, Yeovil, BA22 8QZ

Tel: 07783 475200

E-mail: clerk@ashpcsomerset.com

Ash Parish Council Policy on audio/visual recording and photography at council meetings March 2020

1. Introduction

Ash Parish Council is committed to being open and transparent in the way it conducts its decision making. Recording, including filming, audio recording, taking photographs, blogging, tweeting and using other social media is permitted at Council meetings, which are open to the public, subject to the following policy.

2. Procedure at meetings

- 2.1 Anyone wishing to record is requested to let the Chairperson of the meeting know prior to, or at the start of, the meeting and the recording should be overt (i.e. clearly visible to anyone at the meeting) and not disruptive.
- 2.2 Anyone visually recording a meeting is requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting. Any children present at the meeting should not to be filmed unless they and their parents/guardians have given their consent.
- 2.3 At the beginning of each meeting, the Chairman will make an announcement that the meeting may be filmed or recorded.
- 2.4 Ash Parish Council supports the right of any member of the public not to be recorded. If anyone speaking at the meeting does not wish to be recorded they should let the Chairman of the meeting know.
- 2.5 Any person wishing to record Council meetings will be responsible for ensuring that any cabling, or electrical equipment they use has been properly tested and installed and adheres to health and safety requirements. The Council will not be held liable for any injuries to the individual or members of the public caused by the recording of its meetings.
- 2.6 The Chairman of the meeting has absolute discretion to request a person to stop or suspend recording if in the Chairman's opinion continuing to do so would prejudice proceedings at the meeting because:
 - recording is disrupting the proceedings of the meeting

ASH PARISH COUNCIL

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- there is public disturbance or a suspension of the meeting
- the meeting has resolved to exclude the public for reasons of confidential business

For these purposes recording equipment should not be left unattended at meetings.

However, if the person carrying out the recording is absent the Council reserve the right to turn off the equipment according to paragraph 2.6 above. The Council cannot accept liability for any equipment that is lost, stolen or damaged at its public meetings

2.7 The recording should not be edited in any way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the Council's values or in a way that ridicules or shows a lack of respect for those in the recording.

2.8 If the Council resolves to discuss confidential information, and the public are excluded from the meeting, all recording equipment must be removed immediately from the room.

2.9 The use of flash photography or additional lighting will not be allowed unless this has been discussed with the clerk in advance of the meeting and agreement reached on how it can be done without disrupting proceedings.

Guidance Notes

Please contact the Parish Clerk prior to the meeting you wish to record, and especially if the recording you wish to make involves large equipment or special requirements.

Recording and reporting the Council's meetings is subject to the law and it is the responsibility of those who undertake the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Act, the Public Order Act Part III (1986 as amended), the Equality Act 2010, the laws of libel and defamation and any subsequent legislation or regulations.

The Council may itself photograph, film, record or broadcast its meetings and may retain, use or dispose of such material in accordance with its retention and disposal policies.

END.

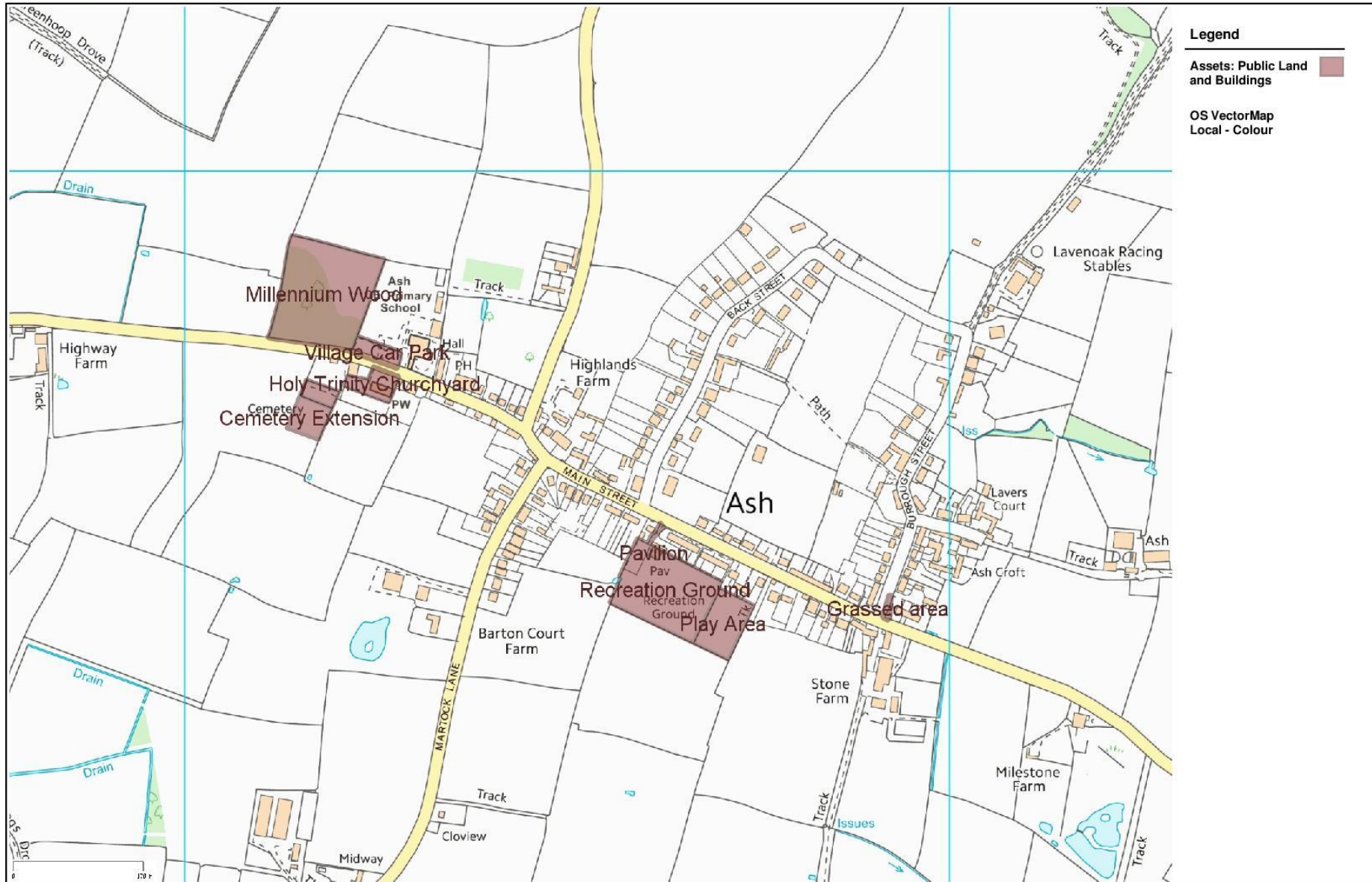
ASH PARISH COUNCIL			
REGISTER OF FIXED ASSETS			
<u>DETAIL</u>	<u>VALUE</u>		
Item	Historical Cost	Insurance value 2021-22	Notes (policy detail)
Pavilion	£ 213,815.00	£ 240,513.04	Pavilion
Pavilion shed	£ 1,200.00	£ 1,261.46	Pavilion Shed
Play Equipment	£ 48,654.00	£ 54,729.44	Playground Equipment
Dog bins (4)	£ 800.00	£ 4,986.27	Street furniture
Noticeboards (2)	£ 500.00		
Grit bins (3)	£ 416.27		
Hamstone planters (3)	£ 768.00		
Adopted telephone kiosks (2)	£ 2.00		
Seats (7)	£ 2,500.00		
Millennium wood shed	£600	£600	Timber shed
Water bowser	£ 100.00		
Pressure washer	£ 200.00	£500	Mowers & machinery
Strimmer & hand tools	£ 200.00		
Traffic cones (10), high visibility jacket (2) Road signs (2)	£ 200.00		
Steel cabinet	£ 200.00	£1,355	General contents
Pavilion Chairs	£ 360.00		
Office printer	£ 150.00		
Projector and screen	£ 445.00		
Defibrillators, cabinets & additional pads (no.2)	£ 2,807.98	£5,000	Defib general cover
Office equipment (Laptop, printer (50% share with Mudford PC - £167))	£ 667.00	£ 667.00	Office Equipment
Basis of Valuation: Nominal Valuation			
Cemetery	£ 1.00		
Cemetery extension	£ 1.00		
Village Car Park	£ 1.00		
Millenium Wood	£ 1.00		
Recreation ground and play area	£ 1.00		
TOTAL	£ 274,590.25		

Ash Parish Council: Asset Register of public land and buildings April 2018

The Land and Building Assets report provides information about public land and buildings within the Parish of Ash.

This is in accordance with the mandatory requirements of the Local Government Transparency Code 2015

Site Description	Location	Owner or Custodian	Date of Acquisition	Cost of Acquisition or Proxy	Present Use
Recreation Ground	Main Street, Ash. ST476204	South Somerset District Council, managed by Ash PC	N/A	Unknown	Recreation Ground
Village Car Park	Main Street, Ash. ST472207	Ash PC	1978, 1996	£700.00	Public Car Park
Millennium Wood	Main Street, Ash. ST471208	Ash PC. Management delegated to AMWMG.	1998	£7,860.00	Community Wood
Play Area	Main Street, Ash. ST477204	South Somerset District Council, managed by Ash PC	N/A	Unknown	Childrens' Play Area
Cemetery	Main Street Ash. ST471207	Ash PC	1954	£75.00	Cemetery
Cemetery Extension	Main Street, Ash. ST471207	Ash PC	1954	£75.00	Agricultural
Holy Trinity Churchyard	Main Street, Ash. ST472207	C of E, maintained by Ash PC	N/A	N/A	Churchyard
Grassed area	Burrough Street, Ash. ST479204	Unknown ownership, Ash PC maintains	N/A	N/A	Grass verge
Pavilion	Main Street, Ash. ST476204	Ash PC	1980?	£213, 815.00 insurance value	Community facility



Ash Parish Council

Cemetery charges

Part 1 Exclusive Rights

01.07.2018 _____

1. Exclusive rights in perpetuity for a maximum of 99 years 8x4x6 £120.00
2. Exclusive rights in perpetuity for a maximum of 99 years double depth plot 8x4x8 £140.00

Part 2 Internment

1. A still born child or child not exceeding 1 month £00.00
2. Single burial of a child not exceeding 12years £50.00
3. Single burial of a child not exceeding 18 years £100.00
4. Single burial of an adult £140.00
5. Single burial of ashes in an existing grave with exclusive rights £70.00

Part 3 Monuments, Gravestones and Inscriptions

1. For the right to erect a headstone £100.00
2. For the right to place a stone vase £50.00
3. For each additional inscription after the first inscription £30.00

Part 4 Garden of Remembrance

1. For scattering of ashes and fixing of plaque £50.00
2. Additional inscription to an existing plaque £25.00

Admin Fee

1. For burials and internments £25.00
2. For searching records £20.00

These rates apply to Parishioners of the village who resided in Ash up to one year prior to their passing all other persons charged at twice the above charges

Ash Parish Council

ASH BIODIVERSITY WORKING GROUP TERMS OF REFERENCE

Adopted 7th November 2022

1. CONSTITUTION

Ash Parish Council hereby resolves to establish a working group of the Council to be known as the Ash Biodiversity Working Group. The Working Group shall have no executive powers other than those specifically delegated in these Terms of Reference.

2. FUNCTION OF THE GROUP

- promote, implement or enable projects within the Parish that contribute to protecting and enhancing local biodiversity;
- provide the Council with recommendations and ideas on ways to protect and enhance the environment;
- record local habitats and species and publish information on local biodiversity;
- raise awareness of biodiversity issues and support community involvement in habitat and species recording and monitoring;
- encourage Parishioners to get involved in conservation work;
- develop, within six months, an initial “Biodiversity Action Plan” for the Parish Council;
- share information, ideas and best practices and see what works for our community;
- liaise with the school, landowners, organisations & charities across the parish and neighbouring parishes to implement biodiversity projects;
- seek funding and resources from outside bodies.

3. WORKING GROUP COMPOSITION, MEETINGS AND DECISION MAKING

The Group shall consist of a minimum of two Parish Councillors. The Chair of the Working Party will be a Member of the Council and shall be appointed by the Parish Council.

Up to six members of the public may be appointed to the Group. In addition, the Group may co-opt members of the public with specific experience or expertise in a particular topic for the term of that project.

The Working Group shall meet at least quarterly. Copies of the notes of the meeting shall be circulated to all Members and the Parish Council within 10 workdays. Working Group meetings are not required to be held in public.

The Working Group shall recommend actions/decisions to the Council who will vote on them at the next relevant meeting and feedback accordingly so as not to delay actions unduly. The working party has no budgetary or spending powers. If expenditure of any kind is expected as a consequence of the working party recommendations it must be referred to the Council for approval.

4. REVIEW

5. The Terms of Reference will be reviewed annually at the Parish Meeting.

Ash Biodiversity Action Plan

This action plan documents what we will jointly do to help nature’s recovery in the Parish. It is a framework for habitat and species conservation. It also recognises the benefits of wildlife to people and helps to identify ways to better promote, and engage people in, biodiversity conservation locally. Public bodies such as the Parish Council in the UK are legally required to “conserve and enhance” biodiversity. This does not mean that they are obliged to have a BAP, but having one will help them ensure that they are meeting their obligations.

Theme	Work	Description	Resources	Timescale	Lead	Status
POLICY & PROCEDURE	ABWG set up	Terms of Reference agreed	PC	January 2023	MW	Complete
	Admin	Roles and lines of communication agreed	ABWG PC	February 2023	MW	Complete
		Meetings arranged	ABWG	ongoing	MW	
	Policy	Document “Biodiversity Net Gain” guidance to aid PC decision making	A&MN	April 2023	MW	Complete
		Communicate BNG to PC	ABWG	April 2023	TG	Complete
		Develop a biodiversity policy for Ash PC	ABWG	May 2023	MW	Complete ON PARISH WEBSITE?
		Policy adopted	PC	June 2023	TG	
		Designate Ash Millennium Wood as a “Local Nature Reserve”	ABWG, PC, SC			DECISION NEEDED
PROJECTS	Verge by Village Car Park	Reduce grass cutting	PC SSDC	April 2023 ongoing	TG AG	Monitor for what plants grow
		Plant trees	PC community	November 2023	TG	PLAN FOR PLANTING SEASON?

	New Burial Ground	Plant hedgerow and trees	PC community	March 2023	TG	Complete
		Reduce grass cutting	SDDC	ongoing	TG	Monitor for what plants grow
	Recreation Ground	Plant trees	PC community	TBA	TG	
	Playground	Plant trees	PC community	TBA	TG	
		Reduce grass cutting	PC SDDC	ongoing	TG	
	Main /Burrough Street	Reduce grass cutting		ongoing	TG AG	
	“	Wildflowers	?	?	unallocated	
	“	Monitor tree health		ongoing	NP	
	Churchyard	Identify opportunities	PCC	ongoing	AW	
	Help Out Monday	Verge in front of school: tidy up, litter pick, shape trees, remove stakes, plant wildflowers	community	May 8th	MW AW	Complete
	Blue hearts	Produce and place in “wilding” areas	ABWG		unallocated	
	School	Restore pond	ABWG Ash PTA	?	MW	DECISION NEEDED
HABITATS	Habitat Map	Produce map showing Principal Habitats of Importance as recorded	A&MN	January 2023	MW	Complete
		Review and adopt	ABWG PC	February 2023	MW	Complete
		Explore use of Phase 1 habitat recording			MW CW	
	New habitats	Review method for habitat identification	ABWG		MW CW	

		Review criteria for unrecorded habitat sites	ABWG		MW	
		Identify habitats of local importance	ABWG		MW	
		Agree sites to be added to the list Identify candidate Local Nature Reserves	ABWG PC	ongoing	MW	
		Research benefit of “core”, “stepping stone” and “corridor” habitats			MW	
		Work with SC, SWT and SERC to identify nature recovery network in Ash			MW	
		Identify possible micro-habitat projects e.g. bird boxes, hedgehog highways, log piles, field margins		ongoing	unallocated	
	Millennium Wood	Tree inventory	MW	April	MW	Partially complete
	Millennium Wood	Biodiversity study	CW	November 2023	MW	
	PC land	Tree inventory	PC	ongoing	TG NP	
SPECIES	Collate species data	Analyse and present SERC species data	ABWG		MW	
		Identify short list of locally important species	ABWG		MW	
	Encourage better monitoring of local wildlife	Workshop event for iNaturalist	ABWG	February 2023	DG	Complete
		Invite community to help in wildlife surveys: e.g. water monitoring, hedgerow information, pond monitoring, SWT and other surveys	ABWG A&MN		unallocated	

		Bat Survey	ABWG	June 2023 on	CW	
		Reptile Survey	ABWG	April 2023 on	CW	
		Set up a bioblitz event	ABWG PC	June 2023	DG	
		Identify key species for action, e.g. stag beetles, great crested newts, swifts	ABWG	ongoing	unallocated	
PUBLICITY	Raise awareness	Collate information on biodiversity and put on Village website	ABWG	ongoing	AG	
		Social Media	ABWG	ongoing	AG	
		Collate advice leaflets for householders			unallocated	
		Collate advice for landowners			unallocated	
		Consider presentation/workshop			unallocated	
		Events for school/children			unallocated	
		Stories: conservation projects Stories: how nature has changed locally			unallocated	
		Village Survey: special or part of PC survey?	ABWG PC	?	MW	Lily Humby?

Abbreviations:

ABWG	Ash Biodiversity Working Group	SERC	Somerset Environmental Records Centre	SWT	Somerset Wildlife Trust
A&MNR	Ash and Martock Nature Recovery Group	SC	Somerset Council		
PC	Ash Parish Council	SSDC	South Somerset District Council		

Tree Policy for Ash Parish Council

Background

Why are trees important?

- a) They make our village more attractive and desirable
- b) Absorb air pollution and noise
- c) Intercept rainfall and reduce runoff and flooding
- d) Provide shade and shelter for people and animals
- e) Create a variety of habitats for wildlife
- f) Help to emphasize the changing season
- g) Produce fruits, nuts and seeds
- h) Produce firewood
- i) Help to combat climate change by sequestering CO₂
- j) Are a source of inspiration and have health and well being benefits

Why should Ash Parish Council (PC) take positive actions to protect and plant trees?

Throughout the county medium sized elm trees are still dying from elm disease. These are the latest victims of a disease which has killed millions of trees in Somerset and probably many hundreds in every parish and town.

As ash dieback disease also becomes more prevalent over the next few years we are likely to see many more dead trees appearing. The ash is the most common species over much of England and this area is no exception. While the elms that die are relatively small trees, there are many large ash which will be susceptible and the loss of these will be visually a very significant loss to the Village or the Parish.

Action to address continuing tree loss and promote tree planting

- 1) When applications are made to fell trees and agreement is given, the PC will, whenever possible, request that a suitable replacement tree, or trees, are planted, either on or near the felled tree or on an alternative site to be agreed with the owner.

Action: For every tree lost then as far as possible a new tree will be planted.

- 2) The PC will seek an agreement with the local district council (as Planning Authority) that where reasonable a replanting condition will be included in all consents which are granted in the Parish.

Action: An agreement will be sought with the District Council in respect of replacement planting.

- 3) The PC will take an active interest in ensuring that all trees, shrubs and hedges which are planted on development sites (as a condition of planning consent) are complimentary to the area, actually planted and that they survive.

Action: The PC will notify the District Council about non-compliance with planting conditions on development sites.

- 4) The PC will take an active role in finding suitable sites for planting new trees and have an annual tree and shrub planting programme. The relatively low cost of this will be met from a variety of sources including the Parish precept or Community Infrastructure Levy or S106 funds. Unlike high tiers of Local Government, their precept is not presently capped. As tree planting is a relatively low cost activity and Parish Councils are close to the 'grass roots' of local affairs, they are well placed to take tree planting initiatives. Local volunteers may be prepared to help plant the trees. In some locations shrubs may be preferable to trees.

Action: The PC will identify opportunities for tree planting in the parish, help with funding packages for tree planting (if practicable), and involve the community as volunteers where possible.

- 5) If ready identification of sites for tree planting proves difficult a local survey will be conducted to identify suitable planting sites. Notices will be placed in local publications asking the public to offer up or identify sites which could then be explored to check their suitability. The PC will then endeavour to produce a parish map showing sites which are considered suitable. Some sites may be more suitable for new shrubs rather than trees, in locations under overhead wires for example.

Action: Working in co-operation with local landowners, the Council will endeavor to identify and encourage further opportunities for tree plantings in the wider area of the Parish.

- 6) The PC will consider the appointment of a dedicated volunteer Tree Warden – who might or might not be a member of the PC.
Action: The PC will consider the appointment of a volunteer Tree Warden to inform the Council about tree matters, advise on suitable actions and lead on the co-ordination of tree planting projects.

- 7) The PC will use reasonable endeavours to support the creation of new community woodlands and the maintenance of existing community woodlands and community orchards in the Parish.
Action: The PC will promote, publicise and support the creation of new community woodlands and community orchards and the maintenance of existing ones in this parish.

Ash Parish Council

BIODIVERSITY POLICY

INTRODUCTION

Ash Parish Council has an important leadership role to play in creating a sustainable environment where biodiversity can thrive. It understands that biodiversity is a crucial component of the quality of life for the community it serves and is aware of its responsibility to conserve and enhance biodiversity and recognises it as an integral part of policy and decision making. It recognises existing and future responsibilities both to conserve and promote biodiversity and to take positive action through innovation in the management of open spaces and verges, as well as conservation of our natural areas.

ABOUT BIODIVERSITY

Biodiversity is the collective term for the variety and abundance of forms of life found in an area, including animals, plants, fungi and microorganisms like bacteria. Each of these species and organisms work together in ecosystems to maintain, balance and support life.

It is well documented¹ that there has been a dramatic decline of species and habitats in recent decades. Restoring nature is critical to reversing the loss of biodiversity. Ecosystems don't need to be lost forever, it is possible to restore them by planting (and caring for) trees, shrubs and wildflower meadows. It is important that local communities take the lead in conservation projects, with benefits for people as well as nature.

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006² states that: "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity". This is known as the "Biodiversity Duty".

Section 41 of the NERC Act, requires government to publish a list of habitats and species which are of principle importance for the conservation of biodiversity in England. This list is used to guide public bodies in implementing the "Biodiversity Duty" when carrying out their normal functions.

The Environment Act 2021³ further stipulates:

- That planning permission for development will only be granted where there is a "Biodiversity Net Gain";
- A strengthened legal duty for public bodies to conserve **and enhance** biodiversity;
- A new biodiversity reporting requirements for local authorities; and
- Mandatory spatial strategies for nature known as "Local Nature Recovery Strategies".

These are all requirements that apply to the Parish Council.

OBJECTIVES

- Protect and support the biodiversity of the land that Ash Parish Council owns or manages.
- Use Parish Council influence to support and enhance biodiversity in the Parish as a whole.
- Increase community awareness of, and involvement in, biodiversity issues.
- Support local biodiversity projects.

WHAT THE COUNCIL WILL DO TO PROMOTE BIODIVERSITY

- The PC will promote the collection and collation of information on biodiversity in the Parish.
- The PC will ensure the production and development of an ongoing “Biodiversity Action Plan” in conjunction with the local community.
- The PC will have due regard to “Nature Recovery Strategies” developed at County level.
- The PC will identify local sites for inclusion in “Nature Recovery Networks” at County level.
- The PC will declare “Local Nature Reserves” on sites that fit the accepted criteria.
- The PC will promote the biodiversity of the land it manages. Special care will be taken in the specification of grounds maintenance contracts to ensure that the work, whilst reaching acceptable standards, does not harm the natural environment.
- The PC will work in partnership with other organisations to protect, promote and enhance biodiversity within areas of the parish.

The PC will, through its website and newsletters, raise public awareness of biodiversity issues and encourage involvement in conservation work as part of its leadership role within the local community.

- The PC will involve the community in promoting biodiversity and living areas on its land including, for example, tree planting, developing living areas and wilding areas.
- The PC will ensure that Biodiversity Net Gain is taken into account when commenting on planning applications.

Notes

BNG is to become a mandatory requirement of the planning system and is set to come into effect from November 2023. Planning permission for new projects above a certain size will be required to secure a 10% improvement in biodiversity, with 30-year management and monitoring.

A Biodiversity Action Plan is a public statement by the body of its biodiversity objectives and the methods by which it intends to achieve them.

Local Nature Recovery Strategies establish priorities and map proposals for specific actions to drive nature’s recovery and provide wider environmental benefits.

The Nature Recovery Network (NRN) is a network of wildlife-rich places. The aim is to expand, improve and connect wild places across the countryside to allow nature space to thrive.

Local Nature Reserves are declared by local authorities (Ash PC would ask SSDC or Somerset Council to declare). They’re usually areas of natural green space with public access, but other types of site can be declared as long as they have wildlife or geological interest.

1. <https://royalsociety.org/topics-policy/projects/biodiversity/biodiversity-in-the-uk/>
2. <https://www.legislation.gov.uk/ukpga/2006/16/contents>
3. [World-leading Environment Act becomes law - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/world-leading-environment-act-becomes-law)

Ash Parish Council

ASH BIODIVERSITY WORKING GROUP TERMS OF REFERENCE

1. CONSTITUTION

Ash Parish Council hereby resolves to establish a working group of the Council to be known as the Ash Biodiversity Working Group. The Working Group shall have no executive powers other than those specifically delegated in these Terms of Reference.

2. FUNCTION OF THE GROUP

- promote, implement or enable projects within the Parish that contribute to protecting and enhancing local biodiversity;
- provide the Council with recommendations and ideas on ways to protect and enhance the environment;
- record local habitats and species and publish information on local biodiversity;
- raise awareness of biodiversity issues and support community involvement in habitat and species recording and monitoring;
- encourage Parishioners to get involved in conservation work;
- develop, within six months, an initial “Biodiversity Action Plan” for the Parish Council;
- share information, ideas and best practices and see what works for our community;
- liaise with the school, landowners, organisations & charities across the parish and neighbouring parishes to implement biodiversity projects;
- seek funding and resources from outside bodies.

3. WORKING GROUP COMPOSITION, MEETINGS AND DECISION MAKING

The Chair of the Working Group will be appointed by a majority vote of the members of the Group. The Group shall consist of a minimum of two Parish Councillors, one of which will act as the official link to the Parish Council.

Up to six members of the public may be appointed to the Group. In addition, the Group may co-opt members of the public with specific experience or expertise in a particular topic for the term of that project.

The Working Group shall meet at least quarterly. Copies of the notes of the meeting shall be circulated to all Members and the Parish Council within 10 workdays. Working Group meetings are not required to be held in public.

The Working Group shall recommend actions/decisions to the Council who will vote on them at the next relevant meeting and feedback accordingly so as not to delay actions unduly. The working party has no budgetary or spending powers. If expenditure of any kind is expected as a consequence of the working party recommendations it must be referred to the Council for approval.

4. REVIEW

The Terms of Reference will be reviewed annually at the Parish Meeting.



2024

THE GOOD COUNCILLOR'S GUIDE



It gives me great pleasure to introduce the 2024 version of the Good Councillors Guide. This revised edition is a welcome and much needed resource.

It is essential guidance primarily for new councillors but also for those thinking about becoming a local councillor. New councillors have a lot of information to take in when they join a council, and the guide can help them understand this.

If you are reading this guide as a new councillor, I congratulate you on joining the council and thank you for taking up a civic office that can make a real difference to the community that your council represents.

Once the excitement of being elected or co-opted has subsided you may begin to feel a little daunted by the responsibilities you have taken on and your part in the democratic framework of local government. I hope this guide will help you understand more about your role, the difference you can make and help ensure you are acting within your council's powers and duties.

Cllr Keith Stevens, Chair of NALC.

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ACRONYMS AND GLOSSARY

ACV	Assets of Community Value
AGAR	Annual Governance and Accountability Return
ALCC	Association of Local Council Clerks
CALC	County Association of Local Councils
CIL	Community Infrastructure Levy
DPI	disclosable pecuniary interests
GDPR	General Data Protection Regulations
GPC	general power of competence
JPAG	Joint Panel on Accountability and Governance
NALC	National Association of Local Councils
RFO	responsible financial officer
SAAA	Smaller Authorities' Audit Appointments Ltd
SLCC	The Society of Local Council Clerks
SPD	supplementary planning document
VCFS	voluntary, community and faith sector



INTRODUCTION

This guide is an essential tool for all councillors, whether new, aspiring, or existing members of a local council. It will help with understanding how this unique sector of local democracy works and how they can best contribute to it. Training and learning are a crucial element of being a good councillor and this guide is just the start of the process. Where relevant, this guide will show where more resources can be accessed, namely from your local County Association of Local Councils (CALC), which can supply essential training and development opportunities.

Throughout this guide, all community-level civil councils are referred to as local councils because, regardless of their formal title (Town, Parish, Community, City, Neighbourhood or Village), they all have the same tier of authority and duties. In effect, Combe Hay Parish Council (population 147) has the same duties and authority as Northampton Town Council (population 137, 000).

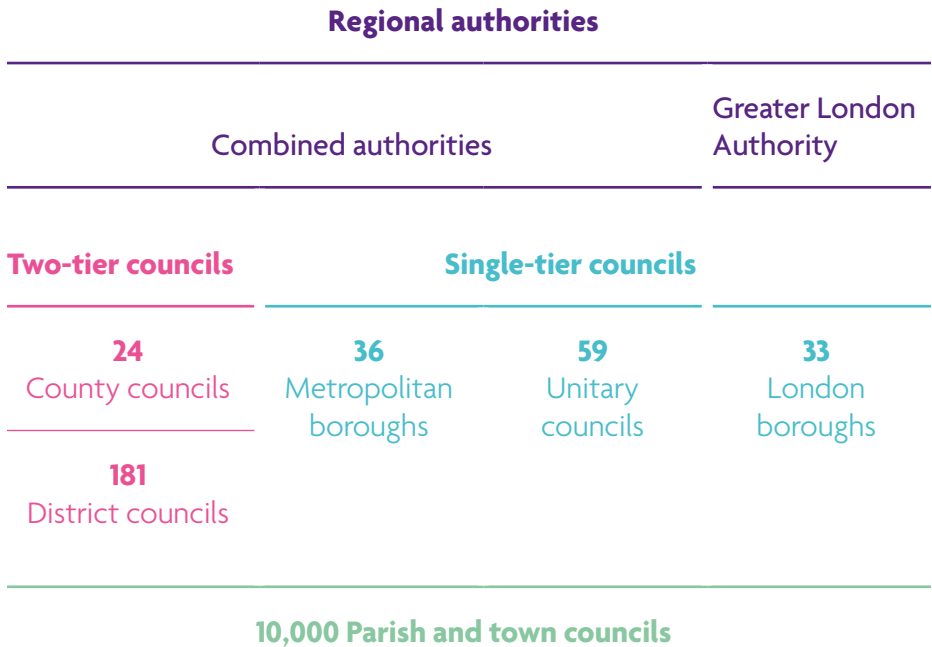
The duties of the local council as a corporate body are not onerous, but respect should be paid to their long history – going back to 1894 – while staying relevant to a fast-paced modern world. Well-informed councillors find the role can be extremely rewarding and that they can make a difference in their communities. Accepting the unique role of a councillor at this tier of local democracy (which is different to those at principal tiers of the democratic system) can be a challenge, but new councillors are not expected to know everything when they start.

This guide aims to outline the basics. It touches on the quite distinct roles and responsibilities of councillors and officers, and the complexity for councillors in having to act collectively as one corporate body (and not as individuals) in their dealings with employees, whilst respecting their highly professional and crucial role. All councillors are recommended to read the Good Councillor's Guide to Employment (2023 edition).

Local councillors are not 'volunteers' in the common use of the word. Firstly, local councils are not part of the voluntary, community and faith sector (VCFS). Local councils are the first tier of government, closest to the community. Once the Declaration of Acceptance of Office form is signed (and this must take place for someone to become a councillor), that person takes up the position as a holder of public office in a local authority, albeit unpaid, with all the responsibility that comes with it.

The other tiers of local authority are principal councils, including county councils, district, borough or city councils, and metropolitan and unitary councils, which have different statutory functions to local councils.

Figure 1. The different tiers of Local Authority



LOCAL COUNCILS AS LOCAL AUTHORITIES

Most local councils were set up in 1894 by an Act of Parliament. Civil parish councils (local councils) were created by separating them from the Church, which had had a long history of delivering local services such as care for the poor, maintenance of roads and tax collection.

Not all areas of England are covered by local councils, but there are now over 10,000 – and more are regularly being created all the time, especially in urban areas. In 2007, the government brought in new legislation to allow the creation of local councils in London (not allowed since the 1960s) and the first local council in London, Queen's Park, began in 2014.

The number of electors a local council represents varies enormously. St. Devereux in Herefordshire has fewer than 100, whereas some have much larger populations. Northampton Town Council, created in 2020 and fully functioning by 2021, is the largest local council in England. Serving a population of over 130,000, it is larger than some principal authorities. These considerable differences are reflected in annual spending, which might range from under £1,000 to over £4 million.


The essence of a successful local council is one which has members that understand the clearly defined, and hugely different, roles of the councillors and the officers. They all need to work together as one dedicated team, utilising those separate roles and regardless of their personal political stance, to achieve a single purpose – to improve

and enhance the lives and area of the community the local council represents.

A local council is a corporate body: a legal entity separate from its members. It is a collective decision-making body; its decisions are the responsibility of the whole of the council. All the councillors have equal rights and responsibilities, even the chair¹ or councillors who also sit on a principal authority are no more important than any other member. This means that councillors do not have any authority as individuals. In short, no councillor can act alone or speak on behalf of the council without first being formally granted the authority to do so by that council.

It is also important to understand that local councils are autonomous and not answerable to a higher authority. They have been granted their own powers by Parliament, including the important authority to raise money through taxation (the precept) and a range of powers to spend public money (refer to 'What local councils are obliged to do by law' on p.29).

¹ "Chairman" is the title given to the person who is elected by the council to preside at its meetings in law. It relates to both males and females, but most councils now refer to the positions as the chair, as a gender-neutral option.



Do you know how much your council spends in a year? If not, find out, as it is important that all councillors know. Ask the clerk/responsible financial officer for a copy of the most recently approved budget for your local council.

THE PURPOSE OF LOCAL COUNCILS

It is clear from [Figure 1 \(p10\)](#) that each tier of local government has a different function. The duties and responsibilities of the members at each tier are also different, as is the legal framework in which they work. Duties are legal obligations – actions that a council must take by law. Powers are contained in legislation and allow actions to be taken at the council's discretion.

Some councillors are members of various tiers of local authority at the same time and this can be useful to local councils, but it is important that those members know their differing responsibilities when acting at the individual tiers of authority and when it is appropriate to declare a conflict of interest due to this dual membership. If a member of another tier of local authority accepts a seat on a local council, they are equal to (not more important than) all the other members when performing as a member of that local council.

The various tiers of local authority can work very well together in partnership, but a local council cannot act on its own in delivering a service that is the statutory responsibility of another tier of local authority. For example, a local council cannot set up its own household waste collection service, as that is the statutory responsibility of a district or unitary authority. They can, however, in certain circumstances be delegated the powers of a higher authority, through a formal agreement to act on their behalf.

Regardless of their size and level of activity, all local councils must perform all their statutory duties set out in law. The legal framework is quite strict, but it is not too onerous. It is important for all councillors to understand that although this legal framework might be frustrating and sometimes slows down a local council's ability to function, especially in this fast-paced modern world, acting in accordance with it is a legal requirement when dealing with public finances on behalf of your local community and being part of the democratic process.

In order to function and, especially, to supply more services to the community, the local council imposes its own tax on its residents. This is called the precept. The precept demand goes to the billing authority (the district, unitary or equivalent council) which collects this tax on behalf of the local council as part of its own council tax and pays it to the local council.

Community safety, housing, street lighting, allotments, cemeteries, playing fields, community centres, litter, war memorials, seats and shelters, rights of way and some aspects of planning and highways – these are some of the things local councils might get involved with at this tier of government. Do you know which projects and initiatives your council is currently involved in running or developing?

All local councils exist to represent the best interests of the residents of that parish, by contributing to the consultations of higher authorities and influencing the decisions they make, such as with planning applications. However, some local councils use the power bestowed upon them by law to act for the whole community's benefit.

Local councils can, for example, supply or give financial support for:

- an evening bus taking people to the nearest town
- affordable housing to rent
- pond clearing
- redecorating the community centre
- a teenagers' drop-in club
- a summer festival
- equipment for a children's activity group
- transport to hospital

Projects like these may be a challenge and need hard work and commitment – but they are achievable for most local councils. Of course, for some very small local councils, with limited funds, it may be that representing their residents' interests to the higher authorities (such as with planning applications and consultations) is the majority of their role, but good councils aspire to use the money they raise as a tax (precept) to provide services to improve the wellbeing of the whole community.

Do you know how much your local council requests annually as its part of the council tax (the precept)? Do you know how much a Band D council tax payer in your council area pays for the precept? How does this compare to the average? Is it low and could it potentially be raised to do more for the good of the community? Do you know when and how your council sets its precept? If not, please find out – it is important that councillors know, to inform their decision making.

As a corporate body, a local council has a legal existence separate from that of its members. It can own land, enter into contracts and be subject to court proceedings. It is the local council that is responsible for its actions as a corporate body. Therefore, decisions can only be made in face-to-face meetings that have been properly summoned.





Super Straho/unsplash

SERVING THE COMMUNITY

The best local councils want to improve the quality of life for people living in their area and enable them to become vibrant and flourishing communities. Local councils can be dynamic and professional in delivering services which can enhance the life experiences and wellbeing of local people. By devising clear strategic plans, such as action, corporate and business plans, which set out both the vision and the practical steps for delivering local services, the council can engage the community in the development of new services to help them come into effect.

There are powers set out in law that enable all local councils to provide services if they choose to utilise these powers (but they are not obliged to). Councils can undertake an activity only when specific legislation allows it. Acting without legal power is an unnecessary risk which could lead to financial and legal difficulties. The good news is that there are lots of sources of advice. The clerk will advise on whether the Council has the power to take decisions they are about to take. More information can be provided by your local county association.

In more recent years the general power of competence (GPC) was introduced. It is designed to make it easier for eligible councils to act and do anything that an individual might legally do if other legislation does not forbid it. The general power of competence enables local councils to respond more effectively to their communities, encouraging innovation and assisting in

shared service delivery. If the council does something not permitted by legislation – even if it would be popular with the community – then the council could face a legal challenge that it acted beyond its powers (sometimes known as *ultra vires*).

Do you know whether your council is eligible and has resolved to use the GPC? Achieving the eligibility to resolve to use the general power of competence might be possible for your council. GPC would facilitate the council being much more effective and innovative in providing services to the community. Ask your clerk about GPC.

In recent years, the principal authorities have found it increasingly difficult to provide their non-statutory services. This gives the potential for local councils to work imaginatively in partnership with these bodies. Local councils can offer funding, equipment, and premises to help to provide these local services. They can also give small grants to organisations that run services such as childcare, services for the elderly, arts activities, pond clearance or sport which can improve the quality of community life.

To ensure that the local council is providing what is most valued by the community and what it needs in the way of improvements, it consults, engages and listens to as wide a range of all sectors of the community as possible to identify what is required; it then agrees priorities for action at its meetings, and its policies begin to take shape.

The tried-and-tested methods noted below are just some ways in which people can express their hopes and wishes for the community. They provide valuable opportunities for local people to identify features of the area that need

improving or are worth protecting. They stimulate discussion, they inform the decision makers, and they usually lead to action.

- **Surveys and questionnaires** give residents, including children, an opportunity to express their views about where they live. The response rate from households can be impressive.
- **Design statements** involve communities in a review of the built and natural environment of their area. The published results can be used by your principal authority to help make planning decisions (for more, go to '[Local development plans](#)' on p.72).
- **A parish map** can be a creative exercise; for example, it might be a painting, tapestry, or model of the parish. People identify local features that matter.
- **Community conferences or workshops** provide more opportunities for bringing people together to talk about the community's future.
- **Parish or Town (community) Plans** might be led by the local council, drawing in community groups, residents, and others, to produce an action plan for improving the local quality of life and the environment. These plans can be based on the findings of a variety of the consultation methods above and can form the basis of neighbourhood plans (for more, go to '[Local development plans](#)' on p.72).
- Technology provides options for creating **polls and surveys online** which can be highly effective at reaching a wider audience when used alongside traditional methods (for those who do not have online access). For example, SurveyMonkey™, Doodle™, the polling option from a Facebook™ page, etc. Informal meetings of focus groups

on Zoom™ or Teams™ make conversations more accessible for some.

- **Talking to residents** whilst you are out and about in the community is of equal value in terms of keeping up to date with resident views. This approach can easily be formalised by organising councillor surgeries where local residents know they can come and talk face-to-face with a councillor about issues and ideas they have. A parish (or town) plan is a community plan and not a land-use plan. It is a set of policies and an action plan for the next few years covering a much wider range of issues such as housing, the local economy, local health services and transport. It is a good idea to draw up a plan, whatever the size of your community. A local council that listens knows it will have local support for actions it may take.

With all community engagement it is important that the personal information of individuals is protected. The Data Protection Act 2018 came into force to protect such information. It is important that this law is respected when conducting any community consultation or engagement. For more information go to www.gov.uk/data-protection.

There are occasions when the council will be required to meet certain levels of community engagement, such as with a Public Works Loan application, and the guidelines must be followed. However, community engagement generally is good practice. What community engagement has your council done? Was it compulsory or voluntary?

Once the local council knows what local people want, they can decide how they are going to pay for it. Many councils start with the money and then decide how far it will stretch. Some councils claim they have so little money that they can do almost nothing. Evidence clearly suggests that local taxpayers would be willing to pay more if they could see the results in terms of better local services. It is recommended to ask first, and then set the budget accordingly.

Whatever the council's approach to plan-making, if the council is raising a precept it is required (by law) to set a budget each year. The plan creates the budget that determines the precept. Remember, the precept is taken from the council tax. Your council should investigate other sources of funding such as grants and sponsorship to help implement its plans. In some councils, non-precept funding makes up one third of their income.

In addition to helping your council identify real improvements, the process of using tools like those above can strengthen people's sense of purpose and belonging. The process is as important as the product or the result.

Councillors should, of course, use the knowledge they already have as a basis for decisions on behalf of your community, but these tools help you to become even better informed, giving the council a stronger mandate for action. The results of community consultation help you to:

- speak on behalf of the community with greater confidence, especially in discussions with principal authorities;
- provide services and facilities, especially where there is no other provider, or where the local council can secure better value for money;

- support community action and services provided by others. The council can offer buildings, staff expertise and funding to get local projects off the ground;
- work in partnership with community groups, voluntary organisations, and other local authorities, including neighbouring local councils, to benefit the community.

Occasionally there will be a conflict of interest requiring sensitive judgement. For example, dog owners, parents of young children and walkers might disagree about the use of the village green. Making challenging decisions in an open and reasoned way, along with appropriate use of social media (if used), is something that local councils need to do well.

COMMUNICATION AND SOCIAL MEDIA

A local council can make effective use of modern communications methods to communicate internally.

Has the clerk advised you about what training is available for councillors? If not, please ask the clerk. You will learn a lot about your role reading this guide, but attending training sessions will give you more detailed information, the opportunity to meet other councillors and the opportunity to learn in more detail – particularly about complex areas like social media.

Although decisions and formal discussions can only take place in a reasoned way at a correctly convened council meeting, there is nothing to stop councils having informal conversations and exchanging ideas in Teams™ or on Zoom™. The clerk (or an officer with delegation) should be party to such discussions.

Email discussions should be using a secure council email address, preferably with the .gov.uk domain. The council should take advice from an IT specialist.

Messaging apps are useful for informal communication too. However, it must be remembered that any such written communication between councillors is regarded as council data, which could potentially be requested under the Freedom of Information Act 2000 or the Data Protection Act 2018, and which must be provided if it exists. Councillors should act politely and respectfully in any communication, internally and externally.

In almost all cases a local council should have a website. Only the very smallest councils might rely on a website hosted by another organisation, and if they do, editorial rights for the clerk are essential. Nowadays, people expect to be able to go online to find out about their local council. If the council makes more information available on its website, it is likely to attract fewer public enquiries.

Councils with an income below £25,000 have a duty to publish certain financial information on their website; larger councils are advised to do so as a matter of course.² Councils with an income above £200,000 have a separate code of transparency with additional responsibilities.

2 Transparency Code for Smaller Authorities 2014

For local councils, acting as a corporate body, the use of social media to communicate with the local community and raise the profile of the local council is to be encouraged. If used properly it is a powerful tool and can successfully reach a more time-poor, younger or housebound audience. However, it is also important for the council not to rely on it completely; it should be used only in addition to more traditional methods of communication so as not to exclude residents without online access.

Communications about council activity should be managed by the officers using the council's social media accounts. This is just the same as sending letters from the council "through the office". The council's formal social media accounts should not be used by councillors individually because they do not have any authority to act alone on behalf of the council. Posts should be controlled and monitored by an officer(s) to ensure they comply with the General Data Protection Act Regulation (GDPR) and the council's own communications policies.

What social media accounts does your council, as a corporate body, use as a method of communication and engagement with the local community?

Do you know how you can offer suggestions and contributions to inform the council's content?

It is advised that an officer (usually the clerk) be responsible for adding content to these corporate accounts. Please talk to the clerk for more information.

If an individual councillor chooses to use a personal social media account to communicate with the community, it is

particularly important that they remember that the code of conduct and standards in public life rules still apply.

- They should not bring the council into disrepute and should act with honesty, integrity, etc.
- Councillors cannot rely on the fact that they are using a personal social media account to divorce themselves from the responsibility that they have under the council's own Code of Conduct and civility and respect pledge.
- Once a decision has been resolved by the council, councillors should stand by that decision, as a member of that council.
- Councillors should not use social media to criticise the council's decision, even if they voted against it. This is because a councillor's own personal opinion is not paramount in the collective decision-making process of a local council.
- They should not give the impression that they represent the views of their council, as only the council officers can do that, on the corporate account and once a resolution has been passed by the council.
- They should not give the impression that they can act as individuals to resolve any issues raised by the public, as only the council can resolve to take any action.

If a councillor is using social media to campaign on an issue where a decision by the local council is yet to be made, it gets even trickier, because councillors must be careful to not give the impression that they will not keep an open mind for the council meeting at which that decision is to be taken. If not, the Council decision could be challenged based on predetermination. A good councillor attends a council

meeting to listen to all arguments put forward before deciding which way to vote.

When communicating on a personal social media account about your council's activity, if you are in any doubt about whether it would breach the Code of Conduct, leave it out. Do not risk a challenge and/or a complaint being made against you.

For further guidance on councillors using social media visit www.local.gov.uk/our-support/communications-and-community-engagement/social-media-guidance-councillors.



COMMUNITY RIGHTS

Do you know about the community rights that came in under The Localism Act 2011?

The Localism Act 2011 introduced new ways in which communities can act, collectively known as community rights. These include:

- The community has the right to bid on nominated buildings and land as an Assets of Community Value (ACV) if they come up for sale.
- The right to reclaim underused or disused publicly owned land to bring it back into beneficial use.
- Community Shares, a social finance model, help local groups (other than local councils) to raise money to do the things they want to do in their community through the issuing of shares which can only be issued by co-operative societies, community benefit societies and charitable community benefit societies. The Community Shares Unit, run by Co-operatives UK, provides support and information. Visit www.uk.coop/support-your-co-op/community-shares.

As local councils are closest to their communities, they can act – or assist other community organisations to act – in using these new initiatives for the benefit of their communities. Local councils up and down the country are already running a wide variety of public services successfully, from car parking to allotments and cemeteries, but in the past, it has been down to the district or county council to decide whether and if to devolve services to local councils. More information can be found at <https://mycommunity.org.uk>.

WHAT LOCAL COUNCILS ARE OBLIGED TO DO BY LAW

THE RULES THAT APPLY TO THE COUNCIL AS A WHOLE

There are surprisingly very few duties, or activities, that a local council must carry out in law to deliver services to local people.

A local council must:

- comply with its obligations under:
 - the Freedom of Information Act 2000
 - the Data Protection Act 1998
 - the Equality Act 2010
- publish certain information such as annual accounts, notice of meetings, agendas, and meeting notes
- comply with the relevant Local Government Transparency Code (further details in 'Internal and external audits' on p.42)
- comply with employment law
- consider the impact of their decisions on reducing crime and disorder in their area
- consider the protection of biodiversity in carrying out their function
- consider the provision of allotments if there is demand from residents and it is reasonable to do so
- decide whether to adopt a churchyard when it is closed, if asked to do so by the Parochial Church Council – though

it would be wise to seek advice from the County Association of Local Councils before doing so.

A local council also has a legal duty to ensure that all the rules for the administration of the council are followed.

The council must:

- appoint a chair of the council to preside at meetings
- appoint officers as appropriate for carrying out its functions i.e. the proper officer (clerk)
- appoint a responsible financial officer (RFO) to manage the council's financial affairs; although this is a separate role, the RFO is often also the clerk, especially in smaller councils
- appoint an independent and competent internal auditor (further details in 'Internal and external audits' on p.42)
- adopt a Code of Conduct – 'The Code of Conduct' on p.54
- hold a minimum of four meetings per year, one of which must be the Annual Meeting of the Council ('The two Annual Meetings' on p.62).

These rules are set out in law to guide the procedures of the council and your council can add its own regulations, formally agreed by your council, to its standing orders.

If the council does not have its own (non-financial) standing orders – although this is unwise – it is still bound by the duties set out for local councils in law, such as appointing a chair and a proper officer. NALC supplies model standing orders (and model financial regulations) which should be adapted, as appropriate, to the local council's size and complexity, except items set out in bold type which are required by law.

All full council, committee and sub-committee meetings must be open to the public except in certain circumstances,³ such as when dealing with:

- commercial tenders
- legal matters, e.g. seeking solicitor advice
- matters relating to individuals, e.g. staff matters.

These are not public meetings as such, but are local council meetings that must allow members of the public to attend, observe, record, and report the proceedings of the meeting. Similarly, the law requires the council to have a publication scheme explaining how certain types of council information are made available.⁴

Equality legislation reminds the council that it must make its meetings accessible to anyone who wishes to attend (at an accessible venue with disabled toilets, hearing loops etc. if possible).

THE LOCAL COUNCIL AS AN EMPLOYER⁵

There are rules to which the council must adhere to protect its employees and the council as an employer. The most crucial points to note as a councillor are:

3 Openness of Local Government Bodies Regulations 2014

4 Freedom of Information Act 2000

5 For further information on this topic, see the *Good Councillor's Guide to Employment* (2023 edition), published by the National Association of Local Councils (NALC). Available from www.nalc.gov.uk/publications#the-good-councillor-s-guide-to-employment.

- **Every individual councillor** on the council is equal in their level of responsibility towards the employees, even if the council has delegated staffing matters to a staffing committee (which is strongly recommended). It is vital that all councillors understand that the proper officer (the clerk) is employed by the council and only answers to the council as a whole, a situation that is unique to the local council sector.
- **All council employees**, full-time or part-time, are protected by employment law in terms of pay, annual leave, sick leave, maternity and parental leave, bullying or harassment, and discrimination.
- **All staff:**
 - » must have a written particular of employment⁶
 - » must be paid (as a minimum) the minimum wage, or the national living wage for workers aged 25 and over
 - » must have clear line-management arrangements, provided by a more senior officer who may report to the staffing committee. The only exception is the management of the clerk, who may be line-managed by the staffing committee (which can appoint one of its members to conduct regular appraisals (in consultation with all councillors)) but not directly line-managed by individual councillors.

⁶ The Good Councillor's Guide to Employment (see footnote 5) sets out what a council should include in the Written Statement of Employment Particulars (contract). Your CALC can also provide support and information.

EMPLOYMENT OF THE PROPER OFFICER (CLERK)

The proper officer is the official legal title of the clerk to the council. Councillors need to keep in mind that their status as a member of the council is for a maximum of four years, at which point they cease to be members until after the next election, when, of course, they may be re-elected to serve for another term of office. By contrast, the officers, and particularly the clerk, provide a consistent presence even if no councillors stand at the next election (or all the councillors resign or are disqualified mid-term); the clerk remains in post as the officiator, administrator, and practitioner of the business of the council. For this reason, it is particularly important that everyone – councillors and officers – regard themselves as equals but in very different roles. A councillor who claims to have served 40 years on the local council has in fact served ten separate terms of office.

The employment arrangements for the clerk are unique to the local council sector, in that the clerk is employed by the whole council and is only answerable to the whole council, not to individual council members. The clerk is not a secretary and is not at the disposal of the chair or any of the councillors.

The management and administration of the council's business is the responsibility of the clerk and sometimes other employees, too. It is a very responsible role. All employees, including the clerk, are accountable to the council as a whole and therefore it is important that all councillors (though they cannot get practically involved) have a broad understanding of what that management and administration involves.

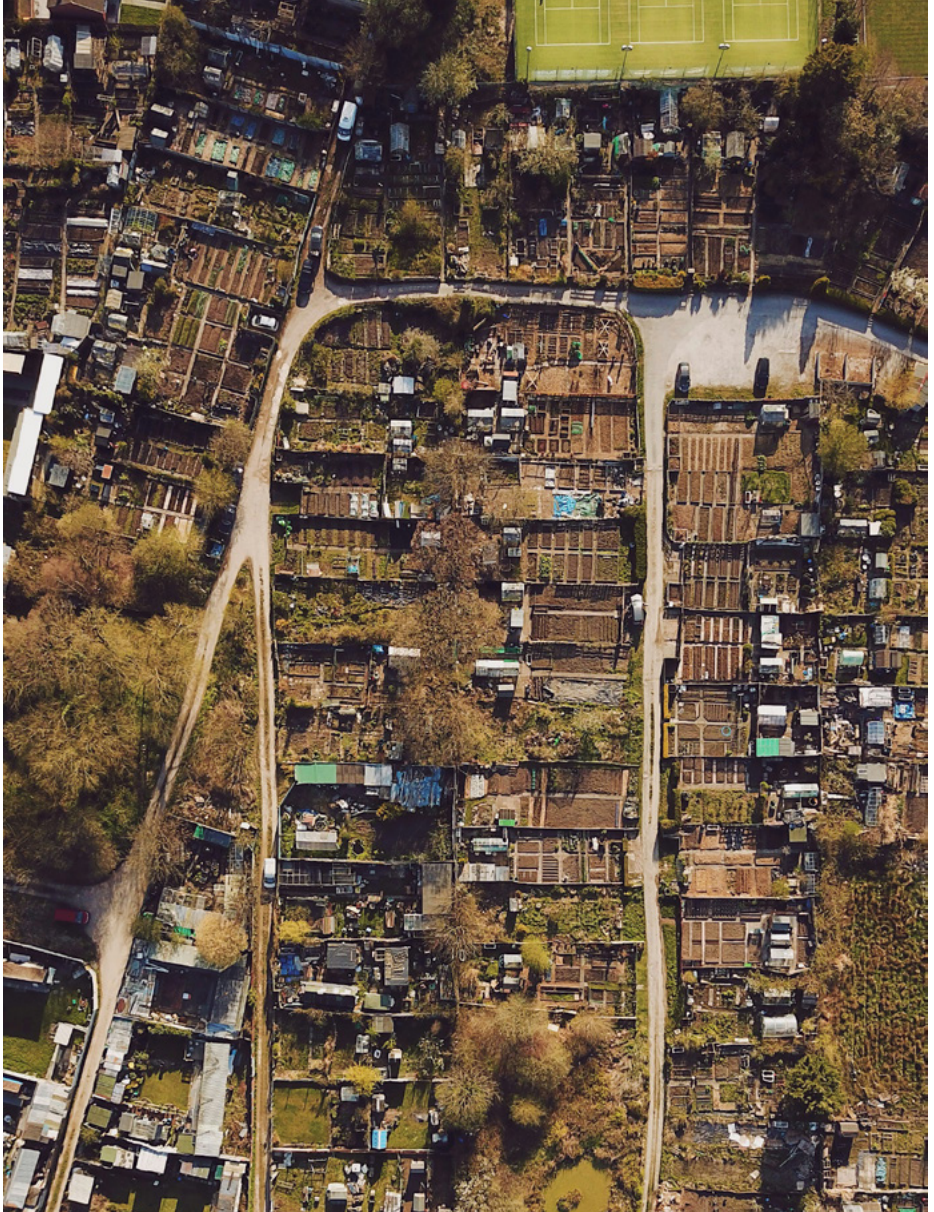
Although all council members, including the clerk, are liable for the welfare of employees (regardless of whether they are on the staffing committee), no individual councillor can issue instructions to, or individually line-manage, the clerk as the clerk can only act on the approved stated policies of the council and on decisions of the whole council that are made at a correctly convened council meeting.

The clerk provides the council with:

- impartial professional advice
- administrative support
- project management skills
- personnel directorship
- public relations support
- information that enables a decision to be taken.

In smaller councils, the clerk might also take on the separate role of responsible financial officer, as this role must be performed by an employee that is accountable to the council (not a councillor).

The council might also employ other officers, with different employment arrangements, but it is the clerk who is the most senior officer. Councillors need to be mindful that all staff are protected by UK employment law and are entitled to be treated with dignity at work. It is the responsibility of all councillors to ensure that their staff are treated with respect – they may need to occasionally remind other councillors of this responsibility, to protect their own personal liability as a responsible employer. For further information it is recommended that you read *The Good Councillor's Guide to Employment* produced by NALC (www.nalc.gov.uk/)



[publications#the-good-councillor-s-guide-to-employment](#)) and the Member Officer Protocol of the council.

It is the clerk's responsibility to ensure that the council acts within the law and it is vital that all councillors take the advice of the clerk in terms of what the council can and cannot do. The main elements of this are set out in the previous chapter ('What local councils are obliged to do by law' on p.29), but the clerk is the first port of call for clarification and the fine details.

Delegation is the act of authorising an officer, a committee, a sub-committee, or another council to make decisions on the council's behalf. The delegations must be formally agreed by the full council at a meeting and set out in its standing orders (more later). Legally, councils can delegate most of their decisions to their clerks because they are trusted professional officers whose objectivity allows them to act for the council.

In the most successful councils, the individual roles of the clerk and councillors are clearly understood; i.e. the councillors stick to their own role and respect the professional role of the clerk. Failure to observe these primary principles can cause the council significant difficulties. The Local Government Act of 1972 does state that councillors can act as the clerk, as long as they are unpaid, but it is advisable that this only ever be a temporary arrangement – simply because it is an important part of a clerk's role to be impartial and to advise and support the whole council, not allowing themselves to be unduly influenced by individual councillors, parties or factions. This crucial element of the clerk's role is compromised where a councillor is also acting as the clerk.

These rules and principles should build on mutual respect and consideration between employee and employer. Misunderstandings can arise between a council and its

employees, and so it is strongly advised that the council have an agreed grievance procedure to ensure that concerns raised by an employee are handled properly if they occur.

The Good Councillor's Guide to Employment gives practical guidance on recruiting and managing employees effectively and in compliance with employment legislation. It is strongly recommended that all councillors (not just those on a staffing/HR committee) have read this guide and understand the implications for their role as a councillor. It is available on the NALC website and in hard copy.

Have you read *The Good Councillor's Guide to Employment*? Do you understand your responsibilities as an employer

HEALTH AND SAFETY

Health and Safety law also protects employees, councillors, and members of the public when on council premises. Your clerk should be able to advise on such matters.

Have you asked the Clerk about the Council's responsibilities for Health and Safety?

THE CIVILITY AND RESPECT PLEDGE

More information about building and maintaining positive relationships between officers and councillors is detailed in the NALC/SLCC (The Society of Local Council Clerks) Civility and Respect project, accessible at www.nalc.gov.uk/our-work/civility-and-respect-project.

Has your council signed up to the civility and respect pledge?

MANAGEMENT AND ADMINISTRATION OF THE BUSINESS OF THE COUNCIL

The officers manage and administer the council's business, with the proper officer (clerk) taking ultimate overall responsibility for ensuring thorough and effective processes and staff management. The councillors are the decision makers and provide the strategic direction of the council's work; they also play a scrutiny role, reading the reports provided by the officers and checking the details are correct. Understanding the internal control procedures necessary to carry out this task is vital.

DEALING WITH PUBLIC MONEY

The rules for dealing with local council finance are set by the Government and are designed to make sure that the council takes no unacceptable risks with public money.

Risk management must be a main priority of a local council (along with being a responsible employer), but the good news is that the financial regulations protect your council from potential disaster and your personal liability as a member of the council.

All money that comes into the council (even from sources other than the precept, such as development bonuses and grants) is considered to be public money, and must be administered within the council's financial regulations and within the powers local councils have been granted by law.

Your council officers will set up a risk management scheme which highlights every known significant risk in terms of

the council's activities and makes clear how such risks will be managed. This must be formalised by the council as a working document. It includes ensuring that the council has proper insurance to protect employees, buildings, cash, and members of the public. For example, playgrounds and sports facilities must be subject to regular checks that are properly recorded. It is not just about protecting assets; it is about taking care of people.

The council shares collective responsibility for the fiscal management of public money; because of this, it must ensure that an officer known, in law, as the RFO reports all financial activity as transparently as possible on a regular basis to the council, to avoid the risk of loss, fraud or bad debt, whether through deliberate or careless actions. Robust financial checks and oversight are of immense importance.

Although it is technically a separate role, in smaller councils it is not unusual for the clerk to also undertake the RFO role.

A council can make electronic payments or choose to pay the bills by cheque; no matter the arrangement, there must be processes in place to reduce the risks of error or fraud. For example, the electronic payment should be set up, or the cheque made out, by an officer and then authorised by at least two councillors.

The broad principles of how a local council deals with public money are set out in its standing orders, but the finer detail, which protects the liability of individual councillors and ensures that the council gets value for money, is set out in the councils' financial regulations. These rules can be frustrating and even counterintuitive for an inexperienced councillor. An example arises when goods needed are available on a website and could be bought by a councillor with a personal credit card, with the cost subsequently

claimed back from the council. This is bad practice, because unless the order for goods is placed by the council (clerk or responsible financial officer), the council cannot claim back the VAT.

The National Association of Local Councils publishes model financial regulations, which are available from your county association. If the council has not adopted financial regulations, it is open to considerable risk and must correct this as a matter of urgency.

An officer, namely the responsible financial officer, ensures that the council adopts effective internal control and financial accounting systems. The RFO must supply regular and easy-to-understand reports to the council, appropriate to your council's expenditure and activity. There is extensive guidance on risk and internal control in *Governance and accountability for smaller authorities in England – a practitioners' guide to proper practices* to be applied in the preparation of statutory annual accounts and governance statements, published by the Joint Panel on Accountability and Governance (JPAG).

The term “officer” is used in this guide for anyone employed in any role to do with the management and administration of the council. This includes the proper officer (clerk), but also includes the responsible financial officer, deputy clerk, assistant clerk, project officer, administrator, etc. Where the information relates to a specific role, it is stated; i.e. clerk, RFO etc.

The budget is an essential tool for controlling the council's finances. It proves that your council will have sufficient income to carry out its activities and policies in the coming year and creates the reserves it might need for any future initiatives the council aspires to undertake. By checking spending against budget plans regularly at council meetings, the council controls its finances during the year so that it can confidently progress towards what it wants to achieve. Transparency and openness are fundamental principles underpinning everything your local council does.

For further information see the *Good Councillor's Guide to Finance and Transparency* (www.nalc.gov.uk/publications#the-good-councillor-s-guide-to-finance-and-transparency).

| Is your clerk also the responsible financial officer (RFO)?

These guidelines clearly set out what should be made available to the public in relation to the council including reporting on meetings, public participation, and access to information.

In addition, the *Transparency Code for Smaller Authorities* (2015) applies to local councils and certain other small public bodies with an annual income not exceeding £25,000. It replaces the need for external annual audit in most cases, but these smaller local councils are instead legally obliged, under the Code, to publish the following information:

- all items of expenditure above £100
- end-of-year accounts
- annual governance statement
- internal audit report

- list of councillor or member responsibilities
- details of public land and building assets
- minutes, agendas, and meeting papers of formal meetings.

Although this Code only applies to local councils with an annual income of £25k or less, it is considered best practice for all local councils, whatever their turnover, to be meeting the transparency requirements it sets out. This best practice is reinforced by the NALC Award Scheme.

Local councils with an annual turnover exceeding £200,000 are expected to follow a separate Transparency Code specifically for larger authorities.

All local councils, whatever their size and income, must publish the year-end accounts on a website. Technically this could be a website belonging to another organisation with a local council page, but editing access for the clerk (who has responsibility for making sure the council abides by the law) is essential. NALC recommends that local councils have their own website and preferably a government (.gov.uk) domain name.

AUDITS

The clerk and/or RFO will arrange for the right audits to be carried out and can advise councillors on the correct order in which each stage of the process must be carried out, as this is specified by the external auditor assigned to the council.

INTERNAL AND EXTERNAL AUDITS

Internal audit is the first stage of the process and must be undertaken within the last fiscal year before the next stage, external audit, can be carried out. Larger councils with

high turnovers or complex services to deliver may choose to have interim internal audits at various points throughout the year, for reassurance that all is well and that the council is functioning as it should.

The internal auditor is a competent person who is completely independent of the council; therefore, they cannot be a serving member of that council. They are someone formally appointed to carry out prescribed checks on the council's entire system of internal control – not just the finances, which means they should not just be an accountant, as they need to have some knowledge of how a local council should lawfully run. A clerk for another council, especially if they are qualified, would be suitable, but it is important to note that a reciprocal arrangement between councils is not allowed.

The internal auditor must carry out tests focusing on all risk areas and report their findings to the council. They must then sign a report on the annual return, which is required by law for all councils (unless they make no financial transactions) to confirm that the council's internal systems of control are in place and working effectively.

It is even more important for small local councils that the internal audit carried out is of a high quality and to a good specification, for public reassurance and to compensate for them being exempt from the external audit process (those with an annual income below £25,000).

The local county association can provide the council with model specifications of what is needed from an internal auditor, and example lists of what checks must be undertaken.

The Smaller Authorities' Audit Appointments Ltd (SAAA) handle this stage in the process for local councils and appoint an external auditor every four years.

Councils with an annual turnover of £25,000 or less can send the external auditor a declaration that they are exempt from this part of the process (they cannot just ignore the process altogether). By doing so, that council is then obliged, under the Transparency Code for Smaller Authorities and the Local Government Transparency Code 2015, to publish a range of financial information on a website (www.gov.uk/government/publications/transparency-code-for-smaller-authorities).

If the council crosses this threshold of £25,000 at any point in the relevant fiscal year, such as by receiving a grant or contribution from a developer, they will be subject to the external audit for that year. Your clerk/RFO can supply more information.

The law requires that all councils with an annual turnover over £25,000 must undergo this second stage of the audit process, called the external audit, so that local taxpayers can be assured that the risks to public money have been professionally managed.

The external auditors review the council's annual return as signed by the internal auditor and the RFO and chair of the council in the prescribed order specified in their guidance (sometimes referred to as the AGAR – Annual Governance and Accountability Return). The annual return is the principal means by which the council is accountable to its electorate. Councils must complete an annual return to confirm that everything is in order. It includes signed statements confirming responsibility for the governance arrangements of the local council during the year. They show that:

- the accounts have been properly prepared and approved, a system of internal control is in place – this includes the appointment of a competent and independent internal auditor – and the effectiveness of both the system and the appointment has been reviewed
- the council has taken reasonable steps to follow the law
- the accounts have been publicised for general inspection so that electors' rights can be exercised (www.nao.org.uk/wp-content/uploads/sites/29/2015/03/Council-accounts-a-guide-to-your-rights.pdf)
- the council has assessed all risks to public money
- there are not potentially damaging or hidden issues such as an impending claim against the council
- significant differences in the figures from the previous year have been explained
- the council has responsibly managed any trust funds.

There is also a specific requirement within the audit process which is to allow members of the public to inspect the council's accounts and raise questions with the auditor.

Officers handle all the practical tasks in carrying out the audit process, but it is the councillors' responsibility to collectively, as a corporate body, ensure that the annual return accurately presents the fiscal management by the council.

If councillors have acted properly leading up to the external audit, then the council will receive the external auditor's certificate and an unqualified opinion on the annual return known as limited assurance. This means that nothing has come to the external auditor's attention that gives cause for concern.

VALUE FOR MONEY

It is essential that the council is seen to supply value for money. This means ensuring that public money is spent efficiently to supply an effective service. The overriding aim is to achieve more council provision for the least possible expense, but without compromising quality.

It helps the council to assess 'value for money' if it regularly questions whether it is necessary to spend the full amount or whether another supplier can do the job with greater efficiency and effectiveness. Also, the council should engage with their service users and the wider community to find out what they think. It is sometimes possible to join with other councils to deliver a more economical service to the community.

The financial regulations and various statutes and procedures guide and protect a local council as it makes decisions in the proper manner. They also give the council the tools it needs to achieve its goals, protect community assets, and make best use of public money.

If you have any questions about financial management, ask your clerk and/or RFO. Your local county association will provide training for councillors, which often includes training on financial management/responsibilities.



THE ROLE OF A COUNCILLOR

There are over 70,000 local councillors serving in the 10,000+ local councils in England, all of whom will have met certain criteria to be eligible.

Ideally councillors on a local council will come from diverse backgrounds and have various enthusiasms and interests. Although not within the control of a healthy democracy (because selection is by election), a balance in terms of gender, age, ethnicity, educational attainment etc. is ideal, as a strong local council needs a range of skills and experiences. When vacancies occur on a local council, usually from resignation, there is a notice period for the electors to decide whether they want a by-election. If ten electors do not come forward to request a by-election the principal authority will inform the local council that it is free to co-opt new councillors onto the council. If this happens, the existing councillors should aim to attract more councillors with contrasting personal attributes, different skills, and attitudes distinct from their own; this will ensure that the local council is a good reflection of the community it stands for and it should be celebrated if it can be achieved.

The role of a councillor is to work with all other members of that council to stand for the interests of the whole community as a balanced local council. Understanding the needs of diverse groups in your community (such as young and elderly people) is an important part of the role of a councillor.

The main task is to bring local issues to the council's attention and help it make decisions for the benefit of the local community.

Councillors have a responsibility to be well informed, especially about diverse local views. You cannot assume that you stand for the interests of all your electors without consulting them.

If you stood for election, even if you were returned unopposed (meaning there were more seats on the council than the number of people wanting to be elected, so you automatically got a seat) you are classed as an elected councillor. If you were selected by the existing councillors mid-term of office (i.e. between elections) you are a co-opted councillor. Once you have formally accepted the office as a councillor it makes no difference – elected and co-opted councillors have the same voting rights and are equal when it comes to being selected for roles on committees, and even as the chair; all are councillors working together in the council to serve the community.

For many people, it is the satisfaction of acting on behalf of their local community that encourages them to become councillors. The next challenge is to make sure that the council acts properly and within the legal framework in achieving what it sets out to do.

'What local councils are obliged to do by law' on p.29 introduces the rules that guide your council – not as glamorous as action, but vital to its success.

How does your Council consult with local people?

DUE DILIGENCE

THE RULES THAT APPLY TO INDIVIDUAL COUNCILLORS

As a local councillor you certainly want to do something positive and, like most councillors, you hope to make a difference by influencing decisions that affect your community – but you must remember that you will be held accountable for your actions as a councillor by the local community you serve. The rules are there to protect your personal liability, just as much as they are there to assure the community that the council is working as it should.

The rules may not be exciting, but without understanding them your council could run into challenges and complaints.

- A council must do what the law requires it to do ('What local councils are obliged to do by law' on p.29).
- A council may do only what the law says it may do.
- A council cannot do anything unless it is allowed by legislation.

The crucial question is: does the council have the authority, set out in law, to do what it wants to do? This question is crucial if the council is to make a lawful decision to act, especially if it involves spending money.

Check whether your council has the General Power of Competence (GPC). Beware of copying the activities of other councils without first checking, as they may be doing something under this power that your council is not entitled to do.

The clerk is the first point of contact for trusted advice on the rules. Your clerk will have access to your local county association or association of parish and town (or local) councils, for further advice on legal and financial matters. If your clerk is a member of the Society of Local Council Clerks, they will have access to other guidance.

If this all feels overwhelming, do not worry. Your council should have an adequate training budget for officers and councillors. No one can be expected to perform the role of officer or councillor without adequate training. Your local county association will offer lots of training opportunities to make a success of your role; ask your clerk to show you what is on offer and sign up.

Have you been told about what induction training is available for new councillors?

The rules for an individual councillor are that you cannot act as a member of the council until you have signed a formal declaration of acceptance of your office. This must be signed at or before the first council meeting following your election or co-option, in the presence of another councillor or the clerk. Failure to sign means you cannot act as a councillor, unless you have been given permission by


Councillors should look at 'Make A Change – Become A Councillor' on the NALC website (www.nalc.gov.uk/our-work/local-elections) for more information about achieving a balanced council that best represents their community.

a resolution of the council to sign it later, and state when that will happen.

DUTIES

As a councillor you have a duty to:

- attend meetings when summoned to do so; the notice to attend a council meeting is, in law, a summons, because you have a duty to attend and to consider, in advance of the meeting, the agenda and any related documents which were sent to you with the summons
- take part in meetings and consider all the relevant facts and issues on matters which require a decision, including the views of others expressed at the meeting
- take part in voting and respect decisions made by most of those present and voting
- ensure, with other councillors, that the council is responsibly managed
- represent the whole electorate, and not just those who voted for you – or the minority who are shouting the loudest.



As set out in the chapter on *Serving the Community*, some councils that meet certain eligibility requirements have resolved to use the **General Power of Competence**, which enables them to act more widely.

RESOURCES

All councillors should have access to:

- a schedule of meetings for the coming year
- the council's standing orders
- the council's financial regulations
- contact details of councillors and the clerk (for use only during working hours, except in an emergency)
- the budget for the current year
- the minutes of meetings that took place during the previous year.

Do you know where all your councils important documents are kept and how to access them?

THE NOLAN PRINCIPLES

All councillors should have a copy of the rules on how you must behave as a councillor. These are particularly important. Every local council must adopt and publicise a Code of Conduct that is in line with the Nolan principles (named after Lord Nolan, who chaired the government committee in 1994, and which apply to the conduct of everyone in public life).

They are:

- **Selflessness:** you should act in the public interest.
- **Integrity:** you should not put yourself under any obligation to others or allow them improperly to influence you, or seek benefit for yourself, family, friends or close associates.
- **Objectivity:** you should act impartially, fairly and on merit.
- **Accountability:** you should be prepared to submit to public scrutiny necessary to ensure accountability.

- **Openness:** you should be open and transparent in your actions and decisions unless there are clear and lawful reasons for non-disclosure.
- **Honesty:** you should be truthful.
- **Leadership:** as a councillor, you should promote, support, and show high standards of conduct and be willing to challenge poor behaviour.

THE CODE OF CONDUCT

The Code of Conduct relates to all councillors' obligations, including the registration and disclosure of interests (see below). Complaints about councillors' conduct are dealt with by a Monitoring Officer (employed by the principal authority).

**Do you have a copy of your council's Code of Conduct?
Do you understand what you must do?**

DECLARING INTERESTS

As a councillor, you must abide by rules that apply to the disclosure of certain business or financial interests. These are called 'disclosable pecuniary interests' or DPIs. DPIs include your employment, ownership of land, and business interests in your parish. Other interests are usually non-pecuniary or personal interests. Your council's code will show what actions you must take for personal interests.

Councillors must disclose to the principal authority's monitoring officer any DPIs and any other disclosable interests referred to in the local council's Code of Conduct within 28 days (4 weeks) of becoming a member of the council.

The monitoring officer will make a register of your interests available to the public – usually on the principal authority’s website. This rule on disclosure also applies to your spouse, civil partner, or cohabitee, as if their interests were yours. Be aware that the register of interests does not distinguish between a councillor’s interests and those that are held by your partner.

If the monitoring officer decides that, by making a disclosable interest public, you might be subject to a threat of violence or intimidation, the fact that you have the interest can be registered without details of the interest. This is known as a sensitive interest.



Councillors must give a copy of their register of interest to the clerk to be displayed on a website for public scrutiny. It might be the principal authorities' website and/or the local councils' own website, or a community website to which the clerk to the council has editor access – note that this editor access is important, as it is the clerks' responsibility to ensure the council acts within the law.

If, at a meeting, an agenda item relates to one of your DPIs – such as the expansion of a supermarket chain in which you own shares – you must not take part in the discussion or vote. You must withdraw if your council's standing orders say so. Also, if the interest has not been registered with the monitoring officer, you must disclose the interest at the meeting (or, for sensitive interests, disclose the issue but not the detail). You must then notify the monitoring officer within 28 days (4 weeks) of the meeting.

The declaring of any interest in the items on an agenda is intended to give the public confidence that a council's decision-making process is fair and transparent. The clerk should draw up an agenda that gives councillors a reminder and an opportunity to declare any interests at the start of a meeting.

A council can decide that a councillor with a DPI can take part and vote on a council motion. This is called granting a dispensation. If you have a DPI but think you should be able to participate in the discussion and vote on the matter, you must put your request in writing to the council. Your clerk will advise. Interestingly, as a councillor, you can vote on your own request for dispensation.

Note that there are several potential criminal offences associated with:

- the failure to register or disclose a DPI
- getting involved in a discussion and/or voting on a proposal in which you have a DPI.

Successful prosecutions can result in a fine of £5,000 and disqualification for five years from the local council and from other local authorities.

Potentially, councillors can also be subject to complaints about getting involved in council decisions where they may have a natural personal bias, such as issues on an agenda that relate to your friends, neighbours, and family. These are your personal interests and include your membership of a political party, although party politics rarely has any relevance to local council business. Political party group meetings between council meetings (to form a collective view on how they will vote on council agenda items) could be challenged as predetermination, which is specifically banned. Claiming local council successes as being down to a particular political party is also not appropriate, because local councils are a team of elected decision makers working together to reach a collective consensus on how to use the money raised from the community for community benefit. The business of a local council is not about personal or political wins; rather, it is everything to do with listening to the reasoned arguments of those present at the meetings, and making your own decisions after having considered all the views offered.

It is the responsibility of every individual councillor to decide what their personal interests are and when they should be declared. If a complaint is made about a councillor

on a personal interest and the Monitoring Officer decides that these complaints are valid, this is a breach of the Code of Conduct, but not a criminal offence. It is advisable for councillors to declare all personal interests wherever they may be relevant to agenda items, and to follow the council's standing orders, in order to avoid a challenge or complaint about your integrity.

Whilst the clerk is responsible for the management and administration of local council business, it is the chair who has the role of team leader – though only during the council's meetings (see the chapter on 'Meetings' on p.60). It is vital that the clerk and chair work together and understand the difference in their respective roles if the local council is to succeed. The best councils will have councillors (including the chair and a clerk) who are able to work as a team to provide a service for the community.

If you are beginning to think that there are too many rules, remember that they protect people's rights (including yours) and give confidence that the council has good governance systems in place.

Councillors must understand the distinct types of interest they need to declare, and fill in the registration form – have you submitted yours? There are strict rules about keeping this form up to date – when did you last review yours?



MEETINGS

The meeting is the council team in action – the resolutions (decisions) of the council can only be made at a formally called council meeting and by those councillors who attend in person, never by phone, email, or other online communication method. The council should decide on a schedule of meetings for the year at the annual meeting held in May.

The clerk (or someone deputising) supports the council at the meeting as it discusses business, and provides impartial professional advice where required.

Council and committee meetings are formal events, not social occasions. They have a clear purpose, which is to make decisions for the benefit of the community. The minutes note which councillors are present, but not 'who said what' at the meeting; that is irrelevant in collective decision making, and only the outcome of the decisions is recorded. Minutes should not be a verbatim record of the meeting.

Council and committee meetings are subject to standing orders; this means they need to be open to the press and the public. Whilst the press and the public also have the right to record council meetings, they have no right to speak during them unless invited to during a public participation session or when the chair allows. (That said, the views of the local community are important information for the council – so they should be given the opportunity to speak at specific intervals and at the chair's discretion.) It is advisable for the council to have a public-speaking protocol.

There are exceptions relating to when a meeting can be closed to the press and the public.

These exceptions are when sensitive issues, such as legal, contractual, or staffing matters are discussed; in these cases, the council can agree to exclude the press and public from that single item of business. As a rule of thumb, the council should conduct as much of its business as possible with the public present, to ensure it is as transparent as possible.

All councillors are expected to attend meetings of the full council. However, the council can form committees, which are meetings that bring together a smaller number of councillors to concentrate on a specific function of the council and share the workload.

Some committees are permanent (standing) committees, or executive committees, which have been given formal decision-making delegation for defined responsibilities by the council, set out in standing orders. Standing and executive committees with delegation then report their decisions to the full council and the council is bound by the decisions these committees make on their behalf.

A sub-committee is appointed by a committee to focus discussion on a specific topic among an even smaller group of councillors. Otherwise, sub-committees operate like committees.

Other working groups might be set up for a short-term project; these are advisory committees, working parties or 'task-and-finish' groups. Although they are not subject to the strict rules that apply to formal council and committee meetings, such as the requirement that they be held in public, etc., they must have terms of reference clearly set out in standing orders. Their less-formal working

arrangements mean these groups cannot be delegated decision-making authority on behalf of the council, but they can explore options and make recommendations to the council for a decision.

Do you know which committees of your council are standing committees with terms of reference and delegation of the council set out in standing orders?

Did you know that if a standing committee goes into confidential session and you are not a member of that committee, even though you are a member of the council you only have the same rights as a member of the public and will be excluded from the meeting? You are also not entitled to the confidential information that was discussed.

There are rules set out in a council's standing orders about who is permitted to join a committee or sub-committee. Sometimes non-councillors can be included (although, with a few exceptions, they cannot vote). This is an excellent means of involving others, particularly young people, in council work.

THE TWO ANNUAL MEETINGS

If elected at the local elections, which are held every four years and in May, the first meeting encountered by a councillor will be the Annual Meeting of the Council. This meeting is held within a short time limit after the election date. The first item on the agenda of this meeting must be for the council to elect a chair and, where it is set out in the council's standing orders, a vice-chair (but this role is not a legal requirement). This meeting is an appropriate time to appoint members of committees and representatives of

other external bodies. This is a formal local council meeting, and the rules for this meeting are in the council's standing orders.

Remember, standing orders include rules of procedure laid down in legislation and additional regulations chosen by your council. Standing orders help the council to operate smoothly. For example, a third of the seats on the council (or three seats, whichever is the greater) must be present for the meeting to go ahead; this is known as the quorum. The council can set a higher quorum for committees through standing orders if it wishes. Other standing orders will determine, for example:

- the order of business
- the length of meetings and the duration of speaking time
- the schedule of meetings for the year
- delegation to committees and officers
- voting requirements
- procedures for public participation.

Every year in which a local election is not held, an Annual Meeting of the Council is also held but can be called on any date in May. Its purpose is to appoint a chair, as the term of office for a chair is one year.

The other annual meeting is of the electors, and is sometimes confusingly called the Annual Parish (or Town) Meeting. It is not a council meeting and councillors are not obliged to attend. It is a meeting of the electors organised by the local council that must take place between 1 March and 1 June. Electors can contribute to the agenda as these meetings are community engagement events and, in practice,

often celebrate local activities and debate current issues in the community.

The chair of the local council, any two councillors, or any six electors can call a Meeting of the Electors at any time during the year, but this annual meeting between 1 March and 1 June is a legal requirement. The local council chair, if present at this meeting of electors, must preside, but they are not obliged to attend. If the chair of the local council is absent, someone is selected from those people present. It is best practice to hold the Annual Meeting of the Council and the Annual Meeting of Electors on separate occasions to avoid confusion.

THE CHAIR OF THE COUNCIL

The formal legal title of the person presiding at local council meetings is 'chairman' which relates to both genders and none, and is nowadays usually referred to as the 'chair' in non-legal settings.

Contrary to widespread belief, the chair is not in charge of the council. This is because, as a councillor, they only have the same level of authority as every other councillor. However, as their responsibility is to preside over the proceedings of the council meetings, they command respect in that specific role.

The chair is in charge of the council's meetings; this is an office created by legislation.⁷ The chair is elected at the Annual Meeting of the Council for one year. The chair has a duty to ensure that council meetings run smoothly, that

⁷ Local Government Act 1972 section 15 (1)

all business is carefully considered and that all councillors who wish to speak can do so. It is good practice for the chair to refer to the clerk for impartial professional advice.

The chair has no extra powers. For instance, it is unlawful for a council to delegate decision making to any individual councillor, and in this the chair is no different. However, the role does carry some additional responsibilities, such as when a vote is tied, the chair may use a second, or casting vote. Incidentally, this additional vote can be used any way the chair sees fit, and they are not obliged to vote the same way as they did for their original vote.

The chair often enjoys a special relationship with the public, especially in a town council where the chair is also the mayor. They are often invited to open the fête, or to welcome official visitors from abroad; for this reason, the chair can receive an allowance to support this important public role.

It is the chair who leads the Annual Meeting of Electors (remember, this is not a council meeting) if they are present.

Successful councils are those where the chair, councillors, and clerk work together as a team to combine their knowledge and skills to deliver real benefits to the community they serve.

Good working relationships, mutual respect and an understanding of their distinct roles are vital. Conflicts between these key players, especially during meetings in front of the press or public, are damaging to the council's credibility.

Does your council have a councillor and officer working protocol? Has your council adopted the NALC/SLCC civility and respect pledge?

You may think these things are not needed as 'everyone gets on jolly well', but it only takes one minor change of officers and/or councillors for the whole dynamics of the council to dramatically change. It is much better to have these provisions in place before anything changes.

BEFORE A MEETING

At, or before, the first local council meeting someone attends they must sign the 'declaration of acceptance of office' form. In law, they are not a councillor until this is signed. This is also an agreement to observe the council's Code of Conduct.

At least three clear days before each council, committee, or sub-committee meeting a summons and agenda will be sent by the clerk. The three clear days are established in law because it is important for councillors to be able to prepare and research the issues to be discussed. This period is also for members of the public to be made aware of what the council will be making decisions on, in case they wish to attend that meeting. Topics requiring a decision cannot be added to the agenda after the three clear days deadline has passed; those issues must wait for another meeting.

The clerk must ensure that each agenda item is clear, in terms of what councillors are expected to do, and must be precise about the subject under discussion. For example, an agenda item saying 'footpaths' gives you no idea what to expect. Councillors need to know what the task at the meeting is: for example, 'To receive a report from Cllr Gorie on the condition of footpaths in the parish and to agree action in response to proposals for repairs (copy of report attached)'.

It is unlawful for a council to decide on an issue, especially a decision to spend money, without sufficient (three clear days') warning. Vague agenda items that do not specify the exact business (such as Matters Arising, and Any Other Business) are dangerous and should be avoided, because the council cannot make unexpected decisions.

Putting the agenda together is the clerk's responsibility. The clerk must sign and date the agenda and decide how it will be set out. This process is often (but not always) undertaken in consultation with the chair. An important part of a councillor's role is to request that items be added to the agenda if they feel a relevant subject should be discussed; however, for business reasons, it is the clerk who has the final say on what is included on an agenda. The clerk will provide a business reason for an agenda suggestion being deferred or not included.

AT A MEETING

Councillors have a duty to attend the meetings they are summoned to, but sometimes things crop up and it is not possible. In this case, councillors should contact the clerk with an apology. These apologies are usually noted in the minutes; if no apology is offered it is recorded in the minutes as an absence. Some clerks post the record of councillor attendance at meetings on the council website, and note whether an apology was offered or it was an absence (which is considered bad form), so that electors are aware.

Councillors need to note that failure to attend any meetings for a six-month period results in an automatic disqualification from being a councillor, unless a request is made for the council to grant an extended absence by

accepting the apologies that were offered before the end of the six-month period. For this reason, when sending apologies for not attending a meeting councillors should give an explanation, so that if a request for an extended absence is eventually required, the council can consider the explanations that were given. It is not unreasonable for a council to consider that a darts or football match is not an adequate reason for not attending and not grant an extended absence, whereas illness or work commitments are acceptable reasons.

Early on each meeting agenda will be a proposal to approve the draft minutes of the last meeting as accurate. Then they are signed by the chair – even if the chair was not present, because it is the council that is doing the approving, not the chair.

It is, of course, the chair's job to manage the meeting by introducing agenda items, inviting members to speak, focusing discussion, and clarifying matters for decision. Councillors, having engaged in discussion, vote for or against the proposal, usually by a show of hands. Matters to be decided are called proposals or motions. Decisions, called resolutions, are recorded in the minutes; for example, 'It was resolved that the council will contribute £2,000 to the community bus scheme'.

If a councillor has no view on a proposal, or cannot decide, they can abstain from the vote – but this should not happen frequently, because an important part of the role of a councillor is to decide what they feel best serves to benefit the community. Abstaining from the vote means that the councillor did not vote. The way each councillor votes is not recorded in the minutes because all decisions are corporate, but a councillor can ask for a named (or recorded) vote.

It is best not to do this often, as it goes against the spirit of collective decision making.

Councillors should keep their contributions to the meeting short and to the point – no one enjoys listening to others who speak for too long. One role of the chair is to ensure that a meeting is kept to time; therefore, if a councillor is asked to curtail the length of their contribution, this must be respected. Council meetings are about teamwork, collective decision making and reaching consensus, not winning or scoring points off each other. Even if councillors disagree strongly with the way a discussion is working out, they should never engage in personal attacks on others, as this is against the Code of Conduct and not in the spirit of the civility and respect pledge.

Councillors should strive to keep proceedings good-humoured and remember that everyone – members and officers – is working to the same aim: to make constructive decisions collectively that benefit the community.

Council meetings should have a ‘public participation’ part of the agenda: a short, defined period, early in the meeting, in which members of the public are encouraged to speak and ask questions about the issues included on the agenda. Minutes of the public participation session should be very succinct (with just the issue raised noted) and the GDPR observed (for more information see www.gov.uk/data-protection).

All meetings, full and committee with delegation, must have one third of its members, including the vacant seats, present. This is known as the quorum. The meeting must remain quorate throughout for it to be legally valid, so, if a councillor needs to leave before the end, they must

inform the clerk and chair before the meeting starts. This is recorded in the minutes for clarity.

The standing orders of the council will set out how long a meeting should take in order to enable councillors to plan their diaries. It is usually no longer than two hours, because people's concentration begins to lapse if the meeting goes on longer. A well-crafted agenda with precise discussion topics and an effective chair who ensures everything stays on track are valuable tools for ending the meeting on time. The council's standing orders also set out clear rules of debate, which are useful for the chair in keeping the meeting to time and the discussion focused.



AFTER A MEETING

All the resolutions passed (decisions made) at the meeting need to be implemented. The clerk or the minute secretary writes the draft minutes as a legal record of what was decided, and this acts as the instructions to the officers of the council to act. It is important that these minutes are accurate.

Decisions cannot be made between meetings; so, where matters need full discussion, the chair can call an extraordinary meeting, with all the normal processes of an ordinary meeting (such as the three clear days' notice etc.). Delegation is a useful tool in this situation. Delegation allows a council to give the power to make decisions to an officer, a committee, a sub-committee, or another council. It is good practice to specify in standing orders or financial regulations the kind of decisions that the clerk can make, such as routine decisions, dealing with emergencies or spending small sums of money.

Standing orders may state that a decision can be taken after the clerk consults with two councillors (including the chair), but the final decision remains with the clerk, as it is the clerk who has the formal delegation from the council to act. Most importantly, the council must not allow delegation to a single councillor – not even to the chair, as local councils exist to make and implement decisions made collectively as a corporate body, not by individual councillors.



INFLUENCING THE PLANNING SYSTEM

Although local councils are not the decision makers on planning decisions in their area, people can get very agitated when the local council is formulating a response to the planning authority. The local council has a responsibility to represent the whole community – not just the people with the loudest voices. The council must ensure that proper procedures are in place. Local councils must have lawful, well-managed meetings and councillors must make sure that in planning matters they act in accordance with their council's Code of Conduct.

Local councils are statutory consultees, which means that the planning authority has a duty to consult with them about planning applications affecting their area, and they can express their collective view to the planning authority. In addition, under the Localism Act's neighbourhood planning provisions, there are several 'community rights' that local councils can take up in the planning system.

LOCAL DEVELOPMENT PLANS

The local development plan covers the entire range of a higher planning authority's district. It includes policies for housing, retail, industry, heritage and landscape protection and infrastructure.

The (local) planning authority is normally the district council (or equivalent). The county council has the planning authority for some issues such as mineral extraction and

waste disposal. If you work with a single (unitary) authority, it is much simpler. Planning in a National Park is the responsibility of the National Park Authority.

Many local councils spend time and energy at full council or planning committee meetings deciding what recommendations to make to the planning authority. While the planning authority does not have to agree, it must consider the local council's collective view before it decides to grant or refuse permission for a development. The ultimate decision is with the planning authority. The recommendations a local council submits on a planning application must fit with statutory local development plans, otherwise they may be ignored. These include the local plan and, if available, the neighbourhood plan.



The local council needs to understand the procedures by which the planning authority makes decisions. Some decisions are made by the authority's planning committee, while many are delegated to officers. Central to the decision-making process are material considerations – issues that are, in law, material or relevant to a planning application. Such matters must be considered when making a recommendation on a planning application.

Material considerations include:

- a development plan (including the local plan or neighbourhood plan)
- a site's planning history (including earlier applications)
- accessibility
- traffic
- roads and parking
- archaeology
- a neighbourhood or community plan or design statement.

Councillors must understand that their personal feelings about the application, or the applicant, are not relevant. It is the wider public interest in respect of the planning application that is important.

The planning authority (not the local council) is responsible for development control, where development is managed through planning applications. The local council's local knowledge, combined with a sound understanding of the planning process, means that its views are more likely to be heard by the planning authority. As one planning officer observed, *“There are those local councils who understand the system and have influence... and there are those (the majority) that don't.”*

Local councils can spend hours on development control and forget that it is equally important to influence the policies of the planning authority. The most important policies are contained in the planning authority's development plan. If your council did not participate when the development plan was discussed, then they may be unpleasantly surprised when those proposals become planning applications, by which time it is too late to make valid objections.

A design statement can be a supplement to the planning authority's policies and can influence development control. Once accepted by the planning authority it becomes a supplementary planning document (SPD). The benefit of having a design statement adopted as an SPD is that the planning authority must consider it as a material consideration when making decisions. This gives the council and its community considerable power.

Through the Localism Act 2011, the Government introduced two new ways in which local councils can influence planning in their area:

- neighbourhood plan
- community (neighbourhood) development orders.

NEIGHBOURHOOD PLANS

A neighbourhood plan is a local development plan for a specific place. It is drawn up by the local community (which includes a local council where one exists) working with the planning authority, and is approved by an independent inspector before going to a community referendum.

Once a neighbourhood plan has demonstrated that it conforms with the strategic policies of the Local Plan and

is brought into force by the planning authority, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict. Councillors need to be aware that a neighbourhood plan cannot seek to prevent the development of an area, only what type of development it is and where, otherwise it will not be formalised by the planning authority.

Neighbourhood plans help to shape and direct sustainable development in local areas and can give local communities more say about where new homes are built and what they should look like; e.g. to allocate land for industry and leisure, or set retail and infrastructure policies. Once in place, a neighbourhood plan gives your community more control over the way in which your area develops; a neighbourhood plan becomes part of the development plan which will be used by the local planning authority when determining planning applications.

In addition, with the introduction of the Community Infrastructure Levy (CIL) system, local councils who have approved neighbourhood plans are entitled to 25% of CIL receipts and can decide for themselves how to spend the money on local infrastructure. Importantly, though, this only applies where the higher authority has adopted the CIL, and not all have.

For more information on neighbourhood planning, go to www.gov.uk/guidance/neighbourhood-planning--2.

Has your council been involved in the development of a neighbourhood plan? If not, is it considering doing so?

Has the local planning authority adopted the Community Infrastructure Levy system?

THE COMMUNITY RIGHT TO BUILD

Community Development Orders, also known as the ‘right to build’, give local councils and community groups the right to propose small-scale, site-specific, community-led developments. This right allows communities to build new homes, shops, businesses, or facilities where they want them, without going through the normal planning application route. Any project built under the community right to build is managed by the local council or community group. The community right to build enables the community to design its own development. The process (including a referendum) gives the local community control over the decision to grant planning permission.

To get approval for a neighbourhood plan or a community development order, the local council must:

- work with the local planning authority
- take expert advice to ensure that the plan or order complies with national planning policies and strategic elements of the local plan
- engage fully with all parts of the local community
- seek approval from an independent inspector
- gain support from at least 50% of local people voting in a referendum.



LOCAL COUNCIL AWARD SCHEME

The Local Council Award Scheme is an accreditation scheme that helps councils confirm they have sound processes in place for good governance, for community engagement and for developing their council. The Local Council Award Scheme has been designed to celebrate the successes of the very best local councils, and to provide a framework to support all local councils to meet their full potential.

It is only through the sector working together to share best practice, drive up standards and support those who are committed to improving their offer to their communities that individual councils and the sector will reach their full potential. There are three award levels.

FOUNDATION AWARD

Even the smallest local council can achieve the Foundation Award, if they are doing everything correctly and within the legal framework. Having the Foundation Award is a useful tool in assuring any doubters that the council is doing everything correctly.

Councils achieving the Foundation Award demonstrate that they have all the documentation and information in place for operating lawfully and according to standard practice, building a foundation for improvement and development (including adherence to the appropriate transparency code, where applicable).

QUALITY AWARD

To achieve the Quality Award, a council demonstrates that it meets all requirements for the foundation award and has additional documentation and information in place for good governance, effective community engagement and council improvement. The Quality Award also testifies that a council is eligible to use the General Power of Competence.

QUALITY GOLD AWARD

Councils achieving the Quality Gold Award demonstrate that they meet all requirements of the foundation and quality awards and are at the forefront of best practice by achieving an excellent standard in community governance, community leadership and performance management.

You can find out more about the Local Council Award Scheme by contacting your county association or visiting NALC's website.

HINTS AND TIPS ON AVOIDING THE POTENTIAL PITFALLS OF BEING A COUNCILLOR

Even in the best councils, things go wrong – so one of the most useful resources is the council's clerk. Trained clerks can recognise when something needs attention, and if they cannot fix the problem, they will know someone who can.

Ask the clerk to the council if they keep a record of continuous professional development to ensure they are up to date with the local council legal framework. Of course, the council should have a Development Policy for both staff and councillors and have an adequate training budget, as a well-trained team prevents many of the problems that can arise.

Risk management allows your council to anticipate where breakdowns and accidents might occur. For example, it is unhelpful if the clerk and councillors, including the chair:

- are unsure of their respective roles, duties, and responsibilities
- do not work as a team or respect each other's roles
- do not communicate with each other
- concentrate on scoring points or playing party politics (which is not relevant at this level of local government).

Furthermore, the council will have difficulty if it:

- allows one person or a small group of councillors to dominate its work
- allows a councillor, including the chair, to make decisions on its behalf

- does not listen to and communicate with its community, other local councils, principal authorities, and outside bodies
- does not have written contracts of employment
- does not keep its records in order
- lacks a robust system of financial control
- does not manage meetings effectively
- is not well-informed on topics to be discussed
- ignores or antagonises the press.

Everyone in the team is responsible for checking that the council avoids these dangers; ultimately the council is liable. By contrast, well-prepared and well-informed councillors avoid difficulties and spend their energies on serving their communities.

BE PREPARED

LIST OF LEGAL POWERS AND DUTIES

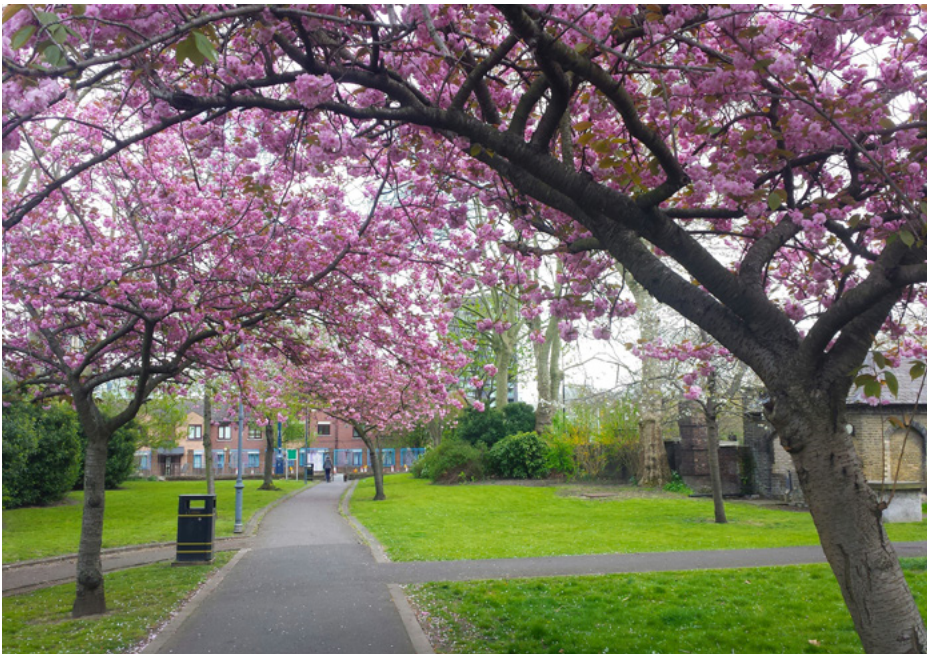
For councils without the GPC, here is a list of powers and functions to help you appreciate the wide range of activities covered by Acts of Parliament. It is a useful reference when you need to know if the local council has permission to act but note, no list can be totally comprehensive.

Function	Powers & Duties	Statutory Provisions
Allotments	Powers to provide allotments. Duty to provide allotment gardens if demand unsatisfied and if reasonable to do so	Small Holding & Allotments Act 1908, s.23
Borrowing money	Power for councils to borrow money for their statutory functions or for the prudent management of their financial affairs	Local Government Act 2003, Schedule 1, para. 2
Baths (public)	Power to provide public swimming baths	Public Health Act 1936, s.221
Burial grounds, cemeteries and crematoria	Power to acquire and maintain	Open Spaces Act 1906, Sections 9 and 10
	Power to provide	Local Government Act 1972, s.214
	Power to contribute towards expenses of cemeteries	Local Government Act 1972, s.214 (6)
Bus Shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provision) Act 1953, s.4

Function	Powers & Duties	Statutory Provisions
Byelaws	Power to make byelaws for: Places of public recreation	Public Health Act 1875, s.164
	Cycle parks	Road Traffic Regulation Act
	Public swimming baths	Public Health Act 1936, s.223
	Open spaces and burial grounds	Open Spaces Act 1906, s.15
	Mortuaries and post-mortem rooms	Public Health Act 1936, s.198
Charities	Duties in respect of parochial charities	Charities Act 2011, ss.298–303
	Power to act as charity trustees	Local Government Act 1972,bs.139 (1)
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed Churchyards	Powers to maintain	Local Government Act 1972, s.215
Commons and common pastures	Powers in relation to inclosure, regulation, management and provision of common pasture	Inclosure Act 1845; Small Holdings and Allotments Act 1908, s.34
Conference facilities	Power to provide and encourage use of facilities	Local Government Act 1972, s.144

Function	Powers & Duties	Statutory Provisions
Community Centres	Power to provide and equip buildings for use of clubs having athletic, social or educational objectives	Local Government Act 1972 (Miscellaneous Provisions) Act 1976 s.19
	Power to acquire, provide and furnish community buildings for public meetings and assemblies	Local Government Act 1972, s.133
Crime Prevention	Power to spend money on crime detection and prevention measures	Local Government and Rating Act 1997, s.31
Ditches and ponds	Power to drain and maintain ponds and ditches to prevent harm to public health	Public Health Act 1936, s.260
Duties		
Entertainment and the arts	Provision of entertainment and support of the arts	Local Government Act 1972. s.145
Environment	Power to issue fixed penalty notices for litter, graffiti and offences under dog control orders	Clean neighbourhoods and Environment Act 2005, s.19, s.30, Part 6

Function	Powers & Duties	Statutory Provisions
General Power of Competence	Power for an eligible council to do anything subject to statutory prohibitions, restrictions and limitations which include those in place before or after the introduction of the general power of competence	Localism Act 2011, ss.1–8
Gifts	Power to accept	Local Government Act 1972, s.139



Phil Lev/unsplash

Function	Powers & Duties	Statutory Provisions
Highways	Power to repair and maintain public footpaths and bridle-ways.	Highways Act 1980, ss.43, 50
	Power to light roads and public places	Parish Councils Act 1957, s.3; Highways Act 1980, s.301
	Power to provide parking places for vehicles, bicycles and motor cycles.	Road Traffic Regulation Act 1984, ss.57, 63
	Power to enter into agreement as to dedication and widening	Highways Act 1980, ss.30, 72
	Power to provide roadside seats and shelters	Parish Councils Act 1957, s.1
	Power to consent to a local highway authority stopping maintenance of a highway or stopping up/ diverting a highway	Highways Acts 1980, ss.47, 116
	Power to complain to district council about the protection of rights of way and roadside waste	Highways Act 1980, s.130
	Power to provide certain traffic signs and other notices	Road Traffic Regulation Act 1984, s.72
	Power to plant trees and shrubs and to maintain roadside verges	Highways Act 1980, s.96

Function	Powers & Duties	Statutory Provisions
Honorary Titles	Power to admit to be honorary freemen/ freewomen of the council's area persons of distinction and persons who have, in the opinion of the authority, rendered eminent services to that place or area.	Local Government Act 1972, s.249
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11
Land	Power to acquire by agreement, to appropriate, to dispose of Power to accept gifts of land	Local Government Act 1972, ss.124, 126, 127
Litter	Provision of bins	Litter Act, 1983, ss.5, 6
Lotteries	Powers to promote	Gambling Act 2005, s.252, 258
Markets	Power to establish or acquire by agreement markets within the council's area and provide a market place and market building	Food Act 1984, s.50
Mortuaries and post-mortem rooms	Power to provide mortuaries and post-mortem rooms	Public Health Act 1936, s.198

Function	Powers & Duties	Statutory Provisions
Neighbourhood Planning	Powers to act as lead body for a neighbourhood development plan or a neighbourhood development order	Localism Act 2011, Schedule 9; Town and County Planning Act 1990, ss. 61E-61Q, Schedule 4B; Planning and Compulsory Purchase Act 2004, s.38A
Newsletter	Power to provide information relation to matters affecting local government	Local Government Act 1972, s.142
Nuisances	Power to deal with offensive ditches	Public Health Act 1936, s. 260
Open spaces	Power to acquire and maintain land for public recreation	Public health Act 1875, s.164
	Power to acquire and maintain land for open spaces	Open spaces act 1906, ss.9 and 10
Parish Property and documents	Power to receive and retain	Local Government Act 1972, s.226
	Duty to deposit certain published works in specific deposit libraries	Legal Deposit Libraries Act 2003, s.1
Public buildings and village hall	Power to acquire and provide buildings for public meetings and assemblies	Local Government Act 1972, s.133
Public Conveniences	Power to provide	Public Health Act 1936, s.87

Function	Powers & Duties	Statutory Provisions
Recreation	Power to provide a wide range or recreational facilities	Local Government (Miscellaneous Provisions) Act 1976, s.19
	Provision of boating pools	Public Health Act 1961, s.54
Right to challenge services that are provided by a principal authority	The right to submit an interest in running a service provided by a district, county or unitary authority	Localism Act 2011, ss.81–86
Right to nominate and bid for assets of community value	The right to nominate assets to be added to a list of assets of community value and the right to bid to buy a listed asset when it comes up for sale	Localism Act 2011, ss.87–108
Town and Country Planning	Right to be notified of planning applications if right has been requested	Town and Country Planning Act 1990, Sched. 1, para.8
Tourism	Power to encourage tourism to the council's area	Local Government Act 1972, s.144
Traffic Calming	Power to contribute financially to traffic calming schemes	Local Government and Rating Act 1997, s.30
Transport	Powers to spend money on community transport schemes	Local Government and Rating Act 1997, s.26–29

Function	Powers & Duties	Statutory Provisions
War memorials	Power to maintain, repairs, protect and adapt war memorials	War Memorials (Local Authorities' Power) Act 1923, s.1
Water	Power to utilise wells, springs or streams for obtaining water	Public Health Act 1936, s.125
Websites	Power for councils to have their own websites	Local Government Act 1972, s.142

DOCUMENTS KEPT BY COUNCILLORS

All councillors are advised to keep all these important documents (if they exist) to hand. Are the versions you have been supplied with up to date? Do not worry if your council does not have all this information; it can be assembled over time, and you can play a role in offering to assist in the process. You might also need to know:

- the size of the population of the parish and how the population is made up
- the size of the electorate (different from the population)
- how much an average household pays in council tax to the local council
- contact details of principal authority councillors
- contact details of local organisations.

Document kept... (on website / in personal file)	to be updated/ developed?
The Code of Conduct	
The financial regulations (reviewed annually)	
The standing orders (reviewed annually)	
A map of the parish	
Statement of community engagement	
Communication strategy	
Social media policy	
Equal opportunities policy	
Health and safety	

Document kept...
(on website / in personal file)

to be updated/
developed?

Publication scheme for the Freedom of Information Act

Procedures for emergencies

Grievance and disciplinary procedures

Bullying and harassment (dignity at work) policy

The planning authority's development control and planning policies

DOCUMENTS KEPT BY CLERKS

The clerk will keep the following documents; we suggest you ask to read them:

- risk assessment policy
- assets register (list of property)
- leases
- insurance policies
- the cash book for recording receipts and payments
- schedule of council charges and fees for services and facilities
- partnership agreements
- planning documents (including the parish plan and/or neighbourhood plan) for the locality



HOW TO AVOID COMMUNICATIONS PITFALLS

Remember that if a resident demands a subject access report through the Freedom of Information Act, technically everything a councillor has said about them on social media, in emails, on WhatsApp etc. will need to be provided to that individual by law. Councillors are putting themselves at risk if any communications they have sent have not been civil and polite.

EMAILS

Check that any emails on council business are sent and received through an email account specifically and only used for council business (not a personal email account, and never through a shared email address).

SOCIAL MEDIA

If councillors want to use social media as an individual (separate from the council's own account) they must use extreme caution, as the Code of Conduct, standards in public life and data protection rules still apply.

For more guidance go to [local.gov.uk/our-support/communications-and-community-engagement/social-media-guidance-councillors](https://www.local.gov.uk/our-support/communications-and-community-engagement/social-media-guidance-councillors).

We hope you find this guide useful and, most importantly, that you enjoy your work as a councillor making a difference in the community that you serve.

SOURCES OF FURTHER INFORMATION

SECTOR-SPECIFIC ADVICE

For further information and the other Good Councillor Guides go to www.nalc.gov.uk/publications, there you will find guidance on being an employer, finance and transparency, transport planning, community business, and cyber security.

Under no circumstances should you use search engines for information, or just copy the practices of another council, as there are no guarantees that these sources are correct or suitable for the local council of which you are a member.

Whereas the principal tier authorities can provide general advice on areas of expertise that a local council might also be involved with, they are not responsible for local council activity. Moreover, they operate under their own legal framework, some of which is not appropriate for the local council sector.

If an officer chooses to join the Association of Local Council Clerks (ALCC), which is a Trade Union, this has to be a personal expense and cannot be paid for by the council that employs them.

Local councils in their County Association and NALC have access to a wide range of expert, sector-specific support and advice, and strengthen the national voice and impact of the sector. County Associations should be the council's first port of call for queries and advice.

Clerks can become members of the SLCC, who provide training, advice, and support to clerks. NALC and SLCC have a joint protocol to work together to promote the best interests of the local council sector and its employees and their contribution to the wellbeing of communities. We believe councils are best supported where the council is in membership of their local county association and NALC, and the clerk is in membership of the SLCC.



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Other guides in this series include:

The Good Councillor's guide

The Good Councillor's guide to community business

The Good Councillor's guide to cyber security

The Good Councillor's guide to finance and transparency

The Good Councillor's guide to neighbourhood planning

The Good Councillor's guide to transport planning

Ash Parish Council – Policies List 2025 not currently on website

Grant Awarding Policy

Press & Media Policy

Anti-bullying Policy Communications
Policy

Data Retention Policy

Co-Option Policy

Privacy Policy

Internal Audit Plan

Social Media Policy

Financial Regulations

Document retention/disposal Policy

Home Working Policy

Disciplinary Policy

Website Privacy Policy

MODEL FINANCIAL REGULATIONS FOR LOCAL COUNCILS

This Model Financial Regulations template was produced by the National Association of Local Councils (NALC) in March 2025 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.

Notes to assist in the use of this template:

- 1) This document is a model for councils of all sizes to use to develop their own financial regulations, suitable for the size of the council and the activities it undertakes.
- 2) Bold text indicates legal requirements, which a council cannot change or suspend.
- 3) For the rest, each council needs to adapt the model to suit its size and structure. For example, some councils have both a clerk and RFO, possibly with several more staff, while others have a single employee as clerk/RFO. Some councils have committees, some have a high level of delegation and some make all decisions at full council meetings. Many now use online payment methods, but others still rely on cheques.
- 4) Curly brackets indicate words, sentences or sections that can be removed if not applicable, or amended to fit the council's circumstances. An example of this is the phrase {or duly delegated committee}, which can be deleted if there are no committees.
- 5) Specific areas that may need adapting:
 - a) In 1.5 – is the Clerk the RFO?
 - b) In 3.3 and 3.4, the words “Governance and Accountability” do not apply in Wales
 - c) In section 4, does the council have committees and how many years are forecast?
 - d) In 5.6, does the council issue an open invitation to tender, or invite specific firms?
 - e) In 5.9, are online prices acceptable evidence?
 - f) In 5.13, 5.15 and 5.17, does the council have committees?
 - g) In 5.16, will a councillor ever be instructed to place an order?
 - h) In 5.20, is there a minimum level for official orders?
 - i) Section 6 includes several alternatives to cover delegation to committees or to officers, approval of invoices individually or in batches, or for approval of regular contractual payments at the beginning of the year.
 - j) Sections 7, 8 and 9 also includes several alternatives, including wording for where the clerk is a signatory. These are intended to allow a council's financial regulations to fit what they actually do, not to force any council to change what they do.
 - k) Section 10 gives two alternatives, with or without petty cash.
 - l) 13.6 has alternatives for VAT-registered and unregistered councils – only use one.
 - m) 13.7 and 13.8 are removable if they don't apply to the council.

- n) Much of Section 16 can be deleted if not applicable.
 - o) 17.3, is the Clerk the RFO or will the RFO consult the Clerk?
- 6) Square brackets indicate where the council needs to specify who, or how much, or what the timescale is. For example [£500] might need to be £100, or [October] might need to be November, or [the council] might need to say the Policy and Resources Committee.
- a) In 4.1 and 4.7, select the wording for England or Wales, based on your location.
 - b) In Section 4, the council needs to determine the timescale for its budget setting.
- 7) It is challenging to try to offer guidance on setting financial limits. A council spending £1,000 a year is unlikely to delegate authority to spend £500 to its proper officer, but one spending £5 million a year might regard £5,000 as a reasonable limit. Each council needs to determine its own limits, that help, rather than hinder, its operations.
- 8) Key limits to set:
- a) In 5.6, at what limit will the council require a formal tender process to ensure fair competition, rather than just asking for quotes? If this is set too low, it may discourage suppliers. Many small councils might only use formal tenders once every few years.
 - b) In 5.8, at what limit will the council require fixed-price quotes rather than estimates?
 - c) In 5.9, at what level can smaller purchases be made without competition?
 - d) In 5.15, at what level can purchases be made under delegated authority (having complied with the rules about obtaining prices)?
 - e) In 5.18, how much can the clerk commit to spending in an emergency?
 - f) In 6.9, can payment of invoices (for purchases that have already been authorised) be authorised by an officer under delegated authority as a general principle, or only to avoid problems?
 - g) In Section 9, what are the limits for card payments?
 - h) In 16.5, what value of assets can be bought or disposed of, without seeking council approval?
- 9) The contents list is a table that extracts section headings from the document. It can be updated by clicking on the contents list, whereupon a tab saying “update table” appears at the top of the list.
- 10) Once this model has been tailored to fit the council’s needs, the resulting Financial Regulations (with the insertion of the council’s name at the top) should be adopted at a meeting of the full council. The date of adoption should be inserted below the Contents. Any subsequent proposal for amendment should also be made to the full council.
- 11) The council should keep abreast of developments in legislation that affect the local council sector and should review and update its Financial Regulations annually.
- 12) Please ensure that the latest approved version is published on the council’s website.

ASH PARISH COUNCIL FINANCIAL REGULATIONS

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These Financial Regulations were adopted by the council at its meeting held on 07th April 2025~~[enter date]~~.

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1. General

- 1.1. These Financial Regulations govern the financial management of the council and may only be amended or varied by resolution of the council. They are one of the council's governing documents and shall be observed in conjunction with the council's Standing Orders.
- 1.2. Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of councillor into disrepute.
- 1.3. Wilful breach of these regulations by an employee may result in disciplinary proceedings.
- 1.4. In these Financial Regulations:
 - 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
 - "Approve" refers to an online action, allowing an electronic transaction to take place.
 - "Authorise" refers to a decision by the council, or a committee or an officer, to allow something to happen.
 - 'Proper practices' means those set out in *The Practitioners' Guide*
 - *Practitioners' Guide* refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council Clerks in Wales.
 - 'Must' and **bold text** refer to a statutory obligation the council cannot change.
 - 'Shall' refers to a non-statutory instruction by the council to its members and staff.
- 1.5. ~~The Responsible Financial Officer (RFO) holds a statutory office, appointed by the council.~~ The Clerk has been appointed as RFO and these regulations apply accordingly. 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 control systems;
 - ensures the accounting control systems are observed;
 - ensures the accounting records are kept up to date;
 - seeks economy, efficiency and effectiveness in the use of council resources; and
 - produces financial management information as required by the council.
- 1.6. **The council must not delegate any decision regarding:**

- **setting the final budget or the precept (council tax requirement);**
- **the outcome of a review of the effectiveness of its internal controls**
- **approving accounting statements;**
- **approving an annual governance statement;**
- **borrowing;**
- **declaring eligibility for the General Power of Competence; and**
- **addressing recommendations from the internal or external auditors**

1.7. In addition, the council shall:

- determine and regularly review the bank mandate for all council bank accounts;
- authorise any grant or single commitment in excess of ~~£5,000~~; **Do you want to amend this amount?**

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2. Risk management and internal control

- 2.1. **The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.**
- 2.2. The Clerk/~~RFO [with the RFO]~~ shall prepare, for approval by Ash Parish Council [the council], a risk management policy covering all activities of the council. This policy and consequential risk management arrangements shall be reviewed by the council at least annually.
- 2.3. When considering any new activity, the Clerk/~~RFO [with the RFO]~~ shall prepare a draft risk assessment including risk management proposals for consideration by the council.
- 2.4. **At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**
- 2.5. **The accounting control systems determined by the RFO must include measures to:**
 - **ensure that risk is appropriately managed;**
 - **ensure the prompt, accurate recording of financial transactions;**
 - **prevent and detect inaccuracy or fraud; and**
 - **allow the reconstitution of any lost records;**
 - **identify the duties of officers dealing with transactions and**
 - **ensure division of responsibilities.**
- 2.6. At ~~every meeting, least [once in each quarter]~~, and at each financial year end, a member other than the Chair ~~{or a cheque signatory}~~ shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign and date the reconciliations and the original bank statements (or similar document)

as evidence of this. This activity, including any exceptions, shall be reported to and noted by the council. ~~{Finance Committee}~~.

- 2.7. Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.

3. Accounts and audit

- 3.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.
- 3.2. **The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:**
 - **day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;**
 - **a record of the assets and liabilities of the council;**
- 3.3. The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual ~~{Governance and Accountability}~~ Return.
- 3.4. The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual ~~{Governance and Accountability}~~ Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the council, within the timescales required by the Accounts and Audit Regulations.
- 3.5. **The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**
- 3.6. **Any officer or member of the council must make available such documents and records as the internal or external auditor consider 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.
- 3.7. The internal auditor shall be appointed by Ash Parish Council [the council] and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.
- 3.8. The council shall ensure that the internal auditor:
 - is competent and independent of the financial operations of the council;
 - reports to council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;

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

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

- perform any operational duties for the council;
- initiate or approve accounting transactions;
- provide financial, legal or other advice including in relation to any future 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.

3.10. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.

3.11. 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 documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

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

4. Budget and precept

4.1. **Before setting a precept, the council must calculate its [council tax (England)/budget (Wales)] requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.**

4.2. Budgets for salaries and wages, including employer contributions shall be reviewed by Ash Parish Council [the council] at least annually in December~~October~~ for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the Clerk and the ~~{Chair of the Council or relevant committee}~~. {The RFO will inform committees of any salary implications before they consider their draft budgets.}

4.3. No later than December~~month~~ each year, the RFO shall prepare a draft budget with detailed estimates of all [receipts and payments/income and expenditure] for the following financial year ~~{along with a forecast for the following [three financial years]}~~, taking account of the lifespan of assets and cost implications of repair or replacement.

4.4. Unspent budgets for completed projects shall not be carried forward to a subsequent year. {Unspent funds for partially completed projects may only be

carried forward (by placing them in an earmarked reserve) with the formal approval of the full council.}

~~4.5. Each committee (if any) shall review its draft budget and submit any proposed amendments to the council {finance committee} not later than the end of {November} each year.~~

~~4.6-4.5.~~ The draft budget {with any committee proposals and [three-year]} forecast, including any recommendations for the use or accumulation of reserves, shall be considered by the {finance committee and a recommendation made to the} council.

~~4.7-4.6.~~ Having considered the proposed budget and [three-year] forecast, the council shall determine its [council tax (England)/budget (Wales)] requirement by setting a budget. The council shall set a precept for this amount no later than ~~the end of January~~ or date advised by Somerset Council for the ensuing financial year.

~~4.8-4.7.~~ **Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must disclose at the start of the meeting that Section 106 applies to them.**

~~4.9-4.8.~~ The RFO shall **issue the precept to the billing authority no later than the end of February** or date advised by Somerset Council and supply each member with a copy of the agreed annual budget.

~~4.10-4.9.~~ The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.

~~4.11-4.10.~~ Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the council ~~{or relevant committee}~~.

5. Procurement

- 5.1. **Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.
- 5.2. The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.
- 5.3. Every contract shall comply with the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.
- 5.4. **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Procurement Act 2023 and The Procurement Regulations 2024 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award and notification of that contract.**
- 5.5. Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:

- 5.6. For contracts estimated to exceed [£60,000] including VAT, the Clerk/RFO shall {seek formal tenders from at least [three] suppliers agreed by [the council]} ~~OR~~ ~~{advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation}~~. Tenders shall be invited in accordance with Appendix 1.
- 5.7. **For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation regarding the publication of invitations and notices.**
- 5.8. For contracts greater than [£3,000] excluding VAT the Clerk/~~for RFO~~ shall seek at least ~~[23]~~ fixed-price quotes;
- 5.9. where the value is between [£500] and [£3,000] excluding VAT, the Clerk/RFO/~~for RFO~~ shall try to obtain ~~23~~ estimates {which might include evidence of online prices, or recent prices from regular suppliers.}
- 5.10. For smaller purchases, ~~{the clerk}~~ shall seek to achieve value for money.
- 5.11. **Contracts must not be split to avoid compliance with these rules.**
- 5.12. The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:
- i. specialist services, such as legal professionals acting in disputes;
 - ii. repairs to, or parts for, existing machinery or equipment;
 - iii. works, goods or services that constitute an extension of an existing contract;
 - iv. goods or services that are only available from one supplier or are sold at a fixed price.
- 5.13. When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the council {or relevant committee}. Avoidance of competition is not a valid reason.
- 5.14. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- 5.15. Individual purchases within an agreed budget for that type of expenditure may be authorised by:
- ~~{the Clerk}~~, under delegated authority, for any items below ~~{£500}~~ excluding VAT.
 - the Clerk, in consultation with the Chair of the Council ~~{or Chair of the appropriate committee}~~, for any items below ~~{£2,000}~~ excluding VAT.
 - ~~{a duly delegated committee of the council for all items of expenditure within their delegated budgets for items under [£5,000] excluding VAT}~~
 - {in respect of grants, a duly authorised committee within any limits set by council and in accordance with any policy statement agreed by the council.}
 - the council for all items over [£5,000];

Such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail.

- 5.16. No individual member, or informal group of members may issue an official order {unless instructed to do so in advance by a resolution of the council} or make any contract on behalf of the council.
- 5.17. No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the council {or a duly delegated committee acting within its Terms of Reference} except in an emergency.
- 5.18. In cases of serious risk to the delivery of council services or to public safety on council premises, the clerk may authorise expenditure of up to ~~£2,000~~ excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair as soon as possible and to Ash Parish Council [the council] as soon as practicable thereafter.
- 5.19. No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless [the council] is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.
- 5.20. An official order or letter shall be issued for all work, goods and services {above ~~£250~~ excluding VAT} unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.
- 5.21. Any ordering system can be misused and access to them shall be controlled by ~~the RFO~~;

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6. Banking and payments

- 6.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the council; banking arrangements shall not be delegated to a committee. The council has resolved to bank with Lloyds Bank plc ~~[name bank]~~. The arrangements shall be reviewed ~~[annually]~~ for security and efficiency.
- 6.2. The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.
- 6.3. All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the council before being certified by ~~the RFO~~. {Where the certification of invoices is done as a batch, this shall include a statement by the RFO that all invoices listed have been 'examined, verified and certified' by the RFO}.

- 6.4. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.
- 6.5. All payments shall be made by ~~{online banking/cheque}~~, in accordance with a resolution of the council ~~{or duly delegated committee}~~ for a delegated decision by an officer, unless Ash Parish Council [the council] resolves to use a different payment method.
- 6.6. {For each financial year {the RFO} may draw up a schedule of regular payments due in relation to a continuing contract or obligation (such as Salaries, PAYE, National Insurance, pension contributions, rent, rates, regular maintenance contracts and similar items), which the council ~~{or a duly delegated committee}~~ may authorise in advance for the year}.
- 6.7. {A copy of this schedule of regular payments shall be signed by ~~{two members}~~ on each and every occasion when payment is made - to reduce the risk of duplicate payments.}
- 6.8. ~~{A list of such payments shall be reported to the next appropriate meeting of the council or Finance Committee} for information only.~~
- 6.9. The Clerk ~~and~~ RFO shall have delegated authority to authorise payments {only} in the following circumstances:
- i. {any payments of up to £500 excluding VAT, within an agreed budget}.
 - ii. payments of up to £2,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.
 - iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 {or to comply with contractual terms}, where the due date for payment is before the next scheduled meeting of [the 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}~~.
 - iv. Fund transfers within the councils banking arrangements up to the sum of £540,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council ~~{or finance committee}~~.
- 6.10. The RFO shall present a schedule of payments requiring authorisation, forming part of the agenda for the meeting, together with the relevant invoices, to the council ~~{or finance committee}~~. The council ~~{or committee}~~ shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution. The authorised schedule shall be initialled immediately below the last item by the person chairing the meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting.

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7. Electronic payments

- 7.1. Where internet banking arrangements are made with any bank, ~~{the RFO}~~ shall be appointed as the Service Administrator. The bank mandate agreed by the council

- shall identify ~~the~~ number of ~~the~~ councillors who will be authorised to approve transactions on those accounts and a minimum of two people will be involved in any online approval process. ~~The Clerk may be an authorised signatory, but no signatory should be involved in approving any payment to themselves.~~
- 7.2. All authorised signatories shall have access to view the council's bank accounts online.
 - 7.3. No employee or councillor shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.
 - 7.4. The Service Administrator shall set up all items due for payment online. A list of payments for approval, together with copies of the relevant invoices, shall be sent ~~by email~~ to ~~two~~ authorised signatories.
 - 7.5. In the prolonged absence of the Service Administrator ~~an authorised signatory~~ shall set up any payments due before the return of the Service Administrator.
 - 7.6. Two ~~councillors who are~~ authorised signatories shall check the payment details against the invoices before approving each payment using the online banking system.
 - 7.7. Evidence shall be retained showing which members approved the payment online ~~and a printout of the transaction confirming that the payment has been made shall be appended to the invoice for audit purposes~~.
 - 7.8. A full list of all payments made in a month shall be provided to the next ~~council~~ meeting ~~and appended to the minutes~~.
 - 7.9. With the approval of Ash Parish Council [the council] in each case, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are ~~signed/approved online~~ by ~~two authorised members~~. The approval of the use of each variable direct debit shall be reviewed by Ash Parish Council [the council] at least every two years.
 - 7.10. Payment may be made by BACS or CHAPS by resolution of Ash Parish Council [the council] provided that each payment is approved online by ~~two authorised bank signatories~~, evidence is retained and any payments are reported to Ash Parish Council [the council] at the next meeting. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
 - 7.11. If thought appropriate by the council, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed ~~or approved online~~ by ~~two members~~, evidence of this is retained and any payments are reported to council when made. The approval of the use of a banker's standing order shall be reviewed by Ash Parish Council [the council] at least every two years.
 - 7.12. Account details for suppliers may only be changed upon written notification by the supplier verified by ~~two of the Clerk and~~ ~~the RFO &~~ [a member]. This is a

potential area for fraud and the individuals involved should ensure that any change is genuine. Data held should be checked with suppliers every ~~[two years]~~.

- 7.13. Members and officers shall ensure that any computer used for the council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.
- 7.14. Remembered password facilities (other than secure password stores requiring separate identity verification) should not be used on any computer used for council banking.

8. Cheque payments

- ~~8.1. Cheques or orders for payment in accordance with a resolution or delegated decision shall be signed by [two members] (and countersigned by the Clerk).~~
- ~~8.2. A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.~~
- ~~8.3. To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil and invoice.~~
- ~~8.4. (Cheques or orders for payment shall not normally be presented for signature other than at, or immediately before or after a council (or committee) meeting). Any signatures obtained away from council meetings shall be reported to the council (or Finance Committee) at the next convenient meeting.~~

9. Payment cards

- 9.1. Any Debit Card issued for use will be specifically restricted to ~~[the Clerk/and the RFO]~~ and will also be restricted to a single transaction maximum value of ~~[£500]~~ unless authorised by council ~~or finance committee~~ in writing before any order is placed.
- ~~9.2. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by [the council]. Transactions and purchases made will be reported to [the council] and authority for topping-up shall be at the discretion of [the council].~~
- ~~9.3. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk (and RFO) (specify other officers) and any balance shall be paid in full each month.~~
- 9.4.9.2. Personal credit or debit cards of members or staff shall not be used ~~(under any circumstances.)~~ OR ~~(except for expenses of up to [£250] including VAT, incurred in accordance with council policy.)~~

~~10. Petty Cash~~

- ~~10.1. (The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the Clerk (or RFO) (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.) OR (The RFO shall maintain a petty cash [float/imprest account] of [£250]~~

and may provide petty cash to officers for the purpose of defraying operational and other expenses.

- a) ~~Vouchers for payments made from petty cash shall be kept, along with receipts to substantiate every payment.~~
- b) ~~Cash 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 any schedule of payments presented for approval.~~

44.10. Payment of salaries and allowances

44.1.10.1. As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.

44.2.10.2. Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.

44.3.10.3. Salary rates shall be agreed by the council, or a duly delegated committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the council ~~{or relevant committee}~~.

44.4.10.4. Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.

44.5.10.5. Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.

44.6.10.6. Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record, with the total of such payments each calendar month reported in the cashbook. Payroll reports will be reviewed by the Council ~~[the finance committee]~~ to ensure that the correct payments have been made.

44.7.10.7. Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council.

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

42.11. Loans and investments

42.1.11.1. Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.

42.2.11.2. Any financial arrangement which does not require formal borrowing approval from the ~~[Secretary of State/Welsh Assembly Government]~~ (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the full council, following a written report on the value for money of the proposed transaction.

~~42.3-11.3.~~ The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

~~42.4-11.4.~~ All investment of money under the control of the council shall be in the name of the council.

~~42.5-11.5.~~ All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

~~42.6-11.6.~~ Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

~~43-12.~~ Income

~~43.1-12.1.~~ The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.

~~43.2-12.2.~~ The council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process, following a report of the Clerk. ~~{The RFO}~~ shall be responsible for the collection of all amounts due to the council.

~~43.3-12.3.~~ Any sums found to be irrecoverable and any bad debts shall be reported to the council by [the RFO] and shall be written off in the year. The council's approval shall be shown in the accounting records.

~~43.4-12.4.~~ All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.

~~43.5-12.5.~~ Personal cheques shall not be cashed out of money held on behalf of the council.

~~43.6-12.6.~~ ~~{The RFO shall ensure that VAT is correctly recorded in the council's accounting software and that any VAT Return required is submitted from the software by the due date}. OR {Any repayment claim under section 33 of the VAT Act 1994 shall be made {quarterly where the claim exceeds [£100] and} at least annually at the end of the financial year.}~~

~~43.7-12.7.~~ ~~{Where significant sums of cash are regularly received by the council, the RFO shall 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 record such as ticket issues, and that appropriate care is taken for the security and safety of individuals banking such cash.}~~

~~43.8-12.8.~~ ~~{Any income that is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority)}~~

will be given by the Managing Trustees of the charity meeting separately from any council meeting.}

44.13. Payments under contracts for building or other construction works

44.1-13.1. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.

44.2-13.2. Any variation of, addition to or omission from a contract must be authorised by [the Clerk] to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

45.14. Stores and equipment

45.1-14.1. {[The officer in charge of each section] shall be responsible for the care and custody of stores and equipment [in that section].}

45.2-14.2. 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.

45.3-14.3. {Stocks shall be kept at the minimum levels consistent with operational requirements.}

45.4-14.4. {The RFO shall be responsible for periodic checks of stocks and stores, at least annually.}

46.15. Assets, properties and estates

46.1-15.1. The Clerk shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.

46.2-15.2. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their 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.

46.3-15.3. 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.

46.4-15.4. No interest in land 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. In each case a written report 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 where required by law).

~~46.5-15.5.~~ 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, except where the estimated value of any one item does not exceed [£500]. In each case a written report shall be provided to council with a full business case.

~~47-16.~~ Insurance

~~47.1-16.1.~~ The RFO shall keep a record of all insurances effected by the council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the council's review of risk management.

~~47.2-16.2.~~ 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.

~~47.3-16.3.~~ The RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to [Ash Parish Council](#) [the council] at the next available meeting. The RFO/~~Clerk~~ shall negotiate all claims on the council's insurers ~~(in consultation with the Clerk).~~

~~47.4-16.4.~~ All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined [annually] by the council, or duly delegated committee.

~~48-17.~~ [Charities]

~~48.1-17.1.~~ Where the council is sole managing trustee of a charitable body the Clerk/~~and~~ RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk/~~and~~ RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.]

~~49-18.~~ Suspension and revision of Financial Regulations

~~49.1-18.1.~~ The council shall review these Financial Regulations ~~annually~~ and following any change of clerk or RFO. The Clerk shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.

~~49.2-18.2.~~ The council may, by resolution 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 presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.

~~49.3-18.3.~~ The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

Appendix 1 - Tender process

- 1) Any 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.
- 2) The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post, unless an electronic tendering process has been agreed by the council.
- 3) Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. 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.
- 4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- 5) Any invitation to tender issued under this regulation shall be subject to Standing Order [insert reference of the council's relevant standing order] and shall refer to the terms of the Bribery Act 2010.
- 6) Where 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, 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.

Ash Parish Council

COUNCILLOR VACANCY AND CO-OPTION PROCEDURE

Once a Councillor vacancy has arisen the notice must be displayed as soon as practicable, but in consultation with Unitary Elections Team to check the dates. However, if the vacancy has arisen due to a death, it is courteous that the notice is not displayed until after the funeral has taken place.

A copy of the vacancy notice must be sent to the Unitary Council, Returning Officer, Chief Executive, Electoral Services, Somerset Council, County Hall, The Crescent, Taunton, Somerset, TA1 4DY so that the progress can be monitored.

The vacancy notice must be displayed on the Parish noticeboard & Website for 14 working days (not counting Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday, bank holidays or national days of mourning). During this time 10 electors may request an election by writing to the Returning Officer.

After the 14 days, the Returning Officer will notify the Clerk in writing of the outcome. An election will only take place if 10 electors have requested it in writing.

If no election has been requested, then the Parish Council must co-opt to fill the vacancy – unless it is within 6 months of the forthcoming Parish ordinary elections.

If a vacancy occurs within 6 months of the Parish Council's forthcoming ordinary elections, then the election will not be held, however, the vacancy may be filled by co-option if wished, but the Council is not obliged to do so.

Co-option Procedure

If a by-election has not been called, the Council may ask for volunteers to fill the co-option. It should be by a notice on the website and notice boards asking for anyone wishing to serve as a Councillor to complete a short application form which will include their reasons for becoming a Parish Councillor together with their legal qualifications (citizenship / electoral register etc), a declaration and consent by a set date. The Parish Council will then consider all applications at a meeting.

Only Councillors present at the meeting may nominate, second or vote upon the person to fill the vacancy.

Councillors will receive a copy of the application form of those wishing to be considered as a Councillor.

Councillors should be informed of the names of anyone wishing to be considered as a Councillor.

At the Council meeting when the co-option takes place, each nominee will be invited to speak for up to three minutes. Nominees do not have to be in attendance to put themselves forward for co-option. When all the nominees who wish to, have spoken, the Chair shall seek proposers and seconders for each nomination

A Councillor does not have to nominate any of the persons named. Any Councillor may nominate someone for the vacancy, provided the person is willing to be nominated and the nomination is seconded; that name may then be voted upon.

Voting to fill the vacancy should comply with the Council's Standing Orders but would usually be done by a show of hands (unless the Council has adopted Standing Orders which allow any other form of voting in Council). If there is only one vacancy, a Councillor may only nominate or second one candidate.

The Chair should place the names of those properly nominated into alphabetical order and take a vote. Councillors only have one vote each.

The first candidate to receive an absolute majority of those present and voting is declared elected.

Should no single candidate receive a majority on the first vote, the person with the lowest number of votes is eliminated. Voting takes place on the remainder of the candidates (one vote per Councillor) until one person receives an absolute majority.

Once elected, the co-opted Councillor must sign a Declaration of Acceptance of Office form and complete the Register of Members' Interests Form which is sent to [District / Unitary Council] for recording.

Adopted at a meeting on 07th April 2025 (Minute reference []) to be reviewed in two years or sooner should circumstance or legislation dictate.

ASH PARISH COUNCIL Co-option Application

Information for parishioners wanting to be considered for co-option as Councillor for Ash Parish Council.

The Role of a Parish Council

A parish council is a local authority that makes decisions on behalf of the people in the parish and has an overall responsibility for the well-being of its local community. It is the level government closest to the community and its work falls into three main categories:

- Representing the local community
- Delivering services to meet local needs
- Striving to improve quality of life in the parish

The Role and Responsibilities of a Parish Councillor

Parish councillors act as ambassadors for their community, keeping everyone aware of local needs and concerns. Councillors represent the voice of their community as a whole, whilst being aware of, and considerate to, specific minority needs.

Responsibilities include (but not limited to):

- To determine council policy and provide community leadership; monitor and review council performance in implementing policies and delivering services; represent the council externally; and act as advocates for their residents/community
- Improve the quality of life and the environment in their local area.
- Work to identify issues that are important to the lives of the residents
- Be well-informed, especially about diverse local views. A councillor cannot assume they represent the interests of the residents without consulting them.
- Representing the views of residents in an objective and professional way.
- Make difficult decisions, in an open and reasoned way.
- Run local services, such as open spaces, play areas etc. (often done in conjunction with a team of willing volunteers undertaking various 'manual' tasks).
- Take accountability for their own designated areas of responsibilities; undertake actions from and report back at PC meetings.
- Support the roles and responsibilities of other councillors and the clerk.
- To comply at all times with the councillors' Code of Conduct, the law, and such other policies, procedures, protocols and conventions agreed by the council, which includes attendance at PC meetings and good time keeping.

Chairs have additional responsibilities, which mean that they may have to have a closer working relationship with employees (clerk) than other councillors do.

The Role and Responsibilities of a Parish Clerk

Officers (clerks) are responsible to the council. Their job is to give advice to councillors and to the council. The primary role of officers is to advise, inform and support all members and to implement the agreed policies of the council.

Responsibilities include (but not limited to):

- Ensures that the council conducts its business lawfully
- Administers all the council's paperwork
- Ensures that meeting papers are properly prepared and publicised
- Keeps property registers and other legal documents
- Keeps up to date by training /qualification

“Both councillors and officers (clerks) are servants of the public and are indispensable to one another. Together, they bring the critical skills, experience and knowledge required to manage an effective local authority. At the heart of this relationship, is the importance of mutual respect.

**ASH PARISH COUNCIL
Co-option Application**

Application form for co-option to Ash Parish Council

Please complete this form to be considered as a candidate for membership of the parish council, then return by post to: Zannette Bougourd, Clerk to Ash Parish Council, 9 Redgate Park, Crewkerne. TA187NL or by e-mail (preferably as a printable pdf document) to clerk@ashpcsomerset.com

NAME:(Mr/Mrs/Miss/Ms/Other)

ADDRESS:

.....

E-mail address

Telephone

Qualification to serve

You are at least 18 years old and a British citizen or an eligible Commonwealth and you must be able to answer "YES" to at least one of the following four questions; please circle as many as apply to you.

1. Are you registered at the above address as a Local Government Elector for the area of Ash Parish (Somerset)?	YES/NO
2. During the whole of the last 12 months have you resided in the Parish or within 3 miles (4.8 kilometres) of it? Show address if different from above	YES/NO
3: During the whole of the last 12 months have you occupied as owner or Tenant land or premises in the Parish: Give address of land or premises.	YES/NO
4: During the whole of the last 12 months has your main place of work been	YES/NO

**ASH PARISH COUNCIL
Co-option Application**

<p>within the Parish? Give address and place of work and employer if applicable.</p>	
<p>Disqualifications (as provided in the Local Government Act 1972, s80; Localism Act 2011, s34) If you answer “YES” to any of the following six questions then it is likely that it will not be possible to co-opt you to the Parish Council. All information will be treated in the strictest confidence.</p>	
<p>1. Do you now hold, or have you in the last 12 months held, any paid office or any other position of profit with this Council or an organisation controlled by the Council?</p>	YES/NO
<p>2: Have you ever been surcharged by the District Auditor for £500 or more?</p>	YES/NO
<p>3: Have you ever been disqualified by a Court from holding Public Office?</p>	YES/NO
<p>4: Have you ever been declared bankrupt?</p>	YES/NO
<p>5: Have you ever been convicted of any offense where the sentence of imprisonment was more than 3 months(even if sentence suspended)</p>	YES/NO
<p>6: Have you ever been found guilty of corrupt or illegal practices under Election Laws?</p>	YES/NO

**ASH PARISH COUNCIL
Co-option Application**

Ash Parish Council are keen to co-opt fellow members of the community who are team players, willing to contribute their own ideas whilst respecting those of others and accepting majority decisions. Experience of serving on a council or with other voluntary groups may be useful. Please use this form to explain how your background and skills may enable you to contribute to the running of the Parish.

NAME:

REASONS FOR WISHING TO BE A COUNCILLOR

YOUR SKILLS / EXPERIENCE WHICH MAY BE USEFUL AS A COUNCILLOR

PREVIOUS COMMUNITY/VOLUNTARY/COUNCIL WORK (IF APPLICABLE)

**ASH PARISH COUNCIL
Co-option Application**

ANY SPECIFIC AREAS OF RESPONSIBILITY YOU ARE INTERESTED IN

--

ANY OTHER COMMENTS

--

I have set out information about my background and reasons for applying to be considered for co-option within the form above.

Signed

Date.....

ASH PARISH COUNCIL DATA RETENTION POLICY

APRIL 2025

Ash Parish Council (APC) follows the 3-2-1 rule.

All data is backed up daily to an external hard drive. Files are kept securely on a dedicated device. Hard copies are kept of all documents. All files are backed up to Adobe File Drive & iCloud drive

Data backup policy.

The 3-2-1 Rule is a data protection strategy that recommends having three copies of your data, stored on two different types of media, with one copy kept off-site.

As a widely embraced data backup strategy, the 3-2-1 Rule prescribes:

- Maintain three copies of your data: This includes the original data and at least two copies.
- Use two different types of media for storage: Store your data on two distinct forms of media to enhance redundancy.
- Keep at least one copy off-site: To ensure data safety, have one backup copy stored in an off-site location, separate from your primary data and on-site backups.

This rule is a robust guideline for data protection, ensuring redundancy, resilience, and the ability to recover data even in the face of unexpected events or disasters.

By mitigating single points of failure, enhancing data availability, and protecting against corruption, redundancy ensures the safety of critical information. It plays a pivotal role in disaster recovery, adapting to evolving technologies, and meeting compliance requirements. Diversified storage and off-site backups, as recommended by the rule, effectively mitigate various risks, contributing to the overall security and reliability of critical data.

Adopted 2025

ASH PARISH COUNCIL'S DISCIPLINARY POLICY 2025

Introduction

- 1 This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/index.aspx?articleid=2174>).
- 2 It also takes account of the ACAS guide on discipline and grievances at work. https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf
- 3 The policy is designed to help Council employees improve unsatisfactory conduct and performance in their job. Wherever possible, the Council will try to resolve its concerns about employees' behaviour informally, without starting the formal procedure set out below.
- 4 The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
- 5 This policy confirms:
 - informal coaching and supervision will be considered, where appropriate, to improve conduct and / or attendance
 - the Council will fully investigate the facts of each case
 - the Council recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy will also apply to work performance issues to ensure that all alleged instances of employees' underperformance are dealt with fairly and in a way that is consistent with required standards. However, the disciplinary policy will only be used when performance management proves ineffective. For more information see ACAS "Performance Management" at <https://www.acas.org.uk/index.aspx?articleid=6608>
 - employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case
 - employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary hearing
 - employees may be accompanied or represented by a companion – a workplace colleague, a trade union representative or a trade union official - at any investigatory, disciplinary or appeal meeting. The companion is permitted to address such meetings, to put the employee's case and confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case
 - the Council will give employees reasonable notice of any meetings in this procedure. Employee must make all reasonable efforts to attend. Failure to attend any meeting may result in it going ahead and a decision being taken. An employee who does not attend a meeting will be given the opportunity to be represented and to make written submissions
 - if the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date

that is within 7 calendar days of the original meeting date unless it is unreasonable not to propose a later date

- any changes to specified time limits in the Council's procedure must be agreed by the employee and the Council
- information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the Council is confidential to the employee. The employee's disciplinary records will be held by the Council in accordance with the General Data Protection Regulation (GDPR)
- audio or video recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- employees have the right to appeal against any disciplinary decision. The appeal decision is final
- if an employee who is already subject to the Council's disciplinary procedure raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure
- disciplinary action taken by the Council can include a written warning, final written warning or dismissal
- this procedure may be implemented at any stage if the employee's alleged misconduct warrants this
- except for gross misconduct when an employee may be dismissed without notice, the Council will not dismiss an employee on the first occasion that it decides there has been misconduct
- if an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The Council will write to the employee to confirm any period of suspension and the reasons for it,
- the Council may consider mediation at any stage of the disciplinary procedure where appropriate (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process that requires the consent of affected parties

Examples of misconduct

6 Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct: The list is not exhaustive.

- unauthorised absence
- poor timekeeping
- misuse of the Council's resources and facilities including telephone, email and internet
- inappropriate behaviour
- refusal to follow reasonable instructions
- breach of health and safety rules.

Examples of gross misconduct

- 7 Gross misconduct is misconduct that is so serious that it is likely to lead to dismissal without notice. The following list contains some examples of gross misconduct: The list is not exhaustive
- bullying, discrimination and harassment
 - incapacity at work because of alcohol or drugs
 - violent behaviour
 - fraud or theft
 - gross negligence
 - gross insubordination
 - serious breaches of council policies and procedures e.g. the Health and Safety Policy, Equality and Diversity Policy, Data Protection Policy and any policies regarding the use of information technology
 - serious and deliberate damage to property
 - use of the internet or email to access pornographic, obscene or offensive material
 - disclosure of confidential information.

Suspension

- 8 If allegations of gross misconduct or serious misconduct are made, the council may suspend the employee while further investigations are carried out. Suspension will be on full pay. Suspension does not imply any determination of guilt or innocence, as it is merely a measure to enable further investigation.
- 9 While on suspension, the employee is required to be available during normal hours of work in the event that the council needs to make contact. The employee must not contact or attempt to contact or influence anyone connected with the investigation in any way or to discuss this matter with any other employee or councillor.
- 10 The employee must not attend work. The council will make arrangements for the employee to access any information or documents required to respond to any allegations.

Examples of unsatisfactory work performance

- 11 The following list contains some examples of unsatisfactory work performance: The list is not exhaustive.
- inadequate application of management instructions/office procedures
 - inadequate IT skills
 - unsatisfactory management of staff
 - unsatisfactory communication skills.

The Procedure

- 12 Preliminary enquiries. The council may make preliminary enquiries to establish the basic facts of what has happened in order to understand whether there may be a case to answer under the disciplinary procedure.
- 13 If the employee's manager believes there may be a disciplinary case to answer, the council may initiate a more detailed investigation undertaken to establish the facts of a situation or to establish the perspective of others who may have witnessed misconduct.
- 14 Informal Procedures. Where minor concerns about conduct become apparent, it is the manager's responsibility to raise this with the employee and clarify the improvements required. A file note will be made and kept by the manager. The informal discussions are not part of the formal disciplinary procedure. If the conduct fails to improve, or if further matters of conduct become apparent, the manager may decide to formalise the discussions and invite the employee to a first stage disciplinary hearing.

Disciplinary investigation

- 15 A formal disciplinary investigation may sometimes be required to establish the facts and whether there is a disciplinary case to answer.
- 16 If a formal disciplinary investigation is required, the Council's staffing committee will appoint an Investigator who will be responsible for undertaking a fact-finding exercise to collect all relevant information. The Investigator will be independent and will normally be a councillor. If the staffing committee considers that there are no councillors who are independent (for example, because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the Council. The Investigator will be appointed as soon as possible after the allegations have been made. The staffing committee will inform the Investigator of the terms of reference of the investigation. The terms of reference should specify:
 - the allegations or events that the investigation is required to examine
 - whether a recommendation is required
 - how the findings should be presented. For example, an investigator will often be required to present the findings in the form of a written report
 - who the findings should be reported to and who to contact for further direction if unexpected issues arise or advice is needed.
- 17 The Investigator will be asked to submit their findings usually within 35 Calendar days of appointment where possible. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an investigator may not be necessary and the Council may decide to commence disciplinary proceedings at the next stage - the disciplinary meeting (see paragraph 22).
- 18 The staffing committee will notify the employee in writing of the alleged misconduct and details of the person undertaking the investigation. The employee may be asked to meet an investigator as part of the disciplinary investigation. The employee will be given sufficient notice of the meeting with the Investigator so that they have

reasonable time to prepare for it. The letter will explain the investigatory process and that the meeting is part of that process. The employee will be provided with a copy of the Council's disciplinary procedure. The Council will also inform the employee that when they meet with the Investigator, they will have the opportunity to comment on the allegations of misconduct.

- 19 Employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at any investigatory meeting.
- 20 If there are other persons (e.g. employees, councillors, members of the public or the Council's contractors) who can provide relevant information, the Investigator should try to obtain it from them in advance of the meeting with the employee.
- 21 The Investigator has no authority to take disciplinary action. Their role is to establish the facts of the case as quickly as possible and prepare a report that recommends to the staffing committee whether or not disciplinary action should be considered under the policy.
- 22 The Investigator's report will contain their recommendations and the findings on which they were based. They will recommend either:
 - the employee has no case to answer and there should be no further action under the Council's disciplinary procedure
 - the matter is not serious enough to justify further use of the disciplinary procedure and can be dealt with informally or
 - the employee has a case to answer and a formal hearing should be convened under the Council's disciplinary procedure.
- 23 The Investigator will submit the report to the staffing committee which will decide whether further action will be taken.
- 24 If the Council decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

The disciplinary meeting

- 25 If the staffing committee decides that there is a case to answer, it will appoint a staffing sub-committee of 3 councillors, to formally hear the allegations. The staffing sub-committee will appoint a Chairman from one of its members. The Investigator shall not sit on the sub-committee.
- 26 No councillor with direct involvement in the matter shall be appointed to the sub-committee. The employee will be invited, in writing, to attend a disciplinary meeting. The sub-committee's letter will confirm the following:
 - the names of its Chairman and other two members
 - details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the meeting
 - a copy of the information provided to the sub-committee which may include the investigation report, supporting evidence and a copy of the Council's disciplinary procedure

- the time and place for the meeting. The employee will be given reasonable notice of the hearing so that they has sufficient time to prepare for it
- that witnesses may attend on the employee's and the Council's behalf and that both parties should inform each other of their witnesses' names at least 2 working days before the meeting
- that the employee may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official

27 The purpose of the disciplinary meeting hearing is for the allegations to be put to the employee and then for the employee to give their perspective. It will be conducted as follows:

- the Chairman will introduce the members of the sub-committee to the employee and explain the arrangements for the hearing
- the Chairman will set out the allegations and invite the Investigator to present the findings of the investigation report (if there has been a previous investigation)
- the Chairman will invite the employee to present their account
- the employee (or the companion) will set out their case and present evidence (including any witnesses and/or witness statements)
- any member of the sub-committee and the employee (or the companion) may question the Investigator and any witness
- the employee (or companion) will have the opportunity to sum up

28 The Chairman will provide the employee with the sub-committee's decision with reasons, in writing, within 7 calendar days of the meeting. The Chairman will also notify the employee of the right to appeal the decision.

29 The disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be further investigated by the sub-committee.

Disciplinary action

30 If the sub-committee decides that there should be disciplinary action, it may be any of the following:

First written warning

31 If the employee's conduct has fallen beneath acceptable standards, a first written warning will be issued. A first written warning will set out:

- the reason for the written warning, the improvement required (if appropriate) and the time period for improvement
- that further misconduct/failure to improve will result in more serious disciplinary action
- the employee's right of appeal
- that a note confirming the written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Final written warning

- 32 If the offence is sufficiently serious, or if there is further misconduct or a failure to improve sufficiently during the currency of a prior warning, the employee will be given a final written warning. A final written warning will set out:
- the reason for the final written warning, the improvement required (if appropriate) and the time period for improvement
 - that further misconduct/failure to improve will result in more serious disciplinary action up to and including dismissal
 - the employee's right of appeal
 - that a note confirming the final written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Dismissal

- 33 The Council may dismiss:
- for gross misconduct
 - if there is no improvement within the specified time period, in the conduct which has been the subject of a final written warning
 - if another instance of misconduct has occurred and a final written warning has already been issued and remains in force.
- 34 The Council will consider very carefully a decision to dismiss. If an employee is dismissed, they will receive a written statement of the reasons for their dismissal, the date on which the employment will end and details of their right of appeal. If the sub-committee decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action taken as a result of the disciplinary meeting will remain in force unless it is modified as a result of an appeal.

The appeal

- 35 An employee who is the subject of disciplinary action will be notified of the right of appeal. Their written notice of appeal must be received by the Council within 7 calendar days of the employee receiving written notice of the disciplinary action and must specify the grounds for appeal.
- 36 The grounds for appeal include;
- a failure by the Council to follow its disciplinary policy
 - the sub-committee's disciplinary decision was not supported by the evidence
 - the disciplinary action was too severe in the circumstances of the case
 - new evidence has come to light since the disciplinary meeting.
- 37 Where possible, the appeal will be heard by a panel of 3 members of the staffing committee who have not previously been involved in the case. This includes the Investigator. There may be insufficient members of the staffing committee who have not previously been involved. If so, the appeal panel will be a committee of 3 members

of the Council who may include members of the staff committee. The appeal panel will appoint a Chairman from one of its members.

- 38 The employee will be notified, in writing, within 14 calendar days of receipt of the notice of appeal of the time, date and place of the appeal meeting. The employee will be advised that they may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.
- 39 At the appeal meeting, the Chairman will:
 - introduce the panel members to the employee
 - explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the disciplinary decision
 - explain the action that the appeal panel may take.
- 40 The employee (or companion) will be asked to explain the grounds for appeal.
- 41 The Chairman will inform the employee that they will receive the decision and the panel's reasons, in writing, usually within five working days of the appeal hearing.
- 42 The appeal panel may decide to uphold the disciplinary decision of the staffing committee, substitute a less serious sanction or decide that no disciplinary action is necessary. If it decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file.
- 43 If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of dismissal and continuity of service will be preserved.
- 44 The appeal panel's decision is final.

Date of policy: April 2025

Date of Council meeting: 07th April 2025

Policy version reference: ADP 2025

Supersedes: Ash Disciplinary Policy 2024

Policy effective from: April 2025

Date for next review: 2027

Retention and Disposal Policy

1. Introduction

- 1.1 The Council accumulates a vast amount of information and data during the course of its everyday activities. This includes data generated internally in addition to information obtained from individuals and external organisations. This information is recorded in various different types of document.
- 1.2 Records created and maintained by the Council 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 imperative that documents are retained for an adequate period of time. If documents are destroyed prematurely the Council and individual officers concerned could face prosecution for not complying with legislation 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.
- 2.2 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.

- 24 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 A: 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.
- Data is backed up regularly to an external hard drive
 - Files are kept securely on a dedicated device
 - Files are backed up to Adobe File Drive and iCloud drive
 - Three copies of data are maintained
 - Original data and two copies, stored on two distinct types of media
 - At least one copy stored off site (cloud storage)

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 waste paper 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 2018 – Obligation to Dispose of Certain Data

- 6.1 The Data Protection Act 2018 ('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.

63 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 As 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

8.1 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).

8.2 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, 12th edition, Chapter 11
- NALC LTN 40 – *Local Councils' Documents and Records*, January 2013
- NALC LTN 37 – *Freedom of Information*, July 2009
- *Lord Chancellor's Code of Practice on the Management of Records* issued under Section 46 of the *Freedom of Information Act 2000*
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9. List of Documents

9.1 The full list of the Council's documents and the procedures for retention or disposal can be found in Appendix A: List of Documents for Retention and Disposal. This is updated regularly in accordance with any changes to legal requirements.

Appendix A: List of Documents for Retention & Disposal

List of Documents

Document	Minimum Retention Period	Reason	Disposal
Minutes & Correspondence			
Signed Minutes	Indefinite	Archive, Public inspection	N/A
Agendas	5 years	Management	RW
General emails and correspondence	Retained for as long as document is needed	Management	CW
Information from other bodies (eg CALC)	Retained for as long as document is useful	Management	RW
Local / historical information	Indefinite	To be securely kept for the benefit of the Parish	N/A
Magazines and journals	Retained for as long as document is useful	The Legal Deposit Libraries Act 2003	RW
Finance & Payroll			
Audited Accounts	Indefinite	Audit	N/A
Receipt and payment accounts	Indefinite	Archive	N/A
Receipts books of all kinds	6 years	VAT	RW
All bank statements	Last completed audit year	Audit	CW
Bank paying-in books	Last completed audit year	Audit	CW
Cheque book stubs	Last completed audit year	Audit	CW
Quotations and tenders (successful)	6 years	Limitation Act 1980 (as amended)	CW
Paid invoices	6 years	VAT	CW
Paid cheques	6 years	Limitation Act 1980 (as amended)	CW
VAT records	6 years	VAT	CW
Petty cash, postage and telephone books	6 years	Tax, VAT, Limitation Act 1980 (as amended)	CW
Timesheets	Last completed audit year 3 years	Audit Personal injury	RW
Wages / payroll	6 years from end of employment	Audit	CW
Scale of fees & charges	6 years	Management	RW
Budgets	Indefinite	Local Choice	N/A
Investments	Indefinite	Audit, Management	N/A

Human Resources

Staff files	6 years from end of employment	Audit	CW
Job applications (unsuccessful)	6 months from time of appointment	Management	CW

Insurance

Accident/incident reports	20 years	Potential claims	CW
Insurance policies	While valid	Management	CW
Insurance company names & policy nos	Indefinite	Management	N/A
Insurance claims	7 years after all obligations are concluded or child reaches age of 25	Limitation Act 1980 (as amended)	CW
Insurance certificates	40 years	The Employers Liability (Compulsory Insurance) Regulations 1998 (SI2753)	RW
Health & Safety inspection records	6 years	Management	RW

Miscellaneous

Strategic Plans	Until superseded	Common Practice	RW
Policies & Operational Procedures	Until superseded	Common Practice	RW
Declarations of office	Term of office	Management	CW
Members register of interests	Term of office	Management	CW
Complaints	2 years from resolution	Management	CW
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management	N/A
Members allowances register	6 years	Tax, Limitation Act 1980 (as amended)	CW
Legal/Litigation Files	6 years	Common practice	CW

Burial Grounds

Register of: Fees collected / Burials / Purchased Graves / Plan of grave spaces / Memorials	Indefinite	Local Authorities Cemeteries Order 1977 (SI204) Management	N/A
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RW – recycled waste CW – confidential waste (to be disposed of securely).

ASH PARISH COUNCIL

GRANT-AWARDING POLICY

Objective

The Parish Council wishes to support activities and causes which benefit the parish of Ash. A grant is any payment made by the Parish Council for the specific purpose for which it is claimed and for the well-being of the community.

Eligibility

Any grant made by the Parish Council must directly benefit some or all of the residents of the parish of Ash. Applicants must set out how the community in Ash will benefit from the work funded by any grant. This is particularly important where an application is made by an organisation working regionally or nationally.

The following criteria must be met for a group to be considered for a grant: -

- The group must be a charity, voluntary or community organisation;
- The group must be able to demonstrate that any funding from the Parish Council will directly benefit the residents of Ash;
- The group must be formally constituted and have a management committee made up of volunteers.

Individuals, businesses, or political parties are **not** eligible for grant funding.

Conditions

- Multiple applications within a 12-month period will not normally be considered; although the only real limit is remaining funds.
- The Parish Council reserves the right to reclaim any grant not being used for the purpose specified on the application form. The Parish Clerk will, therefore, be allowed to verify that the monies have been spent accordingly;
- Proper evidence of actual or estimated expenditure must be supplied to the Parish Council prior to the payment of any grant. If the Parish Council is not satisfied with the arrangements, it reserves the right to request a refund of monies awarded;
- Grants cannot be awarded after the relevant project or event has been completed;
- An acknowledgement on receipt of the grant cheque is required

The following requests will not be considered:

- Support for projects outside of Ash Parish
- Core funding for projects (e.g., day to day running costs)
- General appeals from national charities
- Financial support for an individual or family
- Support for visits or charities outside the parish
- Support for minibus or transport appeals or car parks
- General advertising
- Political, lobby, pressure and campaigning groups or trade union activities
- Appeals intended to promote a particular political or denominational affiliation
- Medical research
- Projects for which organisations have any statutory duty

Application Process

- Applications should be made by completing the Grant Awarding Application Form.
- Applications must be accompanied by a copy of the organisation's most recent accounts, and its latest bank statement.
- An organisation which has not previously applied to the Parish Council must submit a copy of its constitution.
- Applications are accepted during the last quarter of the year, if funds are awarded they will be distributed after receipt of the annual precept.
- Applicants must set out any other funding they have been awarded or have applied for. Where the Parish Council is being asked to be the sole funder the applicant must explain the reason for this.
- Applicants are usually informed within two weeks of the relevant meeting.
- Grant recipients must submit an annual report showing how the funding has been used.
- Grant recipients are encouraged to attend the Annual Parish Meeting (normally May) and mount a display or make a presentation.

Promotion

The Parish Council will ask for recognition from successful groups in the form of the promotion of the Parish Council in the organisation's newsletter or any press release. The Parish Council will also recognise successful groups in its own reports to parishioners.

Reviewed and adopted by Ash Parish Council on 07th April 2025

ASH PARISH COUNCIL GRANT APPLICATION FORM

Please read the Ash Parish Council Grant-Awarding Policy before completing this form. Incomplete applications may not be considered.

1. APPLICANT DETAILS

- Organisation Name: _____
- Address: _____
- Contact Name & Position: _____
- Phone Number: _____
- Email: _____
- Website (if applicable): _____

2. ORGANISATION INFORMATION

- Type of Organisation (tick as appropriate):
 - Charity (Registration Number: _____)
 - Community/Voluntary Group
 - Other (please specify): _____
- Is your organisation formally constituted? Yes No
- Do you have a management committee? Yes No
- How many people are involved in running the organisation?
 - Volunteers: _____
 - Paid Staff (if any): _____

3. PROJECT OR ACTIVITY DETAILS

- Title of Project/Activity: _____
- Description of the project/activity (including purpose and objectives):

- How will this benefit the residents of Ash Parish?

- Total cost of project/activity: £ _____
- Amount requested from Ash Parish Council: £ _____
- If the Parish Council is the sole funder, please explain why:

- **Have you applied for or received funding from other sources for this project?**

Yes No

- If yes, please provide details:

4. FINANCIAL INFORMATION

- **Please attach the following financial documents:**
 - Most recent accounts Attached
 - Latest bank statement Attached
 - Copy of organisation's constitution (if first-time applicant) Attached

5. DECLARATION

I/we confirm that:

1. The information provided in this application is accurate.
2. Any grant awarded will be used solely for the purposes specified in this application.
3. If requested, we will provide evidence of expenditure.
4. We will acknowledge the support of Ash Parish Council in our promotional materials.
5. We will submit an annual report on the use of the funding.

Signed: _____ **Position:** _____

Date: _____

For Office Use Only

- Date Application Received: _____
- Decision: Approved Rejected
- Amount Awarded: £ _____
- Date of Parish Council Meeting: _____
- Comments: _____
- Authorised By: _____ **Date:** _____

Ash Parish Council's Privacy Policy

This page explains how we collect and use information

Ash Parish Council Website & Privacy Statement

Last updated: April 2025

This page informs you of our policies regarding the collection, use and disclosure of Personal Information we receive from users of the Site.

The Councils Right to Process Information

General Data Protection Regulations

We use your Personal Information only for providing and improving the Site. By using the Site, you consent and agree to the collection and use of information in accordance with this policy.

Information Collection and Use

While using our Site, we may ask you to provide us with certain personally identifiable information that can be used to contact or identify you. Personally, identifiable information may include, but is not limited to your name ("Personal Information"). We may also run surveys from time-to-time, using third party websites such as Survey Monkey. We strive to anonymise the data we collect, and only use it for the improvement of the services we offer.

Log Data

Like many site operators, we collect information that your browser sends whenever you visit our Site ("Log Data").

This Log Data may include information such as your computer's Internet Protocol ("IP") address, browser type, browser version, the pages of our Site that you visit, the time and date of your visit, the time spent on those pages and other statistics.

In addition, we may use third party services such as Google Analytics that collect, monitor and analyse this data. This data is completely anonymised and does not include personal information such as name or email address.

How long will we keep your data?

We hold the data securely in line with our document retention and management procedure. We keep all data for as long as a) the project it's collected for is in operation b) on an ongoing basis but normally deleted after 10 years if our association with you is not active.

Communications

We may use your Personal Information to contact you with newsletters, should you opt into receive them.

Cookies

Cookies are files with small amount of data, which may include an anonymous unique identifier. Cookies are sent to your browser from a web site and stored on your computer's hard drive.

Like many sites, we use “cookies” to collect information. You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent. However, if you do not accept cookies, you may not be able to use some portions of our Site. Please see our Cookie Statement for more information.

Security

The security of your Personal Information is important to us but remember that no method of transmission over the Internet, or method of electronic storage, is 100% secure. While we strive to use commercially acceptable means to protect your Personal Information, we cannot guarantee its absolute security.

Changes to this Privacy Policy

This Privacy Policy is effective as of April 2025 and will remain in effect except with respect to any changes in its provisions in the future, which will be in effect immediately after being posted on this page.

We reserve the right to update or change our Privacy Policy at any time and you should check this Privacy Policy periodically. Your continued use of the Service after we post any modifications to the Privacy Policy on this page will constitute your acknowledgement of the modifications and your consent to abide and be bound by the modified Privacy Policy.

Access to Information:

You have the right to request access to the information we have on you. You can do this by contacting our Data Controller: Zannette Bougourd (Parish Clerk), 9 Redgate Park, Crewkerne. TA187NL Telephone: 01935 571050, email clerk@ashpcsomerset.com

Information Correction: If you believe that the information we have about you is incorrect, you may contact us so that we can update it and keep your data accurate. Please contact our Data Controller via email: clerk@ashpcsomerset.com to request this.

Information Deletion: If you wish Ash Parish Council to delete the information about you please contact our Data Controller via email: clerk@Ashparishcouncil.gov.uk to request this.

Right to Object: If you believe that your data is not being processed for the purpose it has been collected for, you may object: Please contact our Data Controller via email: clerk@ashpcsomerset.com to object.

Rights Related to Automated Decision Making and Profiling Ash does not use any form of automated decision making or the profiling of individual personal data.

Conclusion: In accordance with the law, we only collect a limited amount of information about you that is necessary for correspondence, information and service provision. We do not use profiling, we do not sell or pass your data to third parties.

We do not use your data for purposes other than those specified. We make sure your data is stored securely. We delete all information deemed to be no longer necessary. We constantly review our Privacy Policies to keep it up to date in protecting your data. (You can request a copy of our policies at any time).

Complaints If you have a complaint regarding the way your personal data has been processed, you may make a complaint to Ash Parish Council Data Controller via email: clerk@ashpcsomerset.com and the Information Commissioners Office casework@ico.org.uk Tel: 0303 123 1113

Reviewed and adopted by Ash Parish Council on: 07th April 2025

ASH PARISH COUNCIL ANTI-HARASSMENT AND BULLYING POLICY 2025

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Introduction

All staff should be able to work in an environment free from harassment and bullying and be treated with dignity and respect regardless of gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age, or disability.

This policy and procedure provide guidance on what to do if you are concerned about bullying or harassment and what to expect if you raise concerns. It applies to all staff (whether permanent, fixed term, or casual), contractors and agency staff.

Policy

The Council does not tolerate bullying or harassment in the workplace. This is the case for work-related events that take place within or outside of normal working hours; on council property or elsewhere; whether the conduct is a one-off act or repeated course of conduct, and whether done purposefully or not.

The Council does not tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. Retaliation or victimisation will also constitute a disciplinary offence, which may in appropriate circumstances lead to dismissal. You should also be aware that if a court or tribunal finds that you have bullied or harassed someone, in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

The council will take appropriate action if any of our staff are bullied or harassed by staff, councillors, members of the public or suppliers.

What type of treatment amounts to bullying or harassment?

Bullying is offensive, intimidating, threatening, malicious or insulting behaviour, and/or an abuse or misuse of power that undermines, humiliates or injures the person on the receiving end.

Harassment is unwanted conduct related to relevant 'protected characteristics', which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age. Harassment amounts to unlawful discrimination if it relates to a 'protected characteristic'.

Examples of bullying and harassment include:

- Verbal abuse or offensive comments, jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Lewd or suggestive comments

- Deliberate exclusion from conversations or work activities
- Withholding information, a person needs in order to do their job
- Practical jokes, initiation ceremonies or inappropriate birthday rituals
- Physical abuse such as hitting, pushing or jostling
- Rifling through, hiding or damaging personal property
- Subjecting a person to humiliation or ridicule, belittling their efforts, often in front of others
- Abusing a position of power

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable. All employees must, therefore, treat their colleagues with respect and appropriate sensitivity.

Bullying does not include appropriate criticism of an employee's behaviour or proper performance management.

Reporting concerns

What you should do if you witness an incident you believe to be harassment or bullying

If you witness such behaviour you should report the incident in confidence to the Clerk or a councillor. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

What you should do if you feel you are being Bullied or Harassed by a member of the public or supplier (as opposed to a colleague)

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with the Clerk or a councillor in the first instance. They will then decide how best to deal with the situation, in consultation with you.

What you should do if you feel you are being Bullied or Harassed by a councillor

If you are being bullied or harassed by a councillor, please raise this with the Clerk or the Chair of the Council in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is described below. Formal concerns regarding potential breaches of Code of Conduct breaches will be investigated by the Monitoring Officer.

What you should do if you are being Bullied or Harassed by another member of staff

If you are being bullied or harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.

Informal resolution

If you are being bullied or harassed you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to our policy and must stop. Alternatively, you may wish to ask the Clerk, a colleague or another councillor to put this on your behalf or to be with you when confronting the perpetrator(s).

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own manager, you should raise the issue with the Chair of the Council. The Chair (or another appropriate individual) will discuss with you the option of trying to resolve the situation informally by:

- Telling the alleged perpetrator(s), without prejudging the matter, that there has been a complaint that their behaviour is having an adverse effect on a member of staff;
- That such behaviour is contrary to our policy;
- That for employees, the continuation of such behaviour could amount to a serious disciplinary offence.

It may be possible to have the conversation with the alleged perpetrator without revealing your name, if this is what you want. They will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party to facilitate a resolution of the problem. The Chair will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as a serious allegation of harassment or in cases where a problem has happened before) the council may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

Raising a formal complaint...

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about the harassment or bullying to the Clerk or the Chair of the Council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The Clerk or the Chair of the Council will appoint someone to investigate your complaint. You will need to co-operate with the investigation and provide the following details (if not already provided):

- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred

- The names of any witnesses and
- Any action taken by you to resolve the matter informally

... against a colleague or contractor

The alleged perpetrator(s) would need to be told your name and the details of your complaint for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to separate you whilst the matter is being investigated.

... against a member of the public or supplier

We will investigate the complaint as far as possible by contacting the member of public or the supplier's employer and asking for a response to the allegations.

... against a councillor

Formal concerns regarding potential breaches of Code of Conduct breaches will be investigated by the Monitoring Officer.

During the investigation

Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. If, after an investigation, we decide that an employee has harassed or bullied another employee, then the employee may be subject to disciplinary action, up to and including dismissal.

The Council will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to better understand your complaint. Whilst there is no Statutory right to be accompanied at investigation meetings, the Investigator will consider your request if you want to have a work colleague or union representative with you at that meeting.

Hearing

After the investigation, a panel will meet with you in a Grievance Hearing (following the Grievance Procedure) to consider the complaint and the findings of the investigation. At the meeting you may be accompanied by a fellow worker or a trade union official.

After the meeting the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the Grievance Procedure.

Victimisation

Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

False allegations

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under our disciplinary procedure.

Disclosure and confidentiality

We will treat personal data collected during this process in accordance with the data protection policy. Information about how data is used and the basis for processing data is provided in the employee privacy notice.

Use of the disciplinary procedure

Harassment and bullying constitute serious misconduct. If, at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. Any employee found to have harassed or bullied a colleague will be liable to disciplinary action up to and including summary dismissal.

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

Policy effective from:

Date for next review:

— policy ends here —

Notes

1. Protected characteristics

A 'protected characteristic' is defined in the Equality Act 2010 as age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is unlawful to discriminate against an individual because of any of the protected characteristics.

Discrimination includes treating people differently because of a protected characteristic. Harassment is unwanted conduct related to a 'protected characteristic'. Employees can complain of harassment even if the behaviour in question is not directed at them. This is because the complainant does not actually need to possess the relevant protected characteristic. An employee can complain of unlawful harassment if they are related someone with a protected characteristic, or because a colleague believes they have a protected characteristic.

2. Legal risks

An employee does not need to be employed to make a discrimination claim at a tribunal.

- Job applicants who believe they have not been appointed because of a 'protected characteristic' can make a claim.
- New or established employees who are dismissed because of a health condition can make a discrimination claim at a tribunal.
- An employee in their probationary period may claim discrimination if their employment has been ended for no credible reason.
- An employee subjected to harassment can make a discrimination claim at a tribunal.
- An employee asked to retire can make a discrimination claim at a tribunal.

Successful unfair dismissal claims are limited to a compensation cap, whereas those for unlawful discrimination have no cap.

A positive employment culture, and swift action if conduct falls beneath acceptable standards will help mitigate the risks. An unhealthy culture will make it difficult to defend claims.

The time to defend and the cost of defending tribunal claims can be significant, irrespective of the outcome.

3. Culture and behaviour

Modern day workforces are eclectic, and a positive culture throughout the council enables staff with different backgrounds and beliefs to share ideas and shape how the council achieves what councillors decide for the community.

Different people find different things acceptable. It may not be obvious that some behaviour would be unwelcome or could offend a person. Those in positions of 'power' over an employee may not always understand how words or actions are received. An employee may not always find it easy to communicate how they really feel. 'Banter' that on the face of it is reciprocated may nonetheless be unwelcomed and damaging. Others who overhear comments, or learn of them third hand, will form judgements about the culture.

Whilst both staff and councillors jointly determine what the working culture is like, councillors are key in demonstrating what is and isn't acceptable behaviour. This is apparent from how councillors behave with each other in council meetings and also in how standards of behaviour are applied through the use of informal discussion and formal policies. Examples of unacceptable behaviour at work include (but are not limited to):

- physical conduct ranging from touching to sexual advances and serious assault;
 - the offer of rewards for going along with sexual advances, e.g. promotion, access to training;
 - suggestions that refusing sexual advances will adversely affect aspects relating to employment (such as pay, promotion, training, work opportunities, or any other condition of employment or development);
 - comments about a person's appearance;
 - jokes or comments of a sexual or racial nature or about an individual's age, disability, sexual orientation or religion;
 - questions about a person's sex life;
 - unwanted nicknames, especially related to a person's age, race or disability;
 - the use of obscene gestures;
 - excluding an individual for a non-work reason
 - treating an employee differently because they have, or are perceived to have, a 'protected characteristic' or are associated with someone who does;
 - the open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person;
 - spreading malicious rumours or insulting someone;
 - picking on someone or setting them up to fail;
 - making threats or comments about someone's job security without good reason;
 - ridiculing someone;
 - isolation or non-cooperation at work; and
 - excluding someone from social activities.
4. During the investigation

Employers have duty of care to provide a safe place of work. If a complaint is made, discuss how to manage working relationships whilst the allegation is being investigated and until the

outcome is disclosed. This is as much for the protection of the alleged perpetrator as for the aggrieved.

Consider whether a neutral person should be offered as a 'listening ear' for both parties in the investigation. Offer other support that may be appropriate to the situation such as signposting to support groups, time off for counselling etc. If you have suspended a staff member, your duty of care continues and it's important to consider their wellbeing and mental health.

Ensure that you regularly communicate with both parties.

5. Victimisation

All employees have the right to raise genuine concerns without the fear of reprisals. If the aggrieved (or a witness) is treated differently / less favourably because they have raised a complaint, then this is victimisation. This would include isolating someone because they have made a complaint, cancelled a planned training event, or giving them a heavier or more difficult workload. Victimisation can lead to a claim to an employment tribunal.

6. False allegations

If an employee makes an allegation that they know to be untrue, or gives evidence that they know to be untrue, the council should consider the matter under the disciplinary procedure. Such an allegation would be potentially Gross Misconduct.

7. Complaints against councillors

Following the Ledbury case, the law is clear that any formal complaint regarding a breach of the Code of Conduct must be referred to the Monitoring Officer for investigation. During the investigation, it is critical to ensure that where an employee of the council has made the complaint, that the council agrees with the employee reasonable measures to protect their health and safety. Such measures may include a temporary change in duties, change of work location, not attending meetings with the person to whom the complaint has been made etc.

Guidance

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

Important notice

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

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

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

ASH Parish Council Protocol
on Communications Adopted
at the Ash Parish Meeting
held on 07th April 2025

This Policy should be read in conjunction with the adopted Social Media Policy

A. Parish Council Correspondence

- (i) The point of contact for the parish council is the Clerk, Zannette Bougourd, 9 Redgate Park, Crewkerne. TA187NL. email: clerk@ashpcsomerset.com and it is to the Clerk that all correspondence for the parish council should be addressed.
- (ii) The Clerk should deal with all correspondence following a meeting.
- (iii) No individual Councillor or Officer should be the sole custodian of any correspondence or information in the name of the parish council, a committee, sub-committee or working party. In particular, Councillors and Officers do not have a right to obtain confidential information/documentation unless they can demonstrate a 'need to know'.
- (iv) All official correspondence should be sent by the Clerk in the name of the council using council letter headed paper.
- (v) Where correspondence from the Clerk to a Councillor is copied to another person, the addressee should be made aware that a copy is being forwarded to that other person (e.g. copy to XX).

Parties

B. Agenda Items for Council, Committees, Sub-Committees and Working

- (i) Agenda should be clear and concise. They should contain sufficient information to enable Councillors to make an informed decision, and for the public to understand what matters are being considered and what decisions are to be taken at a meeting.
- (ii) Items for information should be kept to a minimum on an agenda.
- (iii) Where the Clerk or a Councillor wishes fellow Councillors to receive matters for "information only", this information will be circulated via the Clerk.

C. Communications with the Press and Public

- (i) The Clerk will clear all press reports, or comments to the media, with the Chair of the council or the Chair of the relevant committee.
- (ii) Press reports from the council, its committees or working parties should be from the Clerk or an officer or via the reporter's own attendance at a meeting.
- (iii) Unless a Councillor has been authorised by the council to speak to the media on a particular issue, Councillors who are asked for comment by the press should make it clear that it is a personal view and ask that it be clearly reported as their personal view.
- (iv) Unless a Councillor is absolutely certain that he/she is reporting the view of the council, they must make it clear to members of the public that they are expressing a personal view.

- (v) If Councillors receive a complaint from a member of the public, this should be dealt with under the Council's adopted complaints procedure, or via a council agenda item.

D. Councillor Correspondence to external parties

- (i) As the Clerk should be sending most of the council's correspondence from a Councillor to other bodies, it needs to be made clear that it is written in their official capacity and has been authorised by the parish council.
- (ii) A copy of all outgoing correspondence relating to the council or a Councillor's role within it, should be sent to the Clerk, and it be noted on the correspondence, e.g. "copy to the Clerk" so that the recipient is aware that the Clerk has been advised.

E. Communications with Parish Council Staff

- (i) Councillors must not give instructions to any member of staff, unless authorised to do so (for example, three or more Councillors sitting as a committee or sub-committee with appropriate delegated powers from the council).
- (ii) No individual Councillor, regardless of whether or not they are the Chair of the council, the Chair of a committee or other meeting, or are styled "Leader" of the Council, may give instructions to the Clerk or to another employee which are inconsistent or conflict with council decisions or arrangements for delegated power.
- (iii) Telephone calls should be appropriate to the work of the parish council.
- (iv) E-mails:
- Instant replies should not be expected from the Clerk; reasons for urgency should be stated;
 - Information to Councillors should normally be directed via the Clerk;
 - E-mails from Councillors to external parties should be copied to the Clerk;
 - Councillors should acknowledge their e-mails when requested to do so.
- (v) Meetings with the Clerk or other officers:
- Wherever possible an appointment should be made;
 - Meetings should be relevant to the work of that particular officer;
 - Councillors should be clear that the matter is legitimate council business and not matters driven by personal or political agendas.

ASH PARISH COUNCIL'S HOMEWORKING POLICY 2025

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Policy

The Council recognises the advantages of home-based working although it doesn't suit everyone, and some job roles may not be appropriate to undertake at home.

This policy describes the working arrangements and expectations that will apply if you work from home.

Scope of this policy

It applies to all staff who are home-based whether full time, part time or fixed term. It does not apply to office-based staff who work from home on an ad-hoc basis. If you are considering whether to request home-based working, please refer to the Flexible Working Policy.

Safe working environment

Health and safety for home-based staff applies in the same way as office-based staff, insofar as is reasonably practicable, that you work in a safe manner and that you follow all health and safety instructions issued by us.

You must complete and submit a 'Home Based Workers Risk Assessment' to the Clerk. This is a checklist for you to identify any possible hazards in your home working area. Following completion of the checklist, measures may need to be taken to control any risks identified. This checklist should be completed annually, or more frequently if there are any changes to your arrangements such as new equipment or changes to your home-office space.

You must complete and submit a workstation risk assessment and ensure that this remains up-to-date. If you have any questions about the risk assessment, or if you identify any potential risks when carrying out the assessment, you should refer these to the Clerk in the first instance.

Some of the most important considerations include: -

- If possible, an area should be set aside from the rest of your living space to ensure that you are able to work from home without distractions,
- Your home office should have adequate space for you to work safely and comfortably,
- Your desk should be large enough to accommodate your equipment and paperwork,
- You should have sufficient storage and your workspace should be organised so equipment is close to hand,
- Your work area should be well lit, with natural lighting if possible,
- Equipment and sockets should be situated to avoid potential trip hazards, and,

- You must also ensure that you visually check the cables of any electronic equipment supplied to you regularly (and at least every 6 months) and report any defects.

We reserve the right to visit you at home at agreed times for work-related purposes, including health and safety matters and to inspect, service or repair equipment (e.g. for PAT testing).

Facilities and equipment

The council will provide you with the following equipment for you to work from home and we will maintain and replace these items when necessary.

- [Desk,
- Office chair
- Filing cabinet (which will be lockable for those staff who hold personal data)
- Printer/scanner
- Laptop computer
- Photocopier
- Mobile telephone]

It is your duty to ensure that proper care is taken of the equipment provided to you and to let the Clerk know of any need to maintain or replace the equipment. Should the risk assessment identify any further equipment that is necessary, please discuss this with the Clerk.

All equipment provided by the council is for you to work safely and effectively at home and cannot be used for personal use by you or your family.

All equipment will belong to the council and you will be required to return it to us promptly should you leave our employment. If we are unable to make suitable arrangements, we may collect the equipment and any documents before your last day.

Hours of work

As a home-based worker, your contract of employment will specify the hours when we expect you to be at work and contactable by telephone or email. There may be times during the working day when you are not available in which case these should be flagged to the Clerk (or the Chair of the Council) with prior authorisation.

You must be mindful to take adequate rest breaks which should be, as a minimum:

- A break of at least 20 minutes during each working day over 6 hours,
- A daily rest break of at least 11 continuous hours, i.e. the time between stopping work one day and beginning work the next day, and,

- At least one complete day each week when no work is done.

Potential conflicts of interest

During your hours of work, the council expects that your work environment enables you to work effectively and that you are not distracted by domestic matters. It is not appropriate to combine homeworking with caring for a dependant.

If there is an emergency and you need to attend to a non-work matter, then you should notify the Clerk (see the Dependant Leave Policy).

Data protection

As a home-worker you are responsible for keeping all documents and information associated with the council secure at all times. Specifically, homeworkers are under a duty to:

- Keep filing cabinets and drawers locked when they are not being used,
- Keep all documentation belonging to us in the locked filing cabinet at all times except when in use,
- Set up and use a unique password for the laptop computer, and,
- Ensure that documents are saved to the server rather than the laptop computer's hard drive.

[Furthermore, the laptop computer and other equipment provided by us must be used only for work-related purposes and must not be used by any other member of the family at any time or for any purpose.]

If you have a telephone conversation where you are discussing confidential work matters, you should ensure that such calls take place in privacy to avoid inadvertent breach of confidentiality.

Visits to work premises

On occasions you may need to attend council offices for training, performance assessment meetings, team briefings etc. This will normally not be frequent, and the dates and times of such visits will be agreed in advance.

Insurance, mortgage or rental agreements

Whilst our Employer's Liability Insurance extends to home based staff, and any council equipment installed in your home will also be covered, you should ensure that any agreement with your landlord or mortgage lender allows you to work from home, and that your house buildings and contents insurance will not be invalidated by you working from home.

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

Approved and adopted by APC April 2025

Notes

The Good Councillor's guide to being a good employer provides advice and guidance around how to manage a homeworker.

Guidance

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

**ASH PARISH COUNCIL
INTERNAL AUDIT PLAN**

ANNUAL REVIEW OF THE EFFECTIVENESS OF THE SYSTEM OF INTERNAL AUDIT:

The Accounts and Audit Regulations (as amended in 2015) requires all bodies to carry out and report on an annual review of the effectiveness of internal audit. This policy was approved at a meeting held on 07th April 2025

- 1 Review of systems of internal control
- 2 Review of the effectiveness of the Internal Audit

REVIEW OF THE EFFECTIVENESS OF INTERNAL AUDIT

- Duty under the Regulations (2006) on the Council (members)
- Is the Internal Audit properly resourced?
- Does the Internal Audit add value?
- Is the Internal Audit forward looking
- Is the Internal audit challenging

RISK MANAGEMENT

- 1 Risk, the basics 'What is the Council existing for?'
- 2 What will put that, or the Council at risk?
- 3 Identify key risks
- 4 Evaluate the consequences
- 5 Categories of Risk (High Medium or Low). Features: value and probability
- 6 Manage Risk: Insure, Contract out, Manage
- 7 Insurance:
Mandatory: Employers Liability, Fidelity Guarantee
Strongly Recommended: Public Liability, Errors and Omissions
 Assets Defamation
- 8 Internal Auditor: Competent, Independent, Not a member of the Council, Not Reciprocal.

INTERNAL AUDIT AT A PARISH COUNCIL

- Verify the system works
- Verify operations of control
- Test check only together with our Risk Assessment Document
- Report what is done
- Report to Council
- Report for External Auditor

The Council's Internal Audit Process

Documents/books that are submitted to the Independent Internal Auditor are:

Account Book	Invoices and till receipts
Minute Book	Bank Statements
Financial Regulations	NALC recommended salary sheet
Systems of Internal Control	Real Time Information monthly salary schedules
Insurance documents	Receipts & bacs
Precept & Budget papers	Cheque books
Standing Orders	Receipt and paying in books
Clerks Contract	Completed VAT form

Working papers submitted to the Internal Auditor

Clerks expenses plus invoices, documents, till receipts

Receipts and payments sheet

Document stating where the Council carried out the Internal Control

Receipt and Account

Balance Sheet

Notes to the Balance Sheet

Accounts from the previous year

A suggested guide approach to internal audit testing

Annual Return, section 4, to fill in

Variations sheet 15% greater or lower (requirement by External

Auditors*) End of year bank reconciliation (Requirement by External

Auditors) *

- 1 The I/A will undertake audit trails for a variety of payments, both regular and one off payments.
 - Check approval for the payment in the minutes, with the 'Power' recorded in the minutes where relevant
 - Check invoice with payment slip is signed by a councillor
 - Check entry in cash book and VAT accounted for appropriately
 - Check entry on the appropriate bi-monthly Financial Report, where the bank balance is cross checked with the numbered Bank Statement and signed by a Councillor and becomes a part of the minutes.
 - Check cheque number and amount entry on the Bank Statement
 - Check that the cheque stub is initialed by a Councillor
- 2 The I/A will undertake an audit trail for receipts, the precept payment.
- 3 The I/A will inspect the Precept and Budget for the appropriate year and check that reserves are appropriate
- 4 The I/A will check balances of Bank Statements with those on the Financial Reports
- 5 At the end of the Financial Year, the I/A will check all balances on the Working Sheets and Financial papers submitted
- 6 The I/A will check that the Asset Register is complete and properly maintained
- 7 The I/A will check that the salary paid to the Clerk is paid in accordance with Council approval and PAYE and NI requirements are properly applied. Any allowances paid to the members were paid in accordance with Council approval
- 8 The I/A will check the explanations by the Clerk of the variations (15% greater or lower) in any figures given on the Statement of Accounts Section 1 compared to the previous year
- 9 The I/A will check the end of year bank reconciliation explanation

TERMS OF REFERENCE FOR THE INTERNAL AUDITOR

The person appointed to be the Parish Council Internal Auditor must be independent of the Council. They must not be a councillor or closely related to a councillor, and not an employee of the Council

The I/A must be competent at book keeping with an understanding of Parish Council and their finances

The I/A will be required to check the various documents supplied by the Clerk after year end but before External Audit is due.

The I/A should be prepared to ask questions if the Clerk has not supplied sufficient documentation or information, or if it is considered records are not complete.

The I/A should criticize practices or make suggestions where appropriate

The I/A must complete and sign the Annual Internal Audit Report Section 4 of the Annual Return, which is sent to the appointed External Auditor of the Audit Commission*

*

Exempt Authorities

As from the Financial Year April 17 – March 18 there is no requirement for a Council with an Income or Expenditure less than £25,000 to submit the Return to the External Auditor. The Return still has to be filled and **must** be displayed on the Council's web site by the 30th June.

ASH PARISH COUNCIL GENERAL PRIVACY NOTICE ADOPTED AT THE ASH PARISH COUNCIL MEETING HELD ON 07th April 2025

Your personal data – what is it?

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

Who are we?

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

Other data controllers the council works with:

- [e.g. other data controllers, such as local authorities
- Community groups
- Charities
- Other not for profit entities
- Contractors

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

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

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

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses, and email addresses;
- Where they are relevant to the services provided by a council, or where you provide them to us, we may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition, and dependants;
- Where you pay for activities such as use of a council hall, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers;
- The personal data we process may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sexual life or orientation.

How we use sensitive personal data

- We may process sensitive personal data including, as appropriate:
 - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
 - your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
 - in order to comply with legal requirements and obligations to third parties.
- These types of data are described in the GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.
- We may process special categories of personal data in the following circumstances:
 - In limited circumstances, with your explicit written consent.
 - Where we need to carry out our legal obligations.
 - Where it is needed in the public interest.

- Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

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

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

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

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

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

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

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

What is the legal basis for processing your personal data?

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

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

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

Sharing your personal data

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

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

How long do we keep your personal data?

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

Your rights and your personal data

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

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

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

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

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

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

3) **The right to have your personal data erased**

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

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

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

5) **The right to data portability**

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

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

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

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

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

Transfer of Data Abroad

Any personal data transferred to countries or territories outside the European Economic Area ("EEA") will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas.

Further processing

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

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on www.donyattparishcouncil.org.uk This Notice was last updated in July 2018.

Contact Details

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

The Data Controller, Ash Parish Council

The Clerk: 9 Redgate Park, Crewkerne. Somerset TA187NL

Email: clerk@ashpcsomerset.com

ASH PARISH COUNCIL

Social Media Policy

April 2025

This Policy should be read in conjunction with the adopted Communications Policy

1. Policy statement

- 1.1. This policy is intended to help councillors and council staff make appropriate decisions about the use of social media such as emails, blogs, wikis, social networking websites, podcasts, forums, message boards, or comments on web-articles, such as Twitter, Facebook, LinkedIn and other relevant social media websites.

The council will encourage the use of social media for the purposes of:

- providing and exchanging information about services;
- supporting local democracy;
- gathering citizen insights and managing citizen relationships;
- promoting cultural events or tourism for the area;
- supporting community cohesion, neighbourliness and resilience; and
- creating internal communications and learning and development.

- 1.2. This policy outlines the standards the council requires councillors and staff to observe when using social media, the circumstances in which the council will monitor the use of social media and the action to be taken in respect of breaches of this policy.

- 1.3. This policy supplements, and should be read in conjunction with all other policies and procedures adopted by the council, such as the Equal Opportunities Policy, Anti-Harassment Policy, Data Protection Policy, Disciplinary Procedure, Members Code of Conduct and such like.

- 1.4. This policy does not form part of any contract of employment and it may be amended at any time.

2. Who is covered by this policy

- 2.1. This policy covers all individuals working at all levels with the council, including all elected and co-opted councillors, the clerk to the council and all other employees and volunteers (collectively referred to as staff in this policy).

3. The scope of this policy

- 3.1. The council has a corporate presence on the web and by use of email, which it uses to communicate with people who live in, work in and visit the parish. The council will always try to use the most effective channel for its communications. We may ask those who contact us for their preferred channel of communication when we deal with them.

Over time the Parish Council may add to the channels of communication that it uses as it seeks to improve and expand the services it delivers. When these changes occur this Social Media Policy will be updated to reflect the new arrangements.

- 3.2 All members and staff are expected to comply with this policy at all times to protect the reputation, privacy, confidentiality, and interests of the council, its services, employees, partners and community.
- 3.2. Serious breaches of this policy by employees may be dealt with under the Employee Disciplinary Procedure. The council may take disciplinary action in respect of unlawful, libellous, harassing, defamatory, abusive, threatening, harmful, obscene, profane, sexually oriented or racially offensive comments by an employee.

Breach of the policy by volunteers will result in the council no longer using their services and, if necessary, appropriate action will be taken.

Behaviour required by the Members' Code of Conduct shall apply to online activity in the same way it does to other written or verbal communication. Members will bear in mind that inappropriate conduct can still attract adverse publicity, even where the code does not apply. Remarks are easily withdrawn, apologised for and forgotten when made in person, but posting them on the internet means that they have been published in a way that cannot be contained. Online content should be objective, balanced, informative and accurate. Members must be aware that their profile as a councillor means the more likely it is they will be seen as acting in an official capacity when blogging or networking.

It must be remembered that communications on the internet are permanent and public. When communicating in a 'private' group it should be ensured that the council would be content with the statement should it be made public.

4. Rules for using social media.

- 4.1 Staff and councillors must not allow their interaction on any websites or blogs to damage their working relationships with others. They must not make any derogatory, discriminatory, defamatory or offensive comments about other staff, councillors, the council or about the people, businesses and agencies the council works with and serves.
- 4.2 Posts must not contain anyone's personal information, other than necessary basic contact details
- 4.2 If staff or councillors blog or tweet personally, and not in their role as a councillor, they must not act, claim to act, or give the impression that they are acting as a representative of the council. They should not include web links to official council websites as this may give or reinforce the impression that they are representing the council.
- 4.3 All staff and councillors must ensure they use council facilities appropriately. If using a council-provided website, blog site or social networking area, any posts made will be viewed as made in an official capacity. Do not use council facilities for personal or political blogs.
- 4.4 The Council will appoint a nominated person(s) as moderator(s). They will be responsible for posting and monitoring of the content on council pages, ensuring it complies with the Social Media Policy. The moderator(s) will have authority to immediately, without notice or comment, remove any posts from the council's social media pages if they are deemed to be inflammatory or of a defamatory or libellous nature. Such post will also be reported to the Hosts (i.e. Facebook) and also the clerk for council records.
- 4.3 The Council will appoint a nominated "Webmaster" to maintain and update the Parish Council Website. The website may be used to:

- Post notices and minutes of meetings
 - Advertise events and activities
 - Post good news stories
 - Link to appropriate websites or press page if those sites meet the council's expectations of conduct
 - Advertise vacancies
 - Retweet or 'share' information from partners i. e. Police, Library, district council, etc.
 - Announce new information appropriate to the council.
 - Post or Share information promoting bodies for community benefit such as schools, Scouts, sports clubs and community groups
 - Post other items as the council see fit.
 - Facebook and/or Twitter, etc, may be used to support the website and its information as above.
- 4.4 Staff and individual parish councillors are responsible for what they post. They are personally responsible for any online activity conducted via their published e-mail address, which is used for council business. Both staff and councillors are strongly advised to have separate council and personal email addresses.
- 4.5 All social media sites in use should be checked on a regular basis to ensure the security settings are in place.
- 4.6 When participating in online communication staff and councillors must;
- Be responsible and respectful; be direct, informative, brief and transparent.
 - Always disclose their identity and affiliation to the council.
 - Never make false or misleading statements.
 - Not present themselves in a way that might cause embarrassment. They must protect the good reputation of the council.
 - Be mindful of the information posted on sites and make sure personal opinions are not published as being that of the council.
 - Keep the tone of comments respectful and informative, never condescending or "loud." Use sentence case format, not capital letters, do not write in red to emphasise points.
 - Refrain from posting controversial or potentially inflammatory remarks. Language that may be deemed as offensive relating in particular to race, sexuality, disability, gender, age or religion or belief should not be published on any social media site.
 - Avoid personal attacks, online fights and hostile communications.
 - Do not post comments that you would not be prepared make in writing or face to face.
 - Never name an individual third party unless you have written permission to do so.
 - Seek permission to publish original photographs or videos from the persons or organisations in the video or photograph before they are uploaded. You must check that there is parental permission before photos of children are used.
 - Respect the privacy of other councillors, staff and residents.
 - Never post any information or conduct any online activity that may violate laws or regulations, such as libel and copyright.
 - Spell and grammar check everything.
- 4.7 Residents and councillors should be aware that not all communication through social media requires a response, although an acknowledgement should be made if appropriate.

- 4.8 If a matter raised in any form of social media needs further consideration by the council it may be raised at either the open forum or as a full agenda item for consideration by a quorum of Councillors. Again the 'poster' shall be informed via the page or direct message that this is the case and invited to contact the clerk direct. Any response agreed by the council will be recorded in the minutes of the meeting.
- 4.9 Reports of any concerns regarding content placed on social media sites should be reported to the Clerk for referral to the moderator(s) and/or council as required.
5. The Policy will be reviewed annually.

Ash Parish Council

Press and Media Policy

1 INTRODUCTION

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

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

2 KEYS AIMS

2.1 The Council is accountable to the local community for its actions and this can only be achieved through effective two-way communications. The media – press, radio, TV, internet – are crucially important in conveying information to the community so the Council must maintain positive, constructive media relations and work with them to increase public awareness of the services and facilities provided by the Council and to explain the reasons for particular policies and priorities.

2.2 It is important that the press have access to the Clerk/ Councillors and to background information to assist them in giving accurate information to the public. To balance this, the Council will defend itself from any unfounded criticism and will ensure that the public are properly informed of all the relevant facts using other channels of communication if necessary.

3 THE LEGAL FRAMEWORK

3.1 The law governing communications in local authorities can be found in the Local Government Acts 1986 and 1988. The Council must also have regard to the governments Code of Recommended Practice on Local Authority Publicity.

3.2 The Parish Council's adopted Standing Orders should be adhered to.

4. CONTACT WITH THE MEDIA

4.1 The Clerk and Councillors should always have due regard for the long-term reputation of the Council in all their dealings with the media.

4.2 Confidential documents, exempt Minutes, reports, papers and private correspondence should not be leaked to the media. If such leaks do occur, an investigation will take place to establish who responsible and appropriate action was taken.

4.3 When the media wish to discuss an issue that is, or is likely to be, subject to legal proceedings then advice should be taken from the Council's solicitor before any response is made. Whenever possible any information given to the press shall be given in writing so as not to leave interpretation open to misunderstanding and misreporting.

4.4 There are a number of personal privacy issues for the Clerk and Councillors that must be handled carefully and sensitively. These include the release of personal information, such as home address and telephone number (although Member contact details are in the public domain); disciplinary procedures and long-term sickness absences that are affecting service provision. In all these and similar situations, advice must be taken from the Clerk before any response is made to the media.

4.5 When responding to approaches from the media, the Clerk or the Chairman are authorised to make contact with the media.

4.6 Statements made by the Chairman and the Clerk should reflect the Council's opinion.

4.7 Other Councillors can talk to the media but must ensure that it is clear that the opinions given were their own and not necessarily those of the Council.

4.8 There are occasions when it is appropriate for the Council to submit a letter, for example to explain important policies or to correct factual errors in letters submitted by other correspondents. Such letters should be kept brief and balanced in tone and correspondence should not be drawn out over several weeks. All correspondence must come from the Clerk.

5 ATTENDANCES OF MEDIA AT COUNCIL MEETINGS

5.1 The Local Government Act 1972 requires that agendas, reports and minutes are sent to the media on request.

5.2 The media are encouraged to attend Council meetings, seating and workspace will be made available.

5.3 Any filming or taping of Council proceedings by the media must be with prior notice to the Clerk and Chairman of the meeting (see Standing Orders).

6 PRESS RELEASES

6.1 The purpose of a press release is to make the media aware of a potential story, to provide important public information or to explain the Council's position on a particular issue. It is the responsibility of the Clerk and Councillors to look for opportunities where the issuing of a press release may be beneficial.

6.2. The Clerk or any Member may draft a press release, however they must all be issued by the Clerk in order to ensure that the principles outlined in section three (Legal Framework) are adhered to, that there is consistency of style across the Council and that the use of the press release can be monitored.

7 FACEBOOK

Aims

7.1 This policy relates to the creation and management of a Facebook Page by the Parish Council.

7.2 The aim of this policy is to set down rules and regulations to ensure proper use of the page.

7.3 The aim is to use the Facebook page to interact in a stronger way with the Parish's people, advertising events and other projects of the Parish Council.

Management

7.4 The page will be created and managed solely by the Parish Council Clerk. No Councillors will have access to the page for administration purposes

7.5 The page would be set up using the Parish Clerk's email address.

7.6 Only information regarding the Parish Council should be entered as part of the Biography.

7.7 The account should only link to pages of a local government organisation or organisations/causes relating to the Parish.

7.8 No religious or political views should be expressed under the biography.

7.9 Friends will not be allowed to post new topics to the wall – This will prevent others placing topics on games etc. to the Parish Council's account for all to see. However, friends would be able to comment on wall topics created by the Parish Council.

7.10 Posts on the page would be available for all uses of Facebook to see.

7.11 The logo will be the profile picture for everyone to see.

7.12 Photo Albums will be open for everyone to view.

7.13 Photo's uploaded to the album will not have direct view of any child's face without the prior consent of their guardian.

7.14 The page will be maintained by the Parish Clerk who will remove messages from the wall which include:

- a Abusive language content
- b Which may cause offence to a specific group of people e.g. comments on a person's sexuality, sexist comments, racial comments etc.
- c Which contain potentially libellous comments

7.15 If any points raised on the wall are relevant and need to be discussed by the Council then if necessary further information will be sought before bringing it to the Council.

7.16 Event dates will be created for any Parish Council event taking place.

7.17 People would be encouraged to be friends of the Parish Council

7.18 If friends are repeatedly abusing the Parish Council's wall then they will be removed from the friends list and unable to post to the wall. Instances which would involve removal from the friends list include repeated:

- a Posting with abusive language content
- b Posting comments which may cause offence to a specific group of people e.g. comments of a person's sexuality, sexist comments, racial comments etc
- c Posting potential libellous comments

7.19 Private messages will only be sent in response to anyone sending an initial private message to the Parish Council account. The response will ask the person to email the Council with the request for comment and the office email will be provided.

8. Changes

This policy will be a living document and will be able to be altered by the Parish Clerk to allow immediate action should the unexpected arise. This will be key to overcoming teething problems that have not already been identified. Changes to the policy will be highlighted at the next Council meeting to keep Councillors abreast of the changes.