



FRATING PARISH COUNCIL

Memorial Hall, Main Road, Frating, CO7 7DJ.

Clerk to the Council: Kay English

Email: clerk@fratingparishcouncil.gov.uk

Website: www.fratingparishcouncil.gov.uk

APPENDIX B

AGENDA ITEM 8 – MATTERS PENDING

04.25.144 PUBLIC QUESTIONS

Date for Litter Picking Event to be published on social media. Cllr Bland

02.25.119 FINANCE

Transfer to Unity Trust Bank Update at future meeting (TBC)

PLANNING & ENVIRONMENT

- 04.25.149**
- i. Feasibility of installing an additional VAS including Road Safety statistics and/or speed reduction signage.
 - ii. Lufkins Farm Planning Application
 - iii. MAG10 Surface Water
 - iv. New Mineral Site A69

04.25.145 LEISURE & FACILITIES

- i. Land Registry: Trees Churchyard. Cllrs Bland & Potter.
- ii. Bus Shelter refurbishment

04.25.150 COMMUNITY

First Aid Training: Clerk

GOVERNANCE

02.25.123 Action arising: Cllr Morris to complete and return DPI forms. **(11.24.93)**

04.25.147 Change in email address: Cllrs Hynes & Philp

Frating Parish Council

22 April 2025 (2024-2025)

PAYMENTS LIST

Vouche	Code	Date	Minute	Bank	Cheque No	Description	Supplier	VAT Type	Net	VAT	Total
1	Chairperson's Allowance	09/04/2024		Current Account	1	Chairperson's Allowance		X	34.07		34.07
2	Room Hire	09/04/2024		Current Account	2	Rent for Meeting Room - Coun	Frating Memorial Hall	Z	180.00		180.00
4	Clerk Salary	09/04/2024		Current Account	4	Clerk Salary		X	313.15		313.15
3	PAYE/NI	09/04/2024		Current Account	3	HMRC	HMRC	X	41.60		41.60
5	Expenses	09/04/2024		Current Account	5	Clerk Expenses		Z	32.24		32.24
6	Contract Maintenance	09/04/2024		Current Account	6	Grass Cutting	Landscape Services	S	150.00	30.00	180.00
7	Contract Maintenance	09/04/2024		Current Account	7	Grass Cutting	Landscape Services	S	150.00	30.00	180.00
8	Website Costs	14/05/2024		Current Account	8	Website	VCS Websites	Z	100.00		100.00
15	Clerk Salary	14/05/2024		Current Account	15	Clerk Salary		X	266.16		266.16
14	Clerk Salary	14/05/2024		Current Account	14	Clerk Salary		X	254.75		254.75
12	Chairperson's Allowance	14/05/2024		Current Account	12	Chairperson's Allowance		X	34.27		34.27
9	Subscriptions	14/05/2024		Current Account	9	Subscription	RCCE	S	36.75	7.35	44.10
11	Audit (External & Internal)	14/05/2024		Current Account	11	Internal Audit		Z	150.00		150.00
16	Expenses	14/05/2024		Current Account	16	Clerk Expenses		Z	71.02		71.02
10	Contract Maintenance	14/05/2024		Current Account	10	Grass Cutting	Landscape Services	S	150.00	30.00	180.00
13	P3 Expenditure	14/05/2024		Current Account	13	p3 items	GB Farm Services	S	65.72	13.14	78.86
17	Clerk Salary	14/05/2024		Current Account	17	Clerk Salary		X			
18	Insurance	14/05/2024		Current Account	18	Insurance	Clear Insurance	X	495.91		495.91
19	Lighting Maintenance	17/06/2024		Current Account	19	Lighting	A&J Lighting	S	37.50	7.50	45.00
20	Clerk Salary	28/06/2024		Current Account	20	Clerk Salary		X	333.89		333.89
21	Chairperson's Allowance	28/06/2024		Current Account	21	Chairperson's Allowance		X	34.07		34.07
26	Clerk Salary	03/07/2024		Current Account	26	Clerk Salary		X	393.88		393.88
25	PAYE/NI	03/07/2024		Current Account	25	PAYE/NI	HMRC	X	156.60		156.60
22	Chairperson's Allowance	03/07/2024		Current Account	22	Chairperson's Allowance		X	34.07		34.07
24	Subscriptions	03/07/2024		Current Account	24	Subscription	RCCE	S	67.00	13.40	80.40
27	Contract Maintenance	03/07/2024		Current Account	27	Grass Cutting	Landscape Services	S	450.00	90.00	540.00
23	P3 Expenditure	03/07/2024		Current Account	23	p3 items	Ernest Doe	S	31.42	6.29	37.71
33	Clerk Salary	06/08/2024		Current Account	33	Clerk Salary		X	333.89		333.89
31	Subscriptions	06/08/2024		Current Account	31	Subscription	EALC	X	235.45		235.45
29	Subscriptions	06/08/2024		Current Account	29	Subscription	Geosphere Ltd	S	48.00	9.60	57.60
28	Subscriptions	06/08/2024		Current Account	28	Subscription	TDALC	X	20.00		20.00
32	Contract Maintenance	06/08/2024		Current Account	32	Grass Cutting	Landscape Services	S	600.00	120.00	720.00
30	Equipment	06/08/2024		Current Account	30	Defib	Wel Medical	S	119.90	23.98	143.88

PAYMENTS LIST

Vouche	Code	Date	Minute	Bank	Cheque No	Description	Supplier	VAT Type	Net	VAT	Total
41	Chairperson's Allowance	06/08/2024		Current Account	41	Chairperson's Allowance		X	34.27		34.27
36	Chairperson's Allowance	02/09/2024		Current Account	34	Chairperson's Allowance		X	34.07		34.07
34	Clerk Salary	10/09/2024		Current Account	35	Clerk Salary		X	333.89		333.89
35	Subscriptions	10/09/2024		Current Account	35a	IT	Adobe Ltd	S	4.51	0.90	5.41
38	Payroll Services	10/09/2024		Current Account	37	Payroll	DM Payroll Services	X	66.00		66.00
39	Contract Maintenance	10/09/2024		Current Account	38	Grass Cutting	Landscape Services	S	150.00	30.00	180.00
37	P3 Expenditure	10/09/2024		Current Account	36	Fuel	Tesco	X	11.00		11.00
40	Lighting Maintenance	17/09/2024		Current Account	39	Lighting	A&J Lighting	S	37.50	7.50	45.00
46	Clerk Salary	10/10/2024		Current Account		Clerk Salary		X	339.30		339.30
43	Chairperson's Allowance	10/10/2024		Current Account		Chairperson's Allowance		X	34.27		34.27
42	Subscriptions	10/10/2024		Current Account		Subscription	CVST	X	25.00		25.00
44	Website Costs	10/10/2024		Current Account		Website	VCS Websites	X	100.00		100.00
45	Contract Maintenance	10/10/2024		Current Account		Grass Cutting	Landscape Services	S	150.00	30.00	180.00
47	Contract Maintenance	10/10/2024		Current Account		Bus Shelters	C R Spurgeon	X	685.00		685.00
48	Clerk Salary	05/11/2024		Current Account		Clerk Salary		X	333.89		333.89
51	Chairperson's Allowance	05/11/2024		Current Account		Chairperson's Allowance		X	34.27		34.27
49	Subscriptions	05/11/2024		Current Account		IT	Adobe Ltd	S	4.51	0.90	5.41
50	S137	05/11/2024		Current Account	28	Poppy Wreath	Royal British Legion	X	20.00		20.00
56	Clerk Salary	04/12/2024		Current Account		Clerk Salary		X	435.04		435.04
52	Chairperson's Allowance	04/12/2024		Current Account		Chairperson's Allowance		X	34.07		34.07
57	Subscriptions	04/12/2024		Current Account		IT	Adobe Ltd	S	4.51	0.90	5.41
53	Training	04/12/2024		Current Account		Training	EALC	S	80.00	16.00	96.00
54	Contract Maintenance	04/12/2024		Current Account		Grass Cutting	Landscape Services	S	150.00	30.00	180.00
58	Equipment	04/12/2024		Current Account		Vas Sign	Elan City	S	17.44	3.49	20.93
55	S137	04/12/2024		Current Account		Donation	Essex & Herts Air Ambulan	X	200.00		200.00
59	Lighting Maintenance	16/12/2024		Current Account		Lighting	A&J Lighting	S	37.50	7.50	45.00
62	Clerk Salary	30/12/2024		Current Account		Clerk Salary		E	348.34		348.34
60	PAYE/NI	30/12/2024		Current Account		PAYE/NI	HMRC	E	25.60		25.60
63	Chairperson's Allowance	30/12/2024		Current Account		Chairperson's Allowance		E	34.07		34.07
61	Chairperson's Allowance	30/12/2024		Current Account		Chairperson's Allowance		E	34.07		34.07
64	PAYE/NI	31/12/2024		Current Account		PAYE/NI	HMRC	E	25.60		25.60
66	Payroll Services	04/02/2025		Current Account		Payroll	DM Payroll Services	E	66.00		66.00
65	Expenses	04/02/2025		Current Account		Grass Cutting	Landscape Services	S	150.00	30.00	180.00
75	Clerk Salary	04/02/2025		Current Account		Clerk Salary	Frating Parish Council	E	245.40		245.40

PAYMENTS LIST

Vouche	Code	Date	Minute	Bank	Cheque No	Description	Supplier	VAT Type	Net	VAT	Total
73	Clerk Salary	04/02/2025		Current Account		Clerk Expenses	██████	E	114.71		114.71
72	Clerk Salary	04/02/2025		Current Account		Clerk Salary	██████	E	348.34		348.34
68	Training	04/02/2025		Current Account		Training	EALC	E	252.00		252.00
67	Website Costs	04/02/2025		Current Account		Website	VCS Websites	S	191.67	38.33	230.00
74	Expenses	04/02/2025		Current Account		Clerk Expenses	Frating Parish Council	E	117.25		117.25
70	Expenses	04/02/2025		Current Account		Accounts Package	Scribe	S	172.80	34.56	207.36
69	Expenses	04/02/2025		Current Account		Expenses	Tendring District Council	S	90.31	18.06	108.37
71	Expenses	04/02/2025		Current Account		Expenses	██████	E	60.00		60.00
76	Subscriptions	12/02/2025		Current Account		Expenses	ICO	E	35.00		35.00
87	Clerk Salary	05/03/2025		Current Account		Clerk Salary	██████	E	348.34		348.34
79	Clerk Salary	05/03/2025		Current Account		Clerk Salary	Frating Parish Council	E	292.00		292.00
84	Chairperson's Allowance	05/03/2025		Current Account		Chairperson's Allowance	██████	E	34.07		34.07
88	Training	05/03/2025		Current Account		Training	EALC	S	180.00	36.00	216.00
86	Expenses	05/03/2025		Current Account		Expenses	██████	E	75.00		75.00
85	Expenses	05/03/2025		Current Account		Expenses	██████	S	38.53	7.71	46.24
83	Expenses	05/03/2025		Current Account		Clerk Expenses	Frating Parish Council	S	19.97	3.99	23.96
81	Expenses	05/03/2025		Current Account		Expenses	Frating Parish Council	E	118.00		118.00
80	Expenses	05/03/2025		Current Account		Expenses	Frating Parish Council	E	51.59		51.59
82	Expenses	05/03/2025		Current Account		Expenses	Frating Parish Council	S	124.99	25.00	149.99
77	Contract Maintenance	05/03/2025		Current Account		Grass Cutting	Landscape Services	S	150.00	30.00	180.00
78	Contract Maintenance	05/03/2025		Current Account		Tree Cutting	Landscape Services	S	400.00	80.00	480.00
89	Lighting Maintenance	05/03/2025		Current Account		Lighting	A&J Lighting	S	37.50	7.50	45.00
Total									12,958.50	819.60	13,778.10

APPENDIX D

Frating Parish Council Policy & Procedure Review May 2025 Summary

General Note:

Policies & Procedures have been amended to reflect the change in Clerk details, email address and review date. The format and text have also been standardised with page numbers added.

Policy/Procedure	Changes	Comment
Accessibility	Separate document not required	Statement is contained on the website: https://www.fratingparishcouncil.gov.uk/accessibility
Asset Register	HP Printer: Clerk	Details added to the Register
Code of Conduct	No material changes to the content.	Reflects the Local Government Association Model Code of Conduct.
Complaints	No material changes to the content	
Co-Option Policy	No amendments.	
Dignity at Work	No amendments.	
Disciplinary Procedure	Significant text Changes	Changes take into account latest ACAS advice.
Equality & Diversity Policy	No material changes to content.	
Financial Regulations	Amendment to the threshold for procurement £30,000 to align with Standing Orders.	Updated to reflect NALC Model Contract dated 05/03/2025; threshold for procurement specified as £30,000 to align with Standing Orders as highlighted by the Internal Auditor.
Freedom of Information	No amendments.	
General Privacy Notice & Policy	Email address for ICO updated.	
Health & Safety Statement	No material changes to content.	
ID Policy	No amendments.	
Privacy Notice & Policy	No amendments/	
Retention Policy	No change	
Social Media Policy	No material changes to content.	The Policy reference FPC Facebook but this isn't used currently.
Staff Grievance Procedure	No material amendment to content.	Updated legislation reference to Employment Relations Act 2004 (not 1999).
Standing Orders	No changes.	Based on NALC Model Contract updated 31/03/2025

FRATING PARISH COUNCIL
ASSET REGISTER

<u>Asset Register items</u>	<u>Asset value</u>	<u>Insured value</u>	<u>Disposal date</u>	<u>Reason for disposal (disposal amount)</u>
Land: Land on the east side of Bromley Road, Frating Title no. EX725831	£500.00	£600.00 8 trees situated on the land		
Bus shelters: Bus Shelter Kings Arms Bus Shelter Frating Park Bus Shelter Frating Hill *Adshell Bus Shelter Colchester Road	£1,749.00 £6,063.00 £6,063.00 £0.00	£2,000.00 £6,300.00 £6,300.00 £0.00		* Maintainted by Adshell not the Parish Council
Defibrillator: Community Defibrillator (outside wall of Memorial Hall)	£1,800.00	£2,000.00		
Noticeboards: Notice Board - Frating Cross Roads Notice Board - Frating Cross Roads Notice Board - Frating Park	£750.00 £613.57 £200.00	£850.00 £613.57 £300.00	15/06/2023	The seals had broken & it could not be fixed - replaced with new one Purchased 15/06/2023
Litter bins: Bromley Road Main Road (B1029) Main Road next to bus stop (B1029) Main Road (B1029) (footpath no.1) New Bin Entrance to Footpath (purchased 2023)	£450.00 £365.00 £285.00 £475.00	£365.00 £450.00 £400.00 £320.00 £475.00	2015	2015 bin post broken, post removed and bin Broken bin replaced with a concrete base and larger bin.
Lighting: Solar Light (Frating Park) deleted Street lights (Haggars Lane (1), Gt. Bentley Road (1) * Bromley Road (6) *	£3,600.00	£4,100		Old solar light disposed of November 2017 (£1,552/£1652). *All 8 lights were replaced with LED's in 2017
Laptop & printer: HP Laptop HP Printer Smart Tank Lap Top Printer Laser Printer HP Officejet 8620 printer	£399.00 £149.99 £430.00 £250.00 £250.00	£ 450.00 £149.99 £450.00 £270.00 £2,500.00 (with laptop) £250.00	Jan-22 2015 Jun-20	Laptop replaced as not working - recycled with Currys when purchasing new laptop £50 off new laptop. Printer replaced due to cost of repairs. 2015- Replaced in 2016 due to Transparency Code requirements, funding acquired. Printer stopped working unable to salvage.
Signs: Village Sign VAS Signs	£2,350.00 £4,000.00	£2,600.00 £ 6,000.00		
Other: *War Memorial Hall Frating Parish Council are the custodians of the hall but Frating Memorial Hall Management Committee are the Trustees. Stihl Brush Cutter/Strimmer Flower boxes (wooden from Mayflower Project) Barrell Bible Barrell Bible Memorial Wooden Box and wall plaque Stored in the Memorial Hall	-£150,000.00 £450.00 £400.00 £1.00 £450.00	-£150,000 £500 £500.00 Checking with Insurance Company 450		* The hall is insured by the Frating Memorial Hall Management Committee not by the Parish Council
Total value	£29,314	£34,054		

Date Reviewed: May 2025
By whom: The Parish Clerk/Proper Officer

portable items (insurance) £2,720.00
other items £31,333.57



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CODE OF CONDUCT 2025

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable, and that we all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services, and deliver local change. The public has high expectations of us and entrusts us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by both maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

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 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 or a directly elected mayor. 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, 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.

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.

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, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

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 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 (unless they are political assistants). 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:

1. reasonable and in the public interest; and

2. made in good faith and in compliance with the reasonable requirements of the local authority; and

3. I have consulted the Monitoring Officer prior to its release.

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/it's 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.

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.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 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 Monitoring Officer.

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.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

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 Monitoring Officer for guidance.

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.

Appendix B – Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office 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.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being

considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registrable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registrable 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-Registrable Interests

7. 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 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.

8. 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, close associate; or
- c. a financial interest or well-being 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

9. 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 ward 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 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.

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</p> <p>(b) which has not been fully discharged.</p>
Land and Property	Any beneficial interest in land which is within the area of the council. '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.
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>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

* '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

<p>You must register as an Other Registrable Interest;</p> <p>a) any unpaid directorship</p> <p>b) any body of which are a member or are in a position of general control or management and to which you are nominated or appointed by your authority</p> <p>c) any body</p> <p>(i) exercising functions of a public nature</p> <p>(ii) directed to charitable purposes or</p> <p>(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</p>

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

Reviewed: Full Council 19th May 2025

Next Review date: May 2026



FRATING PARISH COUNCIL

Clerk to the Council: Kay English
Email: clerk@fratingparishcouncil.gov.uk
Website: www.fratingparishcouncil.gov.uk

COMPLAINTS PROCEDURE

Complaints about an Employee of Frating Parish Council

Complaints about an employee of the Council (ie. the clerk) are dealt with as an employment matter.

Complaints about a Councillor of Frating Parish Council

Complaints about a Councillor are subject to the jurisdiction of the Tendring District Council's Standards Board and referred to the Monitoring Officer for further investigation.

Complaints about the administration of the council or about its procedures.

Frating Parish Council adopts a standard and formal procedure for considering complaints either made by complainants directly or which have been referred back to the Council from other agencies.

CODE OF PRACTICE

In the first instance complaints will be dealt with by less formal measures or explanations will be provided to the complainant by the Clerk or Chairman. If the Complainant is dissatisfied with the outcome of the information approached then following procedure will be taken.

Before the Meeting:

1. The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk, as the Proper Officer.
2. If the complainant does not wish to put the complaint to the Clerk, they may be advised to submit it to the Chairman of the Council.
3. The Clerk shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the council for the purposes of hearing complaints.
4. The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
5. Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The Council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

At the Meeting:

- The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the Council meeting in public.
- Chairman to introduce everyone.
- Chairman to explain procedure.
- Complainant (or representative) to outline grounds for complaint.
- Members to ask any question of the complainant.
- If relevant, Clerk or other Proper Officer to explain the council's position.
- Members to ask any question of the clerk or other proper officer.

- Clerk or other Proper Officer and complainant to be offered opportunity of last word (in this order).
- 9. Clerk or other Proper Officer and complainant to be asked to leave room while Members decide whether or not the grounds for the complaint have been made, (if a point of clarification is necessary, both parties to be invited back).
- Clerk and complainant return to hear decision, or to be advised when decision will be made.

After the Meeting:

The decision will be confirmed in writing within seven working days together with details of any action to be taken.

Notes:

It may be that the Clerk or other Proper Officer at the meeting represents the position of the council. If the clerk or other proper officer is putting forward the justification for the action or procedure complained of, he or she should not advise the council. All parties should be treated fairly and the process should be reasonable, accessible and transparent.

Reviewed by Full Council on 19th May 2025

Next Review Date: May 2026



FRATING PARISH COUNCIL

Clerk to the Council: Kay English

Email: clerk@fratingparishcouncil.gov.uk

Website: www.fratingparishcouncil.gov.uk

CO-OPTION POLICY

This policy sets out the procedure to ensure compliance with legislation and continuity of procedures in the co-option of members to Frating Parish Council. The co-option procedure is entirely managed by the Parish Council, and this policy will ensure that a fair and equitable process is carried out.

CO-OPTION

The co-option of a Parish Councillor occurs in two instances:

- When an ordinary vacancy has arisen on the Parish Council after the ordinary elections held every four years;
- When a casual vacancy has arisen on the Parish Council and no poll (by-election) has been called.

Ordinary vacancy

An ordinary vacancy occurs when there are insufficient candidates to fill all the seats on the Parish Council at the ordinary elections held every four years. Any candidates who were nominated are automatically elected to the Parish Council and any remaining vacancies are known as "ordinary vacancies". Provided there are enough Parish councillors to constitute a quorum, the Parish Council is usually able to co-opt a volunteer to fill the vacancies.

Casual vacancy

A casual vacancy occurs when:

- A councillor fails to make his declaration of acceptance of office at the proper time;
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails for six (6) months to attend meetings of the Council and such absence has not been approved by the Council

The Parish Council must notify Tendring District Council of a casual vacancy and then advertise the vacancy and give electors for the ward the opportunity to request an election. This occurs when ten (10) electors write to the District Council stating that an election is requested.

If a by-election is called, a polling station will be set up by Tendring District Council and the residents of Frating will be asked to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper. The Parish Council will pay the costs of the election. Residents have fourteen days (not including weekends, bank holidays and other notable days), to claim the by-election. Tendring District Council will advise the Clerk of the closing date.

If more than one (1) candidate is then nominated a by-election takes place but if only one (1) candidate is put forward they are duly elected without a ballot.

If ten (10) residents do not request a ballot within fourteen (14) days of the vacancy notice being posted, as advised by Tendring District Council, the Parish Council is able to co-opt a volunteer.

CONFIRMATION OF CO-OPTION

On receipt of written confirmation from the District Council that no by-election has been claimed, the casual vacancy can be filled by means of co-option. The Clerk will:

- Advertise the vacancy for four weeks or such other period as the Parish Council may agree on the Parish Council noticeboards and website
- Advise Tendring District Council that the co-option policy has been instigated

ELIGIBILITY OF CANDIDATES

The Parish Council is able to consider any person to fill a vacancy provided that:

- he/she is 18 or over; and
- he/she is a British citizen, a qualifying Commonwealth citizen or a citizen of any other member state of the European Union;

and at least one of the following apply:

- he/she is an elector for the village and continues to be an elector; or
- has resided in the parish for the past twelve months or rented/tenanted land in the village; or
- has had his/her principal or only place of work in the village for the past twelve months; or
- has lived within three miles of the village for the past twelve months.

There are certain disqualifications for being a town councillor, of which the main are (see s80 of the Local Government Act 1972):

- holding a paid office or employment under the Parish Council;
- bankruptcy;
- having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the preceding five years; or
- being disqualified under any enactment relating to corrupt or illegal electoral practices.

APPLICATIONS

Candidates will be requested to:

- Submit information about themselves, by way of completing a short application form (a copy of the application form is attached as Appendix A);
- Confirm their eligibility for the position of town councillor within the statutory rules, (a copy of the eligibility form is attached as Appendix B).

Following receipt of applications, the next suitable Parish Council meeting will have an agenda item 'To co-opt candidate to fill existing vacancy'. Eligible candidates will be invited to attend the meeting.

AT THE CO-OPTION MEETING

At the co-option meeting, candidates will be given five minutes maximum to introduce themselves to the Parish councillors (members), give information on their background and experience and explain why they wish to become a member of the Parish Council. The process will be carried out in the public session and there will be no private discussions between members prior to a vote being taken.

As soon as all candidates have finished giving their submissions, the Parish Council will proceed to a vote with each candidate being proposed and seconded by the councillors in attendance and a vote by a show of hands.

For a candidate to be co-opted to the Parish Council, it will be necessary for them to obtain an absolute majority of votes cast (50% + 1 of the votes available at the meeting). If there are more than two candidates and there is no candidate with an overall majority in the first round of voting the candidate with the least number of votes will drop out of the process.

Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority.

Where the number of candidates is less than or equal to the number of vacancies, the candidates shall be appointed to the council if they meet the s.79 eligibility criteria and they are not disqualified under s.80.

If present, a candidate who is co-opted will sign at the co-option meeting a Declaration of Acceptance of Office, including an undertaking to abide by the Parish Council's Code of Conduct, and may take office thereafter. If not present, a co-opted candidate will sign the Declaration of Acceptance of Office either before or at the next meeting of the Parish Council.

The Clerk will notify Tendring District Council of the co-option of the new parish councillor.

The co-opted parish councillor will complete a Notification of Disclosable Pecuniary and Other Interests form which the Clerk will lodge with the Monitoring Officer at Tendring District Council within 28 days of the co-option.

If insufficient candidates are co-opted, the process should continue, whereby the vacancies are again advertised.

FRATING PARISH COUNCIL CO-OPTION APPLICATION FORM

<p>Please detail any experience you may have that is relevant to Frating Parish Council (if necessary continue onto a separate sheet)</p>

APPENDIX A

**Is there any other information you would like to disclose regarding your application?
(If necessary, please continue on a separate sheet).**

Use of Personal Information

The Parish Council will use your information, including that which you provide on this application form, to assess your suitability to be a Parish councillor.

Declaration & Consent

I have read the section entitled "Use of Personal Information" and by signing this form I consent to the use and disclosure of my information included in this application form.

I declare the information given on this form to be true and correct.

SIGNED..... NAME.....

DATE.....

Please complete and return this form, together with the completed Co-option Eligibility Form to: The Clerk - email: clerk@fratingparishcouncil.gov.uk

APPENDIX B

FRATING PARISH COUNCIL CO-OPTION ELIGIBILITY FORM

1. To be eligible for co-option as a Frating Parish Councillor you must satisfy certain criteria. You must satisfy (a) and (b) below and at least one of the options (c) – (f). Please tick which apply to you:

- a. I am 18 years of age or over; and ☐
- b. I am a British citizen or a citizen of the Commonwealth or a citizen of any other member state of the European Union; and ☐
- c. I am registered as a local government elector for the town; or ☐
- d. I have, during the whole of the twelve months preceding the date of my co-option occupied, as owner or tenant, land or other premises in the parish; or ☐
- e. My principal or only place of work during those twelve months has been in the town; or ☐
- f. I have during the whole of those twelve months resided in the town or within 3 miles of it. ☐

2. Please note that under Section 80 of the Local Government Act 1972 a person is disqualified from being a town councillor if he/she:

- a) Is employed by the parish council or holds paid office under the parish council (including joint boards or committees);
- b) Is employed by an entity controlled by the parish council;
- c) Is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order or a debt relief restrictions order or an interim debt relief restrictions order; or
- d) Has within five years before the day of co-option, or since his/her co-option, been convicted in the UK, Channel Islands or Isle of Man of any offence and has been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of a fine; or
- e) Is otherwise disqualified under Part III of the Representation of the People Act 1983 (relating to corrupt or illegal electoral practices and offences relating to donations) or the Audit Commission Act 1998.

Use of Personal Information

The Parish Council will use the information provided on this form to assess your eligibility to be a Parish councillor.

Declaration & Consent

I.....hereby confirm that I am eligible for the vacancy of Frating Parish Councillor and I am not disqualified under s80 of the Local Government Act 1972 from being a parish councillor and that the information given on this form is true and correct.

I have read the section entitled "Use of Personal Information" and by signing this form I consent to the use and disclosure of my information included in this form.

Signature.....

Name.....

Date.....

Reviewed by Full Council on 19th May 2025

Next Review Date: May 2026



FRATING PARISH COUNCIL

Memorial Hall, Main Road, Frating, CO7 7DJ.

Clerk to the Council: Kay English

Email: clerk@fratingparishcouncil.gov.uk

Website: www.fratingparishcouncil.gov.uk

DIGNITY AT WORK POLICY

Introduction

Frating 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

Frating 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. It aims to create a workplace where there is zero tolerance for harassment and bullying.

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, volunteers and sub-contractors engaged to work at Frating Parish Council. Should agency staff, or contractors have a complaint connected to their engagement with the Council, this should be raised to their nominated contact, manager, or the Chairperson of the Council, in the first instance. Should the complaint be about the Chairperson of the Council, the complaint should be raised to the Vice-Chairperson or Clerk to the Council.

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.

The position on bullying and harassment

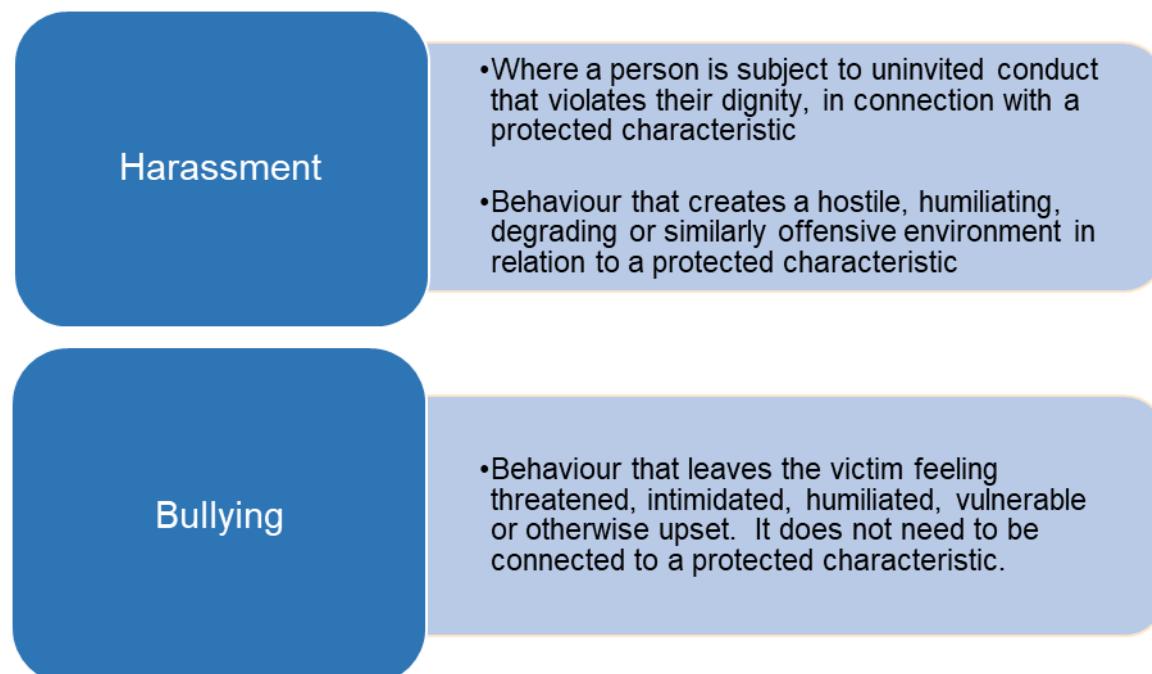
All staff and council representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. Frating Parish Council will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct 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, 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.



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
- 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). See the council's equality and diversity Policy.

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.

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.

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 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 be 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 Chairperson of the council. (If your concern relates to the Chairperson, you should raise it with another councillor or staff member). The Chairperson (or another appropriate person) will discuss with you the 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 Chairperson (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 or the Chairperson of the council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The Clerk or the Chairperson 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.

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.

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

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, another employee of the council, or a councillor 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, and for the Clerk officer this could be the Chairperson/Vice-Chairperson, or possibly an individual councillor.

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.

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 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.

Reviewed at Full Council on 19th May 2025
Next Review Date: May 2026



FRATING PARISH COUNCIL

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DISCIPLINARY PROCEDURE

This policy is based on and complies with the 2015 ACAS Code of Practice. It also takes account of the ACAS guide on discipline and grievances at work. 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.

The policy will be applied fairly and consistently and in accordance with the Equality Act 2010.

PRINCIPLES

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 is 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 the ACAS publication "Performance Management".
- Employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case.
- Employees may be accompanied or represented by a workplace colleague, trade union representative at any disciplinary, investigatory or appeal meeting. The companion is permitted to address such meetings, to put the employee's case and confer with the employee.
- The Council will give employees reasonable notice of any meetings in this procedure. Employees must make all reasonable efforts to attend. Failure to attend a 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.
- The employee can request a postponement and propose an alternative date that is within five working days of the original meeting date.
- Information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process and must remain confidential.
- Recordings of the proceedings are prohibited, unless agreed as a reasonable adjustment that takes account of an employee's medical condition.
- 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 reasons for it.
- The council may consider mediation throughout any stage of the disciplinary process, which requires the council's and employees consent.

MISCONDUCT, GROSS MISCONDUCT & UNSATISFACTORY PERFORMANCE

The following list provides examples of **misconduct** which will normally give rise to formal disciplinary action:

- Unauthorised absence from work;
- Persistent short-term and/or frequent absences from work without a medical reason;
- Minor breaches of Health & Safety rules or procedures;
- Lateness for work or poor time keeping;
- Failure to perform your job to the standard expected or in line with your job description/objectives;
- Disruptive or inappropriate behaviour;
- Misuse of the council's resources and facilities (e.g. telephones, computers, email or the internet);
- Refusal to carry out reasonable requests or instructions;
- Smoking in unauthorised areas;

This list is not exhaustive and offences of a similar nature will result in disciplinary action being instigated. N.B. persistent or frequent absence on medical grounds and long term sickness absence will be dealt with in accordance with the employee's contract.

The following list provides examples of offences which are normally regarded as **gross misconduct**:

- Bullying, discrimination and harassment;
- Incapacity at work due to being under the influence of illegal drugs or alcohol;
- Violent behaviour;
- Theft, fraud, deliberate falsification of records, or other acts of dishonesty;
- Deliberate damage to property of the council, its workers or members;
- Gross negligence;
- Being under the influence of illegal drugs or excessive alcohol;
- Gross insubordination;
- Disclosure of confidential information;
- Unauthorised entry to computer records;
- Serious breach of any of the council's policies;
- Any action, whether committed on or off the premises, that is likely to or does bring the council into disrepute;

This list is not exhaustive and other offences of a similar gravity will result in disciplinary action being instigated at Gross Misconduct level which carries a potential penalty of dismissal. Gross Misconduct is generally any conduct which places extreme pressure on the mutual trust which exists in an employment relationship.

The following list provides examples of **unsatisfactory work performance**, which will normally give rise to formal disciplinary action:

- Inadequate application of management instruction/office procedures;
- Inadequate IT skills;
- Unsatisfactory management of staff;
- Unsatisfactory communication skills.

DISCIPLINARY INVESTIGATION

1. The Council will appoint an investigator who will be responsible for undertaking the investigation. It will be a fact-finding exercise to collect all relevant information. The investigator will be independent and will normally be a Councillor. The terms of reference should deal with the following:
 - What 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 report;
 - Who the findings should be reported to and who to contact for further direction if unexpected issues arise or advice is needed.
2. The investigation will be asked to submit a report within 20 working days of appointment. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an investigator may not be necessary the Council may decide to commence disciplinary proceedings at the next stage (see paragraph 9).
3. The employee will be notified in writing of the alleged misconduct and asked to attend a meeting with the investigator. The employee will be given at least five working days' notice of the meeting to allow for preparations to be done. The letter will explain the investigatory process and that the meeting is part of that process. The employee should be provided with a copy of the Council's disciplinary procedure. The employee should also be informed that they will have the opportunity to comment on the allegations of misconduct.
4. Employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at the investigatory meeting.
5. If there are other persons e.g. councillors, members of the public, who can provide relevant information, the investigator should try to obtain it from them in advance of the meeting.
6. The investigator does not have the authority to take disciplinary action. His/her role is to establish the facts of the case as quickly as possible and prepare a report that recommends whether or not disciplinary action should be taken.
7. The investigator's report will contain recommendations and findings on which they were based. Recommendations will be either:
 - The employee has no case to answer and no further action is needed;
 - The matter is not serious enough to justify use of the disciplinary procedure and can be dealt with informally;
 - The employee has a case to answer and there should be action under the disciplinary procedure.
8. If the Council decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

DISCIPLINARY MEETING

9. The disciplinary panel will appoint a Chairman from one of its members. The investigator shall not sit on the disciplinary panel. No Councillor with direct involvement in the matter should be appointed on the panel. The employee will be invited in writing, to attend the disciplinary meeting. The disciplinary panel letter will confirm:
- the name of the Chairman and two other members;
 - details of the alleged misconduct, its possible consequences and the employees statutory right to be accompanied;
 - a copy of the investigatory report with all supporting evidence and a copy of the disciplinary procedure;
 - the time and place for the meeting. The employee will be given reasonable notice of the hearing (at least 15 working days) so that they may have sufficient time to prepare for it;
 - witnesses may attend on the employee's and council's behalf and both parties should inform each other of their witnesses' names at least five working days before the hearing;
 - that the employee may be accompanied by a companion – a workplace colleague, a trade union representative or a trade union official.

The disciplinary meeting will be conducted as follows:

- The Chairman will introduce the member of the disciplinary panel to the employee;
- The investigator will present the findings of the investigation report;
- The Chairman will set out the council's case and present supporting evidence (including any witnesses);
- Any member of the disciplinary panel and the employee (or companion) can question the investigator or witness;
- The employee (or companion) will have the opportunity to sum up his/her case;
- The Chairman will provide the employee with the disciplinary panel's decision with reasons, in writing, within 5 working days of the meeting. The Chairman will also notify the employee of their Right of Appeal.
- The disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the disciplinary panel.

DISCIPLINARY ACTION

10. If the disciplinary panel decides that there should be disciplinary action, it may be any of the following:

Oral Warning: issued mostly for instances of minor misconduct. The council will notify the employee: of the reasons for the 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; of the Right of Appeal; that a note of the oral warning will be placed on the employee's file and will remain in force for six months.

Written Warning: if there is a repetition of earlier misconduct, which resulted in an oral warning, or for a more serious misconduct, the employee will normally be given a written warning. A written warning will set out: the reasons for the written warning, the improvement required (if appropriate) and the period for improvement; that further misconduct/failure to improve will result in more serious action being taken including dismissal; employees Right of Appeal; that a note of the final written warning will be placed on the employees file and remain in force for 18 months.

Dismissal: The Council may dismiss for gross misconduct;

- If there is no improvement within the specified time in the conduct which has been subject of a final written warning;
- If another instance of misconduct has occurred and a final writing warning has already been issued and remains in force.

THE APPEAL

11. An employee who is subject to disciplinary action will be notified of their Right of Appeal. His/her written notice of appeal must be received by the council within five working days of the employee receiving written notice of disciplinary action and must specify the grounds for appeal.

12. The grounds of appeal include:

- A failure by the Council to follow its disciplinary policy;
- The disciplinary panel decision was not supported by evidence;
- The disciplinary action was too severe in the circumstances of the case;
- New evidence has come to light since the disciplinary meeting

13. Where possible the Appeal will be heard by a separate panel of elected members who have not been involved in the original disciplinary hearing, who will view the evidence with impartiality. The employee will be notified, in writing, within 10 working days of receipt of the notice of appeal of the time, date and place of the appeal meeting. The employee will have the right to be accompanied by a companion – a workplace colleague, a trade union representative or trade union official.

14. The outcome of the appeal and reasons for it will be advised to the employee, in writing, within 10 working days as soon as possible after the meeting and be confirmed in writing. At the appeal hearing any disciplinary penalty imposed will be reviewed but it cannot be increased. The decision taken at the Appeal hearing will be final.

Note-Taking

15. It is recommended that a note-taker be provided to every meeting/hearing which arises because of a disciplinary process as Employment Tribunals are particularly keen to view contemporaneous notes of events which have led to an employment dispute. Councils will need to give this requirement careful consideration to respect employee confidentiality.

Grievances raised during disciplinaries

16. In some circumstances when a disciplinary process has commenced an employee chooses to exercise his/her right to raise an internal grievance about the employment relationship with the council or individual Members. In these circumstance disciplinary matters should be placed on hold until grievances have been addressed.

Reviewed by Full Council on 19th May 2025

Next Review Date: May 2026



FRATING PARISH COUNCIL

Memorial Hall, Main Road, Frating, CO7 7DJ.

Clerk to the Council: Kay English

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EQUALITY & DIVERSITY POLICY

OUR COMMITMENT

Frating Parish Council acknowledges its responsibilities under the Equality Act 2010 and obligations of the Public Sector Equality Duty. The council is fully committed to recognising and embracing diversity in the local community and pursuing an equal opportunities approach in employment of its staff and the way in which services are provided for the public.

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

The council is committed to providing equal opportunities in employment and to avoiding unlawful discrimination. Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated. The commitment to equal opportunities in the workplace is good management practice. Breaches of the equal opportunities policy will be regarded as serious misconduct and could lead to disciplinary proceedings. Employees are entitled to complain about discrimination, harassment or victimisation through the council's Grievance Procedure.

THE LAW

It is unlawful to discriminate directly or indirectly on the following grounds:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Under the Equality Act 2010 these are known as "protected characteristics"

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

have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

TYPES OF UNLAWFUL DISCRIMINATION

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

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

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

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

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

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they don't, in fact, have that protected characteristic.

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

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint. Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

EQUAL OPPORTUNITIES IN EMPLOYMENT

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

Recruitment

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

Working practices

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

Equal opportunities monitoring

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

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

PEOPLE NOT EMPLOYED BY THE COUNCIL

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

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

TRAINING & PREVENTION

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

The council will raise awareness with all staff engaged to work at the council to help them understand their rights and responsibilities under the dignity at work policy and what they can do to help create a working environment free of bullying and harassment.

We will take active steps to try to prevent third-party harassment of staff. If any third-party harassment of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. Action may include warning the harasser about their behaviour, banning them from our premises, reporting any criminal acts to the police, and sharing information with other local councils.

YOUR RESPONSIBILITIES

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

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the council's disciplinary procedure.

Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

GRIEVANCES

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

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

MONITORING & REVIEW

This policy will be monitored periodically by the council to judge its effectiveness and will be updated in accordance with changes in the law. In particular, the council will monitor the treatment and outcomes of any complaints of harassment, sexual harassment or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and resolved and workforce training is targeted where needed; the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring . If changes are required, the council will implement them. Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with relevant data protection legislation.

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

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

Reviewed by Full Council on 19th May 2025

Next Review Date: May 2026



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FINANCIAL REGULATIONS 2024

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These Financial Regulations were adopted by the council at its meeting held on Monday 19th May 2025.

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

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 shall prepare, for approval by 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 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 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.
- 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 reasonably 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 (AGAR).
- 3.4. The RFO shall complete and certify the annual Accounting Statements of the council contained in the AGAR 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 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) 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 the council at least annually between October and December for the following financial year and

the final version shall be evidenced by a hard copy schedule signed by the Clerk and the Chairperson of the Council. The RFO will inform committees of any salary implications before they consider their draft their budgets.

- 4.3. No later than October each year, the RFO shall prepare a draft budget with detailed estimates of all 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 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 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 £30,000 including VAT, the Clerk 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 Legislation¹ regarding the advertising of contract opportunities and the publication of notices about the award of contracts.**
- 5.8. For contracts greater than £3,000 excluding VAT the Clerk & RFO shall seek at least 3 fixed-price quotes;
- 5.9. where the value is between £500 and £3,000 excluding VAT, the Clerk & 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 & RFO 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. 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 & RFO, under delegated authority, for any items below £500 excluding VAT.
 - the Clerk, in consultation with the Chairperson of the Council, 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

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.

- 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, nor 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 Chairperson as soon as possible and to 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 Clerk & 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 Barclays 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, unless 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 may authorise in advance for the year.
- 6.7. A copy of this schedule of regular payments shall be signed 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 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 & RFO certifies 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.
 - 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.
- 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. The council 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 Clerk & 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 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 the council at least every two years.
- 7.10. Payment may be made by BACS or CHAPS by resolution of the council provided that each payment is approved online by two authorised bank signatories, evidence is retained and any payments are reported to 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 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 & RFO and 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 in accordance with a resolution or delegated decision shall be signed by two members.
- 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 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. 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 & RFO and any balance shall be paid in full each month.
- 9.4. Personal credit or debit cards of members or staff shall not be used except for expenses of up to £250 including VAT, incurred in accordance with council policy.

10. Petty Cash

- a) 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 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. The 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. 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.

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 & RFO 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 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 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 the 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. Charities

- 18.1. 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.

19. Suspension and revision of Financial Regulations

- 19.1. 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.
- 19.2. 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.
- 19.3. 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 18 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.

Key: Text in bold is mandatory requirements.

Based on the NALC model Financial Regulations 05/03/2025

Reviewed at Full Council on 19th May 2025

Next Review Date: May 2026

FRATING PARISH COUNCIL

Clerk to the Council: Kay English
Email: clerk@fratingparishcouncil.gov.uk
Website: www.fratingparishcouncil.gov.uk

Frating Parish Council Risk Management Scheme

Adopted May 2025
Next review due May 2026

Management and Finance:

SUBJECT	RISK IDENTIFIED	H/M/L	MANAGEMENT/CONTROL	REVIEW/ASSESS/REVISE
Business Continuity	Risk of council not being able to continue its business due to an unexpected tragic circumstance	L	Hard copy records stored in a locked cabinet at the clerk's home. PC hard drive backed up daily to the cloud. Documents stored in Cloud. Passwords in an envelope given to the Chair. The clerk is in the process of creating an office manual with the monthly procedures and log ins to help support this. The clerk will provide a copy to the Chair as a backup.	Review at annual meeting in May
Meeting Location	Health & Safety Accessibility Adequacy	L	Meetings are held in the Village Hall. Any Health and Safety concerns reported to the Village Hall Management Committee for action. Keys are held by the Chair	Review at annual meeting in May

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Council Records	Loss through theft, fire, damage or corruption	M	Ensure adequate backup and insurance. Ensure anti-virus software in place and enforce IT user policy	Review at annual meeting in May. Insurance reviewed and renewed annually.
Precept	Ensuring precept is adequate.	M	Sound budgeting and forward planning underlie and inform the precept-setting process, monthly bank reconciliations and bi-annually budget versus expenditure reported to the full council.	Existing procedure adequate.
Insurance	Adequacy, cost, compliance, Fidelity guarantee	M	Annual review of insurance arrangements and schedule ahead of renewal. Update fixed asset register when required. Ensure employers liability, public liability, cyber liability and Fidelity guarantee are in place.	Review at annual meeting in May and through annual review of insurance policy renewal.
Financial controls and records	Inadequate checks	L	Financial regulations are in place. payments presented monthly with accompanying documentation.	Financial Regulations reviewed at annual meeting in May
Banking	Inadequate checks/bank errors	L	Financial regulations are in place. bank reconciliations are produced monthly and checked by the Full Council.	Financial Regulations reviewed at annual meeting in May
Cash	Loss through theft or dishonesty	L	No petty cash held.	Existing procedures adequate.

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Freedom of Information Act	Policy provision	L	Policy in place and clear guidance for responding to FOI requests	FOI policy reviewed at annual meeting in May
Clerk/RFO	Loss of clerk/RFO	M	Notice period built into contract. Creation of an office Manual/ Guide	Existing procedures adequate.
	Fraud	L	Fidelity guarantee insured. Finance Committee monitors accounts.	Insurance reviewed and renewed annually in June
	Incompetence	L	CiLCA completed	Clerk fully CiLCA competent. Training policy reviewed at annual meeting in May
	Payroll	L	Outsourced to an external provider. Head of Personnel Committee checks salary breakdown and full council approval required before salary submitted to HMRC.	Existing procedures adequate
Election Costs	Unbudgeted costs	L	Ensure sufficient budgeting for election cost or earmark reserves.	Existing procedures adequate.
VAT	Charging/Re-claiming	L	The Parish Council has no services for which it must charge VAT. VAT is reclaimed from HMRC at least annually.	Existing procedures adequate. Annual check by internal auditor.
Annual Return	Ensuring submission within time frame	L	Timeframe chosen to coincide with June council meeting.	Existing procedures adequate
	Incorrect completion	L	Internal auditor and external auditor check end-of-year figures and documents.	Internal auditor appointed annually

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				External Auditor appointed externally
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Liability:

Legal Powers	Illegal activity or payments by the Council. Working groups making autonomous decisions.	L	Decisions and payments made only within the powers of the Parish Council, resolved at Parish Council meetings and minuted. Terms of reference outlined in Standing Orders.	Existing procedures adequate. Standing Orders reviewed at annual meeting in May.
Minutes/agendas	Accuracy/Legality Non-compliance	L	<p>Clerk is fully trained to produce minutes and agendas in the prescribed format which adhere to legal requirements.</p> <p>The Clerk ensures that a formal 'Minutes' book is maintained and that all minutes are signed and recorded in that book.</p> <p>Minutes are approved and signed by the Chair at the next available council meeting.</p> <p>Agendas are circulated to councillors and displayed on the noticeboards and on the website in accordance with legal requirements.</p>	<p>Existing procedures adequate</p> <p>Adequate councillor training and development</p> <p>Members adhere to Code of Conduct</p> <p>Standing Orders reviewed at annual meeting in May.</p>

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			Business at meetings conducted in accordance with Agenda and Standing Orders which are reviewed annually.	
GDPR	Storing information/risk of data breaches	L	Council has in place GDPR policy and a data audit with actions taken to protect personal data	GDPR policy reviewed at annual meeting in May
Public Liability	Risk to third party, property or individuals	M	Insurance in place (£10m indemnity), risk assessments carried out.	Insurance reviewed and renewed annually.
Employer Liability	Non-compliance with employment law	L	Insurance in place (£10m indemnity). Clerk updates knowledge through NALC, SLCC, TDALC, HMRC, HSE, etc.	Insurance reviewed and renewed annually.
Legal Liability	Legality of activities Proper and timely reporting via Minutes Proper document control	M	Clerk to clarify legal position on proposals and clarify situation if necessary Official's indemnity £500,000 Retention of Documents Policy in place	Insurance reviewed and renewed annually.

Councillor's propriety:

Members interests	Not declared/out of date	M	Councillors have a duty to declare interests on agenda items. Disclosures of interests reviewed annually.	Existing procedure adequate. Reviewed at annual meeting in May
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Assets:

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Assets Maintenance/Damage (Benches, Litter bins, finger posts, cycle racks)	Loss or Damage	L	Adequate insurance is in place and reviewed annually and an up to date register of assets is maintained which is reviewed annually.	Existing procedure adequate. Insurance reviewed and renewed annually.
Street Lights	Public injury Loss or damage	H	High footfall areas. Annual inspection carried out by qualified lighting contractor and regular visual inspections throughout the year. Public liability insurance in place.	Existing procedure adequate. Insurance reviewed and renewed annually.
Noticeboards	Public injury Loss or damage	L	Public liability insurance in place, monthly inspections carried out.	Existing procedure adequate. Insurance reviewed and renewed annually.
Village sign	Public injury Loss or damage	M	Located in areas with high footfall, public liability insurance in place.	Existing procedure adequate. Insurance reviewed and renewed annually.
Office Equipment	Staff/councillor injury Loss or damage	L	Insurance/Employer's liability in place, fixed asset register updated when required.	Existing procedure adequate. Insurance reviewed and renewed annually.

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Risk Schedule:

Item	Frequency	Last review	Comments/Actions
Asset inspection: <ul style="list-style-type: none"> Street lights Trees Litter bins Finger posts Noticeboard Village signs 	<ul style="list-style-type: none"> Regular (clerk/cllrs), annually (A&J Lighting) Regular (Cllrs) Regular (clerk/cllrs) Regular (clerk/cllrs/footpath Inspector) Regular (clerk/cllrs), weekly Regular (clerk/cllrs), quarterly 	<ul style="list-style-type: none"> Annually 	Records kept by clerk
Parish Council insurance, including: <ul style="list-style-type: none"> Public liability Employer's liability Money & Fidelity guarantee Personal accident Fixed assets 	Annually before renewal		Reviewed by full council in May every year prior to June renewal
Financial matters: <ul style="list-style-type: none"> Banking arrangements Insurance providers VAT returns Budget agreed Precept requested Bank reconciliation Salary review Internal audit External audit Internal controls 	<ul style="list-style-type: none"> Annually or if change of signatories Annually by Council At least annually by clerk December council meeting Latest January by clerk Monthly clerk Annually within budget review or NALC guide Annually Annually by PKF Littlejohn Annual review of finance regulations 	<ul style="list-style-type: none"> May 2026 May 2026 May 2026 Sept 2026 Jan 2026 Monthly May 2026 May 2025 Aug 2025 TBC 	Existing procedure adequate

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<ul style="list-style-type: none"> Financial regulations 	<ul style="list-style-type: none"> Annual review 	<ul style="list-style-type: none"> May 2026 	
Administration: <ul style="list-style-type: none"> Minutes properly numbered Asset register available/up to date Standing Orders reviewed Computer back-up 	<ul style="list-style-type: none"> Internal audit (April) Internal audit (April) Annually Daily 	<ul style="list-style-type: none"> May 2026 May 2026 May 2025 	Existing procedure adequate
Employer's responsibilities: <ul style="list-style-type: none"> Employment contract Staff appraisals Training & development Contractor's indemnity insurance Health & safety policy/procedure Other employment policies 	<ul style="list-style-type: none"> By first start Date Annually (October) tbc Budgeted and recorded Mandatory for commission In place Personnel Committee 	<ul style="list-style-type: none"> Oct 2025 Ongoing May 2026 	Existing procedure adequate
Member's responsibilities: <ul style="list-style-type: none"> Code of Conduct adopted Registers of Interest completed and up to date Declarations of Interest minuted 	<ul style="list-style-type: none"> Annual review Annual review Agenda item at every meeting of council/committee 	<ul style="list-style-type: none"> May 2026 May 202 Mar 2026 	Existing procedure adequate

Adopted by the Council on 19th May 2025 The Scheme should be reviewed annually; next review date May 2026.
SIGNED

CLERK

DATE:



FRATING PARISH COUNCIL

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FREEDOM OF INFORMATION ACT Publication Scheme

Frating Parish Council has adopted the ICO model publication scheme. This publication scheme may be adopted without modification by any public authority without further approval and will be valid until further notice.

This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits the Parish Council to:

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

Classes of Information

Who we are and what we do.

Organisational information, locations and contacts, constitutional and legal governance.

Information	Format	Charge
Who's who on the Council and its Committees	Website Hard Copy	Free
Contact details for Clerk and Council members (named contacts where possible with telephone number and email address (if used))	Website Hard copy	Free
Location of main Council office and accessibility details	Website Hard copy	Free
Staffing structure	Website Hard copy	Free

What we spend and how we spend it.

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

Information	Format	Charge
Annual return form and report by auditor	Website Hard Copy	Free
Finalised budget	Website Hard copy	Free
Precept	Website Hard copy	Free
Borrowing Approval letter	Hard copy	Free
Financial standing orders and regulations	Website Hard copy	Free

Grants given and received	Website Hard Copy	Free
List of current contracts awarded and value of contract	Hard copy	Free
Members' allowances and expenses	Hard copy	Free

What our priorities are and how we are doing.

Strategy and performance information, plans, assessments, inspections and reviews.

Information	Format	Charge
Community Plan	Hard copy	Free
Local Charters drawn up in accordance with WAG, OVW & WLGA guidelines	Hard copy	Free

How we make decisions.

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

Information	Format	Charge
Timetable of meetings (Council, any committee/sub-committee meetings and community meetings)	Website Hard copy	Free Free
Agendas of meetings (as above)	Website Hard copy	Free Free
Minutes of meetings (as above) nb this will exclude information that is properly regarded as private to the meeting	Website Hard copy	Free Free
Reports presented to council meetings nb this will exclude information that is properly regarded as private to the meeting	Website Hard copy	Free Free

Responses to consultation papers	Website Hard copy	Free Free
Responses to planning applications	Website Hard copy	Free Free
Bye-laws	Hard copy	Free

Our policies and procedures.

Current written protocols for delivering our functions and responsibilities.

Information	Format	Charge
Policies and procedures for the conduct of council business:Procedural standing orders Committee and sub-committee terms of referenceDelegated authority in respect of officers Code of Conduct Policy statements	Website Hard copy	Free
Policies and procedures for the provision of services and aboutthe employment of staff: Internal policies relating to the delivery of servicesEquality and diversity policy Health and safety policy Recruitment policies (including current vacancies) Policies and procedures for handling requests for information Complaints procedures (including those covering requests for information and operating the publication scheme)	Website Hard copy	Free
Information Security Policy	Website Hard copy	Free
Records management policies (records retention, destruction andarchive)	Website Hard copy	Free

Data protection policies	Website Hard copy	Free
Schedule of charges (for the publication of information)	Website Hard copy	Free

Lists and Registers.

Information held in registers required by law and other lists and registers relating to the functions of the authority.

Information	Format	Charge
Any publicly available register or list	Website Hard copy	Free
Assets register	Website Hard copy	Free
Disclosure log	Hard copy	Free
Register of members' interests	Website Hard copy	Free
Register of gifts and hospitality	Website Hard copy	Free

The Services we Offer.

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

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

Information	Format	Charge
Seating, litter bins, clocks, memorials and lighting	Website Hard copy	Free
Agency agreements	Hard copy	Free
A summary of services for which the council is entitled to recover a fee, together with those fees (eg burial fees)	Hard copy	Free

The method by which information published under this scheme will be made available Frating Parish Council will always indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the Council's capability, information will be provided on our website. Where it is impracticable to make information available on our website or when an

individual does not wish to access the information by the website, the Council will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, please contact the Parish Clerk. An appointment to view the information will be arranged within a reasonable timescale.

Information held by the Council that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

Information will be provided in the language in which it is held or in such other language that is legally required. Where the Council is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

The Clerk can be contacted via e-mail on clerk@fratingparishcouncil.gov.uk

Reviewed by Full Council on 19th May 2025
Next Review Date: May 2026



FRATING PARISH COUNCIL

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GENERAL PRIVACY NOTICE

Your personal data – what is it?

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

Who are we?

This Privacy Notice is provided to you by Frating Parish Council, which is the data controller for your data.

Other data controllers the council works with:

- Other data controllers such as local authorities
- Community groups
- Charities
- Other not for profit entities
- Contractors
- Credit reference agencies

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 dependents;
- 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 their website: ico.org.uk 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 this website www.fratingparishcouncil.gov.uk. This Notice was last updated in May 2026.

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

Email: clerk@fratingparishcouncil.gov.uk

Reviewed by Full Council on 19th May 2025

Next Review Date: May 2026



FRATING PARISH COUNCIL

Clerk to the Council: Kay English

Email: clerk@fratingparishcouncil.gov.uk

Website: www.fratingparishcouncil.gov.uk

IDENTIFICATION CARD (ID) POLICY

Frating Parish Council and its Councillors adhere to the following guidelines regarding the issuing / holding of ID cards:

1. ID Cards are to be issued after each election or co-option.
2. Councillors are obliged to inform the Clerk should they lose their ID card.
3. The ID cards need to contain an up to date photo, name and title.
4. ID cards are to be returned to the Clerk upon a Councillor leaving the council.

Reviewed by Full Council on 19th May 2025

Next Review Date: May 2026



FRATING PARISH COUNCIL

Clerk to the Council: Kay English
Email: clerk@fratingparishcouncil.gov.uk
Website: www.fratingparishcouncil.gov.uk

GENERAL PRIVACY NOTICE

Your personal data – what is it?

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

Who are we?

This Privacy Notice is provided to you by Frating 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
- Credit reference agencies

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 to monitor sick leave and take decisions on your fitness for work;
 - your racial or ethnic origin or religious or similar information to monitor compliance with equal opportunities legislation;
 - 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, 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 icocasework@ico.org.uk 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 this web page www.fratingparishcouncil.org.uk This Notice was last updated in May 2023.

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 Clerk, clerk@fratingparishcouncil.gov.uk

Reviewed 19th May 2025



FRATING PARISH COUNCIL

Memorial Hall, Main Road, Frating, CO7 7DJ.

Clerk to the Council: Kay English

Email: clerk@fratingparishcouncil.gov.uk

Website: www.fratingparishcouncil.gov.uk

PRIVACY POLICY

Frating Parish Council collects, holds and processes a considerable amount of information, including personal information, which allows it to provide services effectively. Frating Parish Council does this in its capacity as a data controller. Contact details for the data controller can be found in the 'Where can I get advice section?' below.

The Council recognises that this information is important to the public and that it is responsible to the public for the information it holds about them. As such, it takes seriously its responsibilities under Data Protection legislation to ensure that any personal information it collects and uses is done so proportionately, correctly, and safely.

The privacy notice below explains how the Council uses information about you and the ways in which we protect your privacy.

What is personal data?

Personal data means any information relating to an identifiable person who can be directly or indirectly identified, in particular by reference to an identifier.

This definition provides for a wide range of personal identifiers to constitute personal data, including name, identification numbers, or location data or online identifiers, which reflect changes in technology and the way organisations collect information about people.

What level of personal data is used?

The Council collects, holds and uses personal data to allow it to provide services on behalf of the citizens of Frating.

Why we use personal information?

Frating Parish Council will use your personal data for a limited number of purposes, and at all times within the rules set out in Data Protection legislation.

We will process personal data for the following purposes:

- For the purpose for which you provided the information. e.g., processing information given for an Allotment Agreement, and to monitor the Council's performance in responding to your request.
- To allow the Council to be able to communicate and provide services appropriate to your needs.
- To ensure that the council meets its legal requirements, including obligations imposed under the Race Relations Act and Health and Safety Acts.
- Where the processing is necessary to comply with its legal obligations, e.g., the prevention and/or detection of crime.

- To process financial transactions including grants.
- Where you have consented to the processing.
- Where necessary to protect individuals from harm or injury.
- White Colne Parish Council will use your personal data, after it has been anonymised, to allow the statistical analysis of data, and to allow the Council to effectively target and plan the provision of services.
- To deliver services and support to you, to manage those services, to monitor the quality of services provided and to plan new and updated services.
- To train staff.
- Where we need to investigate any worries or complaints you have about your services.

How the law allows us to use your personal information

There are a number of legal reasons why we need to collect and use your personal information. Each privacy notice at the bottom of this page explains for each service which legal reason is being used. Generally, we collect and use personal information where:

- you, or your legal representative, have given consent
- you have entered into a contract with us
- it is necessary to perform our statutory duties
- it is necessary to protect someone in an emergency
- it is required by law
- it is necessary for employment purposes
- you have made your information publicly available
- it is necessary for legal cases
- it is to the benefit of society as a whole
- it is necessary to protect public health
- it is necessary for archiving, research, or statistical purposes

If we have consent to use your personal information, you have the right to remove it at any time. If you want to remove your consent, please contact the Clerk to the Council via clerk@fratingparishcouncil.gov.uk and tell us which service you're using so we can deal with your request.

Customer record

Frating Parish Council is continually working to improve how it provides services to the residents of Frating. The Council holds a customer record, comprising of your name and address. For some services we might also ask for email address and telephone number. The customer record will allow the council to respond to any queries you may have in respect of the provision of services more quickly and efficiently. If you do contact Frating Parish Council, we will use your personal and contact information only for the official Council business purposes for which it was provided by you to us.

Telephone calls

Telephone calls are not recorded.

Your rights

The law gives you a number of rights to control what personal information is used by us and how it is used by us.

How can you access the information we hold about you?

You are also legally entitled to request access to any records held by Frating Parish Council about yourself. When we receive a request from you in writing, we must normally give you access to

everything we have recorded about you. However, we will not let you see any parts of your record which contain:

- confidential information about other people; or
 - if we think that a crime may be prevented or found out by disclosing information to you.
- This applies to paper and electronic records.

How can you request correction of inaccurate information?

Whilst Frating Parish Council tries to ensure that any personal data it holds about you is correct, there may be situations where the information it holds is no longer accurate. If this is the case, please contact us so that any errors can be investigated and corrected.

You can ask to delete information (right to be forgotten)

You can ask for your personal information to be deleted, for example:

- Where your personal information is no longer needed for the reason why it was collected in the first place
- Where you have removed your consent for us to use your information (where there is no other legal reason for us to use it)
- Where there is no legal reason for the use of your information
- Where deleting the information is a legal requirement

Please note that we cannot delete your information where:

- We are required to have it by law
- it is used for freedom of expression
- it is necessary for legal claim

Right to complain

You have the right to complain about any matter relating to our service, including how we use your personal data. In the first instance please contact the Clerk to the Council.

How do we keep information secure?

We will take appropriate steps to make sure we hold records about you (on paper and electronically) in a secure way, and we will only make them available to those who have a right to see them. Our security includes:

- encryption
- access controls on systems
- security training for all staff

How long do we keep your personal information?

We will only store your personal information for as long as is necessary. Records will be kept in accordance with the retention policy written by the National Association of Local Councils.

Where can I get advice?

If you would like further information or if you have any concerns about how the Council is handling your personal data, please contact us in writing.

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

Alternatively, visit www.ico.org.uk or email casework@ico.org.uk.

Measuring website usage and Google Analytics

We do not use Google Analytics to collect information.

Frating Parish Council only uses cookies where necessary to operate the website. We do not collect any personal, identifiable information unless you contact us.

Updates to this privacy notice

Frating Parish Council will continually review and update this privacy notice to reflect changes in our services as well as to comply with changes in the law. We encourage you to periodically visit the Council's web site to review this notice and to be informed of how Frating Parish Council is protecting your information.

Reviewed at Full Council on 19th May 2025

Next Review Date: May 2026

Frating Parish Council Records Retention Policy					
The Minimum Retention Period is based on guidance from the National and Essex Association of Local Councils and GDPR Guidelines.					
Type of Record	Format		Minimum Retention Period (Years)	Reason from EALC	Recommendation by Councillors
	Hard Copy	Digital			
Agenda – Council Meetings		ü	1 year	No guidance	Approved at Full Council 13/05/2024
Agenda – Non Council Meetings		ü	1 year	No guidance	Approved at Full Council 13/05/2024
Asset Register	ü	ü	Indefinite	Audit	Approved at Full Council 13/05/2024
Audit documents - Monthly I.e bank reconciliation	ü	ü	6 years	Hard copies kept to facilitate requests to view	Approved at Full Council 13/05/2024
Annual (Internal)	ü	ü	Indefinite	Archive	Approved at Full Council 13/05/2024
Annual (External)	ü	ü	Indefinite	Archive	Approved at Full Council 13/05/2024
Bank Statements & Savings	ü		Last completed Audit Year	Audit	Approved at Full Council 13/05/2024
Bank Paying in Books	ü		Last completed Audit Year	Audit	Approved at Full Council 13/05/2024
Budget		ü	6 years	No guidance	Approved at Full Council 13/05/2024
Certificates for Insurance against liability for employees	ü		40 years from date on which insurance commenced or was renewed	The Employers' Liability (Compulsary Insurance) Regulations 1998 (Sl. 2753), Management	Approved at Full Council 13/05/2024
Cheque Book Stubs	ü		Last completed Audit Year	Audit	Approved at Full Council 13/05/2024
Customer (Residents) Surveys	ü	ü	Whilst relevant	GDPR	Approved at Full Council 13/05/2024
Emails			Whilst relevant	GDPR	Approved at Full Council 13/05/2024
Gifts Received Register	ü	ü	Indefinite	No guidance	Approved at Full Council 13/05/2024
Grant Application by MTC	ü	ü	Whilst relevant	GDPR	Approved at Full Council 13/05/2024
Halls / Centre application to hire, lettings diaries, copies of bills to hires, records of tickets issued	ü		6 years	VAT	Approved at Full Council 13/05/2024
Investments	ü		Indefinite	Audit	Approved at Full Council 13/05/2024
Invoices Paid	ü		6 years	VAT	Approved at Full Council 13/05/2024
Insurance Policies	ü	ü	While valid	Management / Audit	Approved at Full Council 13/05/2024
Letters – general correspondence		ü	Whilst relevant	GDPR	Approved at Full Council 13/05/2024
Letters – general correspondence	ü		Whilst relevant	GDPR	Approved at Full Council 13/05/2024
Members Allowance Register			6 years	Limitations Act 1980	Approved at Full Council 13/05/2024
Members Attendance Register		ü	Minuted	Minuted	Approved at Full Council 13/05/2024
Members Acceptance of Office	ü		Term of office plus 4 years	Management	Approved at Full Council 13/05/2024
Members Declaration of Interest Register	ü		Term of office plus 4 years	Management	Approved at Full Council 13/05/2024
Minutes - Full Council Meeting Minutes	ü	ü	Indefinite	Archive	Approved at Full Council 13/05/2024
Committee Minutes	ü	ü	Indefinite	Archive	Approved at Full Council 13/05/2024
Cont'd page 2 of 2					
Type of Record	Format		Minimum Retention Period (Years)	Reason from EALC / SLCC / NALC	Recomendation by Councillors
	Hard Copy	Digital			
Notes/recordings of meetings, draft minutes. This includes any notes taken by Members	ü	ü	Until the minutes have been agreed	GDPR	Approved at Full Council 13/05/2024
Paid cheques	ü		6 years	Limitations Act 1980	Approved at Full Council 13/05/2024
Planning Applications	ü		Current year	No guidance - retained by TDC	Approved at Full Council 13/05/2024
Petty Cash	N/A at present		6 years	Limitations Act 1980	Approved at Full Council 13/05/2024
Postage Book	ü		6 years	Limitations Act 1980	Approved at Full Council 13/05/2024
Projects/Project Information	ü	ü	Whilst relevant	GDPR	Approved at Full Council 13/05/2024
Quotations and Tenders	ü		6 years	Limitations Act 1980	Approved at Full Council 13/05/2024
Receipt and Payments Accounts	ü	ü	Indefinite	Archive	Approved at Full Council 13/05/2024
Receipt Books of ALL Kinds and electronic records	ü	ü	6 years	VAT	Approved at Full Council 13/05/2024
Standing Orders	ü	ü	Keep until updated by NALC	NALC	Approved at Full Council 13/05/2024
Time sheets	ü	ü	Last completed Audit Year	Audit (3 years best practice for personal injury)	Approved at Full Council 13/05/2024
Title Deeds, Leases, Agreements, Contracts	ü		Indefinite	Audit	Approved at Full Council 13/05/2024
VAT Records	ü	ü	6 years generally but 20 years for VAT on rents	VAT	Approved at Full Council 13/05/2024
Wages Books	ü	ü	12 years	Superannuation	Approved at Full Council 13/05/2024
Sensitive Information (GDPR Guidelines)					

“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.



FRATING PARISH COUNCIL

Clerk to the Council: Kay English

Email: clerk@fratingparishcouncil.gov.uk

Website: www.fratingparishcouncil.gov.uk

SOCIAL MEDIA POLICY

The use of digital and social media and electronic communication enables Frating Parish Council (the Council) to interact in a way that improves the communications both within the Council and between the Council and the people, businesses and agencies it works with and serves.

The Council has a website and a Facebook page and uses email and text to communicate. The Council will always try to use the most effective channel for its communications. Over time the Council may add to the channels of communication that it uses as it seeks to improve and expand the services it delivers. When these changes occur, this Policy will be updated to reflect the new arrangements.

This policy outlines the standards required when using social media and electronic communication and the relevant sections cover all employees, volunteers, Councillors and visitors of the Parish Council's Facebook page.

Criteria for Council Communication

The overarching criteria for all Council communication both on its social media platforms and within the Council is that it will:

- Be civil, tasteful and relevant.
- Not contain content that is knowingly unlawful, libelous, harassing, defamatory, abusive, threatening, harmful, obscene, profane, sexually oriented or racially offensive.
- Not contain content knowingly copied from elsewhere, for which the Council does not own the copyright.
- Social media and website postings will not contain any personal information unless express consent of the individual has been obtained.
- Social media postings relating to official Council business will be moderated by the Clerk to the Council.
- Social media will not be used for the dissemination of any political advertising.

Obligations of users of Parish Council social media and all visitors of the Council's Facebook page

In order to ensure that all discussions on the Council page are productive, respectful and consistent with the Council's aims and objectives, the Parish Council requires all visitors of the Parish Council Facebook page to comply with the following criteria:

- Be considerate and respectful of others. Vulgarity, threats or abuse of language will not be tolerated.
- Differing opinions and discussion of diverse ideas are encouraged, but personal attacks on anyone, including Councillors or staff, will not be permitted.
- Share freely and be generous with official Council posts but be aware of copyright

- laws; be accurate and give credit where credit is due.
- Stay on topic.
- Refrain from using the Council's Facebook page for commercial purposes or to advertise, market or sell products.

The site is not monitored 24/7 and we will not always be able to reply individually to all messages or comments received. However, we will endeavour to ensure that any emerging themes or helpful suggestions are passed to the relevant people or authorities. Please do not include personal/private information in your social media posts to us.

Sending a message/post via Facebook will not be considered as contacting the Council for official purposes and we will not be obliged to monitor or respond to requests for information through these channels. Instead, please make direct contact with the council's Clerk and/or Councillors by email.

The Council retains the right at its complete discretion to remove comments or content that includes:

- Obscene or racist content
- Personal attacks, insults, or threatening language
- Potentially libellous statements.
- Plagiarised material; any material in violation of any laws, including copyright.
- Private, personal information published without consent.
- Information or links unrelated to the content of the forum
- Commercial promotions or spam
- Alleges a breach of a Council's policy or the law.

The Council's response to any communication received not meeting the above criteria will be to either ignore, inform the sender of our policy or send a brief response as appropriate. This will be at the Council's discretion based on the message received, given our limited resources available. Any information posted on the Facebook page not in line with the above criteria will be removed as quickly as practically possible. Repeat offenders will be blocked from the Facebook page. The Council may post a statement that 'A post breaching the Council's Social Media Policy has been removed'. If the post alleges a breach of a Council's policy or the law the person who posted it will be asked to submit a formal complaint to the Council or report the matter to the Police as soon as possible to allow due process.

Where necessary, we may direct those contacting us to our website to see the required information, or the Council may forward their question to the Clerk for consideration and response. The Council is not obliged to respond to every comment received particularly if it is experiencing a heavy workload.

Obligations regarding use of Social Media by Employees, Councillors and Volunteers

The following obligations apply to all employees of the Council, Councillors and to those who volunteer on behalf of the Council.

Posting on behalf of the Parish Council

- Only the Clerk and those Councillors/officers who are approved as administrators of the Parish Council Facebook page are permitted to post material on a social media account in the council's name and on its behalf.
- Before using social media on any matter which might affect the interests of the council you must:
 - a) have read and understood this policy and
 - b) employees and volunteers must have sought and gained prior written approval to do so from the Clerk.

Obligations regarding the use of social media generally

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

- Do not upload, post or forward a link to any abusive, obscene, discriminatory, harassing, derogatory or defamatory content.
- Any employee, volunteer or Councillor who feels that they have been harassed or bullied or are offended by material posted or uploaded by a colleague onto a social media website should inform the Clerk or the Chair of the Council.
- Never disclose commercially sensitive, personal private or confidential information. If you are unsure whether the information you wish to share falls within one of these categories, you should discuss this with the Clerk of the Council.
- Do not upload, post or forward any content belonging to a third party unless you have that third party's consent.
- Before you include a link to a third-party website, check that any terms and conditions of that website permit you to link to it.
- When making use of any social media platform, you must read and comply with its terms of use.
- Be honest and open but be mindful of the impact your contribution might make to people's perceptions of the council.
- You are personally responsible for content you publish into social media tools.
- Do not escalate heated discussions, try to be conciliatory, respectful and quote facts to lower the temperature and correct misrepresentations.
- Do not discuss employees without their prior approval.
- Always consider others' privacy and avoid discussing topics that may be inflammatory e.g., politics and religion.
- Avoid publishing your contact details where they can be accessed and used widely by people you did not intend to see them and never publish anyone else's contact details.

Obligations relating to Employees

- Employees should be aware that any use of social media websites (whether or not accessed for council purposes) may be monitored and, where breaches of this policy are found, action may be taken against employees under the Council's Disciplinary procedure.
- Misuse of social media websites can, in certain circumstances, constitute a criminal offence or otherwise give rise to legal liability against you and the Council.
- In particular a serious case of uploading, posting forwarding or posting a link to any of the following types of material on a social media website, whether in a professional or personal capacity, will probably amount to gross misconduct (this list is not exhaustive):
 - a) pornographic material (that is, writing, pictures, films and video clips of a sexually explicit nature).
 - b) a false and defamatory statement about any person or organisation.
 - c) material which is offensive, obscene
 - d) criminal, discriminatory, derogatory statements or material or statements or material which may undermine or cause embarrassment to the council, Councillors, or our employees.
 - e) confidential information about the council or anyone else
 - f) any other statement which is likely to create any liability (whether criminal or civil, and whether for you or the council); or

g) material in breach of copyright or other intellectual property rights, or which invades the privacy of any person.

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

- Where evidence of misuse is found we may undertake a more detailed investigation in accordance with the Disciplinary procedure involving the examination and disclosure of monitoring records to those nominated to undertake the investigation and any witnesses or managers involved in the investigation. If necessary, such information may be handed to the police in connection with a criminal investigation.
- If you notice any use of social media by other employees or volunteers in breach of this policy, please report it to the Clerk or the Parish Council Chair.

Parish Council email obligations

The Council email address is (clerk@fratingparishcouncil.gov.uk)

The email account is regularly monitored and the Clerk will aim to reply to all questions sent within a reasonable timescale (usually within 4 working days).

The Clerk is responsible for dealing with emails received and passing on any relevant mail to Councillors or external agencies for information and/or action. All communications on behalf of the Council will usually come from the Clerk, and/or otherwise will always be copied to the Clerk.

Although individual Councillors may communicate directly with parishioners where the contents of an email refer to matters relating to Parish Council business they should be copied to the Clerk. Emails copied to the Clerk become official and subject to The Freedom of Information Act provisions. These procedures ensure that a complete and proper record of all correspondence is kept. Do not forward personal information on to other people or groups outside of the Council, this includes names, addresses, email, IP addresses and cookie identifiers.

SMS (texting) obligations

Councillors and the Clerk may use SMS as a convenient way to communicate at times. All are reminded that this policy and the overarching communication obligations contained in this policy also applies to such messages.

Video Conferencing e.g. Zoom

If this medium is used to communicate please note that this policy also applies to the use of video conferencing.

Internal communication and access to information within the Council

The Council is continually looking at ways to improve its working practices and the use of social media and electronic communications is a major factor in delivering improvement.

Councillors are expected to abide by the Code of Conduct and the GDPR Data Protection obligations in all their work on behalf of the Council.

It is vital that all information is treated sensitively and securely. Councillors are expected to maintain an awareness of the confidentiality of information that they have access to and not to share confidential information with anyone.

Failure to properly observe confidentiality may be seen as a breach of the Council's Code of Conduct and will be dealt with through its prescribed procedures.

Reviewed by Full Council on 19th May 2025

Next Review Date: May 2026



FRATING PARISH COUNCIL

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GRIEVANCE PROCEDURE

1. PURPOSE AND SCOPE

It is the policy of the council to give employees the opportunity to air and seek redress for any individual employment grievance which they may have. Grievances may be any concerns, problems or complaints employees wish to raise with the Council. This document describes the procedure which aims to facilitate a speedy, fair and consistent solution to an individual employee's employment grievance. This procedure is produced in line with the ACAS Code of Practice 2015 as set out in the Employment Act 2008.

2. PRINCIPLES

- a) At every stage in the procedure the employee will be given the opportunity to state his or her case before any decision is made.
- b) Grievances will be dealt with promptly and consistently
- c) At all formal stages the employee will have the right to be accompanied by a work colleague or trade union representative during the Grievance Hearing.
- d) An employee will have the right to appeal against any outcome of a Grievance Hearing.
- e) At no time will an employee be penalised or victimised for having raised a Grievance against the Council

3. PROCEDURE

3.1 Wherever possible, any grievance should be raised informally with the employee's line manager, or if this is inappropriate with the next level of management. In the case of the Clerk to the council raising a grievance this should be directed to the Chair of the council unless the complaint is about the Chair in which case another Member can be identified to handle the Clerk's concerns. The recipient of the grievance from a clerk should share the grievance with the relevant committee established to handle employment matters and the issues should be treated with discretion and confidentiality at all times.

3.2 **Written Statement:** If the employee does not consider it appropriate to raise the grievance informally, or if requested by the person the employee spoke to informally, then the employee should submit a formal grievance in writing to their line manager, or if this is inappropriate to the next level of management.

3.3 **Meeting or Hearing:** Generally, within a reasonable period of time e.g. five working days of receipt of a written complaint, the line manager or Chair of the appropriately convened committee or hearing panel will arrange a meeting with the employee. The Hearing Manager will endeavour to make the meeting arrangements mutually convenient and will arrange a confidential location, free from interruptions.

The manager will investigate the substance of the complaint and hear submissions from the employee concerned together with such other submissions or evidence as s/he shall consider appropriate and take such steps as s/he shall consider necessary to resolve the issue raised.

It may be necessary to adjourn the meeting in order for an investigation to take place. Careful consideration of the evidence and the necessary steps required to resolve the problems will be given to the grievance. The employee may call witnesses by prior arrangement with the panel. There is no right for a Member or employee implicated in an employee's grievance to cross examine the applicant during a grievance hearing but the panel may wish to make its own investigations through interviewing these individuals and/or other witnesses separately. The Panel may ask the employee what he or she would like to happen as a result of raising the grievance and bear this in mind when preparing the response.

3.4 Response: The Hearing Manager will advise the decision to the employee in writing and, where appropriate, include an action plan to assist in the resolution of the problem. Councils which handle internal disputes effectively generally consider the options and costs in a timely fashion, then agree and publicise the workable solutions, monitor, review and learn from the experience. There may be some value in exploring Mediation as a way in which to resolve differences between two parties. Employment Support Officers from the SLCC can advise on approaches and bodies which may be able to assist (external organisations may levy a fee for such services)

3.5 Appeal: If the employee is dissatisfied with the decision of the line manager on his/her complaint, s/he may appeal against the decision to the Chair or other elected Member by written notice within five working days of the decision. An Appeal may be raised if:

- The employee thinks the finding, or action plan, is unfair;
- New evidence has come to light;
- The employee thinks that the procedure was not applied properly

On receipt of the appeal the council's Appeals Panel shall arrange to meet and consult with the employee, the line manager or Members concerned and any other persons, as s/he shall consider appropriate without unreasonable delay. The Appeal Hearing Chair shall consider the issues and shall then take all such steps, as s/he may consider necessary to resolve those issues. Where the council's Chair has chaired the initial grievance meeting the Vice Chair or Chair of another committee will hear the appeal as a hearing manager the decision of the Appeal Hearing will be final. The council will need to ensure that the Members involved in the hearings are able to act impartially and reasonably at all times. The outcome of the appeal should be conveyed to the employee in writing in a timely manner.

3.6 Bullying or Harassment: If a grievance concerns alleged bullying or harassment the matter should be reported promptly to the employee's Line Manager, or another manager/Member, if more appropriate, with an indication of the required action. The complaint will then be investigated and any action taken and any resolution achieved will be reported back. If the solution is not satisfactory to the complainant, the matter will be discussed further and, if appropriate, an alternative solution agreed. The decision at this stage will generally conclude the enquiry. If a further appeal or review is available the employee will be notified. As a result of an investigation into a claim of harassment, disciplinary action may be instigated against any alleged perpetrators of the action or in the case of alleged perpetrators being elected Members a Code of Conduct complaint lodged by the council through the Standards process/Ombudsman in Wales.

3.7 Right to be Accompanied: At any formal stage of the procedure an employee may be accompanied by a fellow employee of their choice or their trade union representative or official

of a trade union (appropriately accredited) but as this is an internal procedure they will not be entitled to be accompanied by any external supporter e.g. partner, parent, solicitor etc. This right to be accompanied is enshrined in the Employment Relations Act 2004.

To exercise this right the employee should make a reasonable request. The companion will be allowed to address the hearing, put and sum up the employee's case, respond to views expressed at the hearing and to confer with the employee during the hearing (sometimes in an adjournment) but is not allowed to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer from explaining their case.

Hearing Panels Employment Support Officers from the SLCC advise that councils establish hearing panels to hear disciplinary and grievance hearings on an annual basis so that if a dispute does arise in the workplace the elected members involved are already trained and briefed on their duties as a hearing or appeal panel member. In situations where individual members are implicated in the dispute or have undertaken an investigatory role then they will need to be substituted as panel members.

3.8 Confidentiality: So far as is reasonably practicable, the council will keep any grievance or complaint of harassment confidential between the manager or Member investigating the grievance or complaint, the employee and the person about whom the grievance or complaint is made. If it is necessary to investigate the matter with any other employee or person, the employee will be so advised.

3.9 Record Keeping: In all cases, written records of the nature of the grievance raised, the employer's response, action taken (with reasons), details of any appeal and subsequent developments will be retained and kept in accordance with the Data Protection Act 1998.

3.10 Grievances raised during Disciplinary: In some circumstances when a disciplinary process has commenced an employee chooses to exercise his/her right to raise an internal grievance about the employment relationship with the council or individual Members. Employment Support Officers from the SLCC recommend, in line with ACAS advice, that disciplinary matters are placed on hold until grievances have been aired and actions towards a resolution have been progressed. In exceptional circumstances it is pragmatic to deal with the two disputes concurrently but Employment Support Officers from the SLCC would advise caution and specialist advice should be sought if this arises.

4. GETTING IT WRONG

Following the repeal of the 2004 Dispute Resolution regulations employees no longer have to raise a grievance before going to an employment tribunal. However, establishing a mechanism for differences and disputes to be resolved internally can often allow the employment relationship to continue. Failure to follow the ACAS Code of Practice (available at www.acas.org.uk) when dealing with grievances can lead to an Employment Tribunal awarding an uplift of an award against the council of up to 25%.

Tribunals dealing with constructive dismissal and discrimination claims are particularly interested in whether the employer followed a procedure when dealing with an internal dispute and whether the employer acted fairly and reasonably. One way in which to avoid such a penalty is to have an agreed procedure, communicate that procedure to staff and Members, revisit and review the procedure regularly and have some training for those who are expected to operate the procedure.

Reviewed by Full Council on 19th May 2025
Next Review Date: May 2026

MODEL STANDING ORDERS 2025 UPDATE (ENGLAND)

National Association of Local Councils (NALC)

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INTRODUCTION

This is an update to Model Standing Orders 14 and 18.

HOW TO USE MODEL STANDING ORDERS

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

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

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

DRAFTING NOTES

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

For convenience, the word "councillor" is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights. Model standing orders use gender-neutral language (e.g. "Chair").

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

1. **RULES OF DEBATE AT MEETINGS**

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the 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 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.

- 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 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 they considers has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
- q A point of order shall be decided by the chair of the meeting and 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 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 (5) minutes without the consent of the chair of the meeting.

2. **DISORDERLY CONDUCT AT MEETINGS**

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the 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** OR [The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting].
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed (15) minutes unless directed by the chair of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than (3) minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.
- i [A person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort)] OR [A person shall raise 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 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 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.**

- 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 their casting vote whether or not 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 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 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.
- 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 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 they has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chair of the Council, if there is one, unless they resign 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, 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, they shall preside at the annual meeting until a new Chair of the Council has been elected. 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 their acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - vi. Review of the terms of reference for committees;
 - vii. Appointment of members to existing committees;
 - viii. Appointment of any new committees in accordance with standing order 4;
 - ix. Review and adoption of appropriate standing orders and financial regulations;
 - x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
 - xi. Review of representation on or work with external bodies and arrangements for reporting back;
 - xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
 - xiii. Review of inventory of land and other assets including buildings and office equipment;
 - xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks;
 - xv. Review of the Council's and/or staff subscriptions to other bodies;
 - xvi. Review of the Council's complaints procedure;
 - xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection

legislation (*see also standing orders 11, 20 and 21*);

- xviii. Review of the Council's policy for dealing with the press/media;
- xix. Review of the Council's employment policies and procedures;
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

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

- a **The 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 (5) 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 (2) councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. VOTING ON APPOINTMENTS

- a Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the 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.
- 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 (9) 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 (8) 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;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

11. **MANAGEMENT OF INFORMATION**

See also standing order 20.

a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements**

shall include deciding who has access to personal data and encryption of personal data.

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

12. DRAFT MINUTES

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

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the 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, 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 this 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 they have 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 they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- c Unless they have 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 they have another interest if so required by the Council's code of conduct. They may return to the meeting after it has considered the matter in which 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 the Proper Officer OR by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered [by the Proper Officer before the meeting or, if this is not possible, at

the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required].

h A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:

- i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
- ii. granting the dispensation is in the interests of persons living in the Council's area; or**
- iii. it is otherwise appropriate to grant a dispensation.**

14. CODE OF CONDUCT COMPLAINTS

- a Upon notification by the Principal Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.**

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 (3) days before the meeting confirming 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 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;**
- 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 their absence the Vice-Chair of the Council] OR [Chair or in their absence Vice-Chair (if there is one) of the () Committee] within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council OR [() committee];
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(*see also standing order 23*).

16. **RESPONSIBLE FINANCIAL OFFICER**

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

17. **ACCOUNTS AND ACCOUNTING STATEMENTS**

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as

practicable after 30 June, 30 September and 31 December in each year a statement to summarise:

- i. the Council's receipts and payments (or income and expenditure) for each quarter;
- ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
- iii. the balances held at the end of the quarter being reported and

which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. **FINANCIAL CONTROLS AND PROCUREMENT**

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;

- 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 30,000 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. 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. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - iv. 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;
 - v. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- d. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- e. **Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, 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 OR [the () committee] OR [the () sub-committee] is subject to standing order 11.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chair of the Council OR the () sub-committee] or, if they are not available, the vice-chair of the Council committee] OR [the () sub-committee] of absence occasioned by illness or other reason and that person shall report such absence to the Council committee] OR [the () sub-committee] at its next meeting.
- c The chair of the Council committee] OR [the () sub-committee] or in their absence, the vice-chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of the member of staff'. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Council committee] OR [the () sub-committee].
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chair of the Council committee] OR [the () sub-committee] or in their absence, the vice-chair of the Council committee] OR [the () sub-committee] in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council) committee] OR [the () sub-committee].
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the member of staff' relates to the chair or vice-chair of the Council) committee] OR [the () sub-committee], this shall be communicated to another member of the Council) committee] OR [the () sub-committee], which shall be reported back and progressed by resolution of the Council) committee] OR [the () sub-committee].
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

20. **RESPONSIBILITIES TO PROVIDE INFORMATION**

See also standing order 21.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b. *[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 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), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.]**

The above is applicable to a Council with a common seal.

OR

[Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.]

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

24. **COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS**

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

25. **RESTRICTIONS ON COUNCILLOR ACTIVITIES**

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

26. **STANDING ORDERS GENERALLY**

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least (9) 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.

Appendix E

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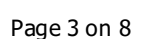


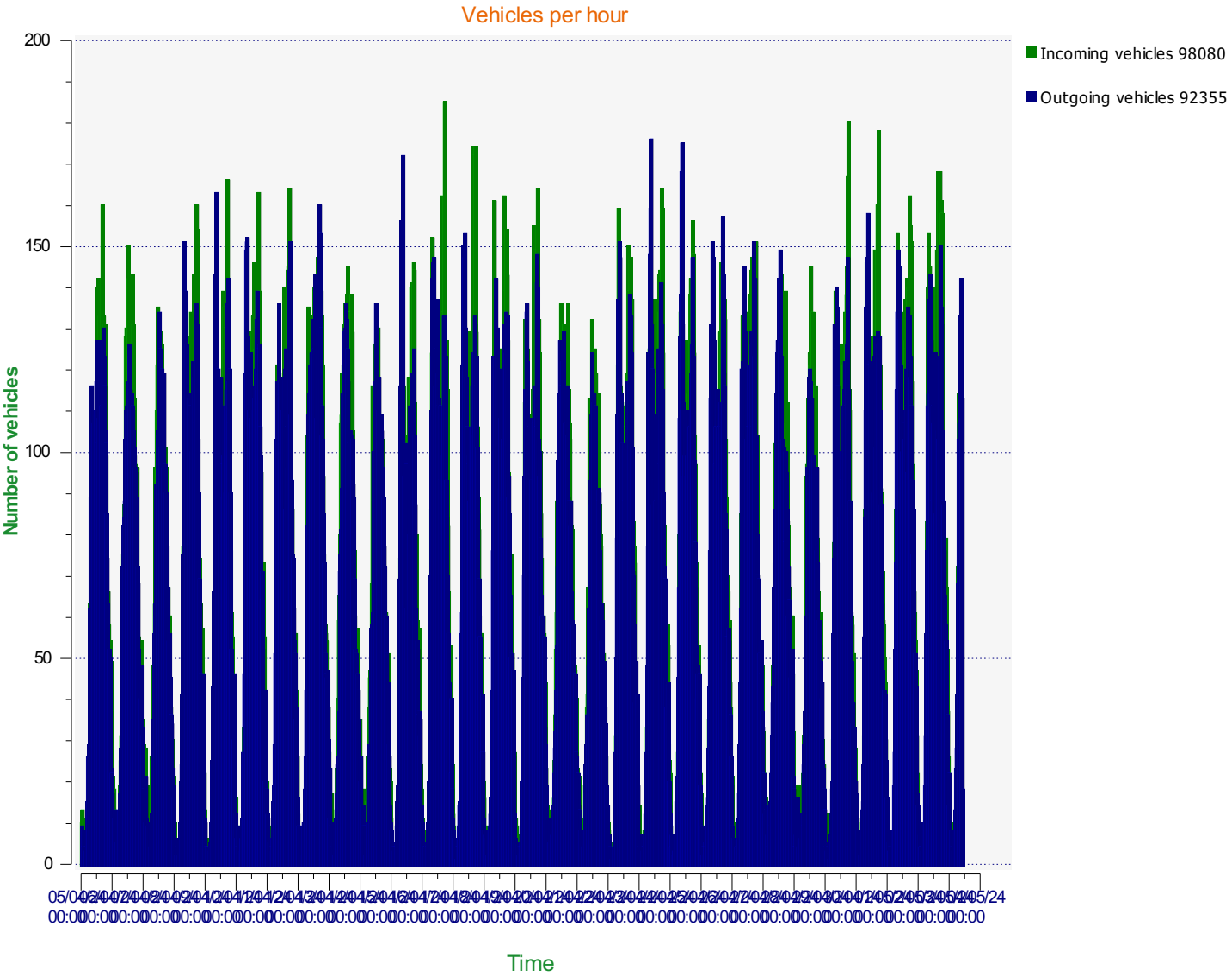
DÉTECTER • INFORMER • SÉCURISER

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End date: Friday, May 3, 2024 10:00 AM

Location:

Comments:

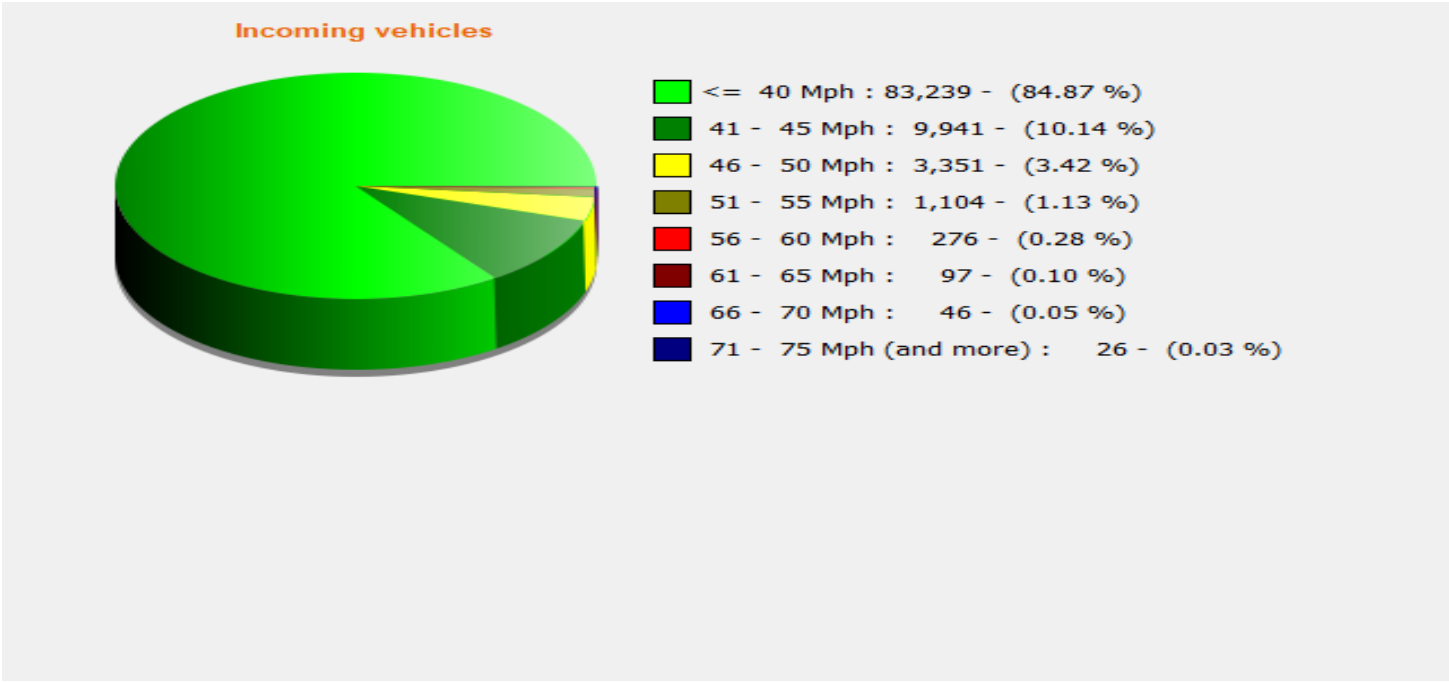




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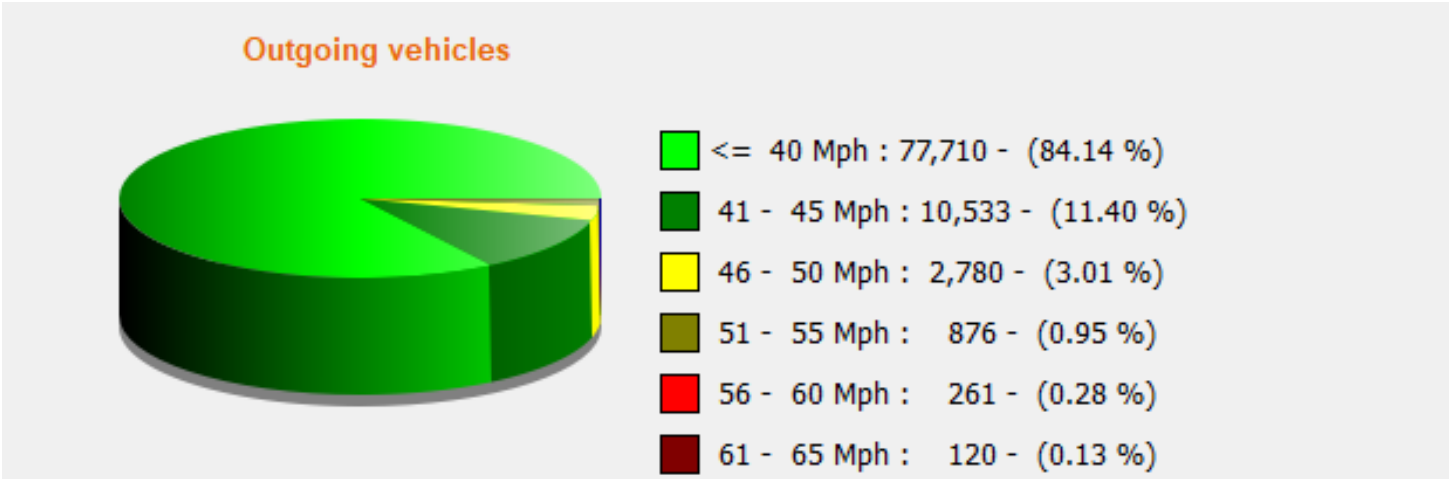
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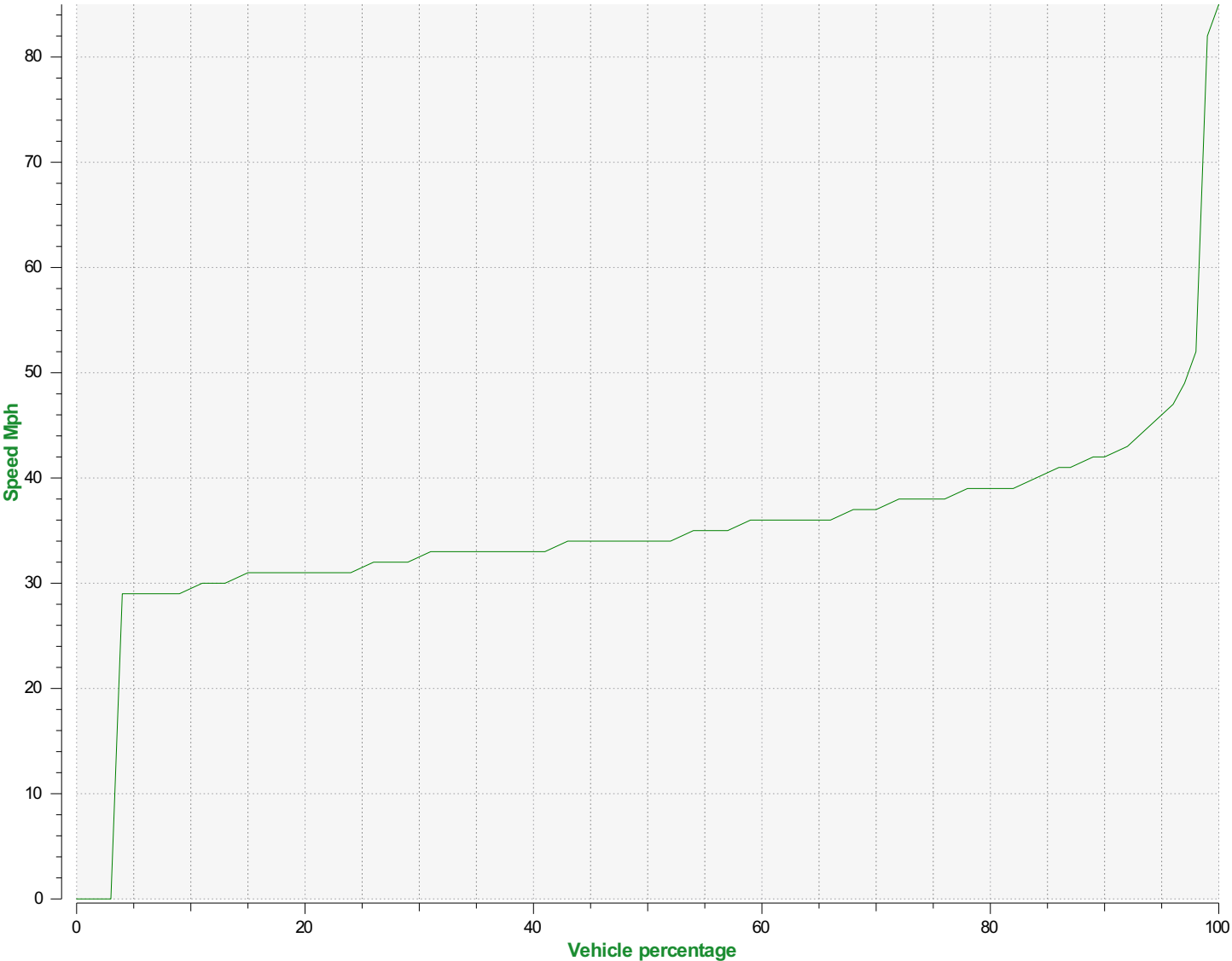
Comments:



Start date: Friday, April 5, 2024 12:00 AM
End date: Friday, May 3, 2024 10:00 AM

Location:

Comments:



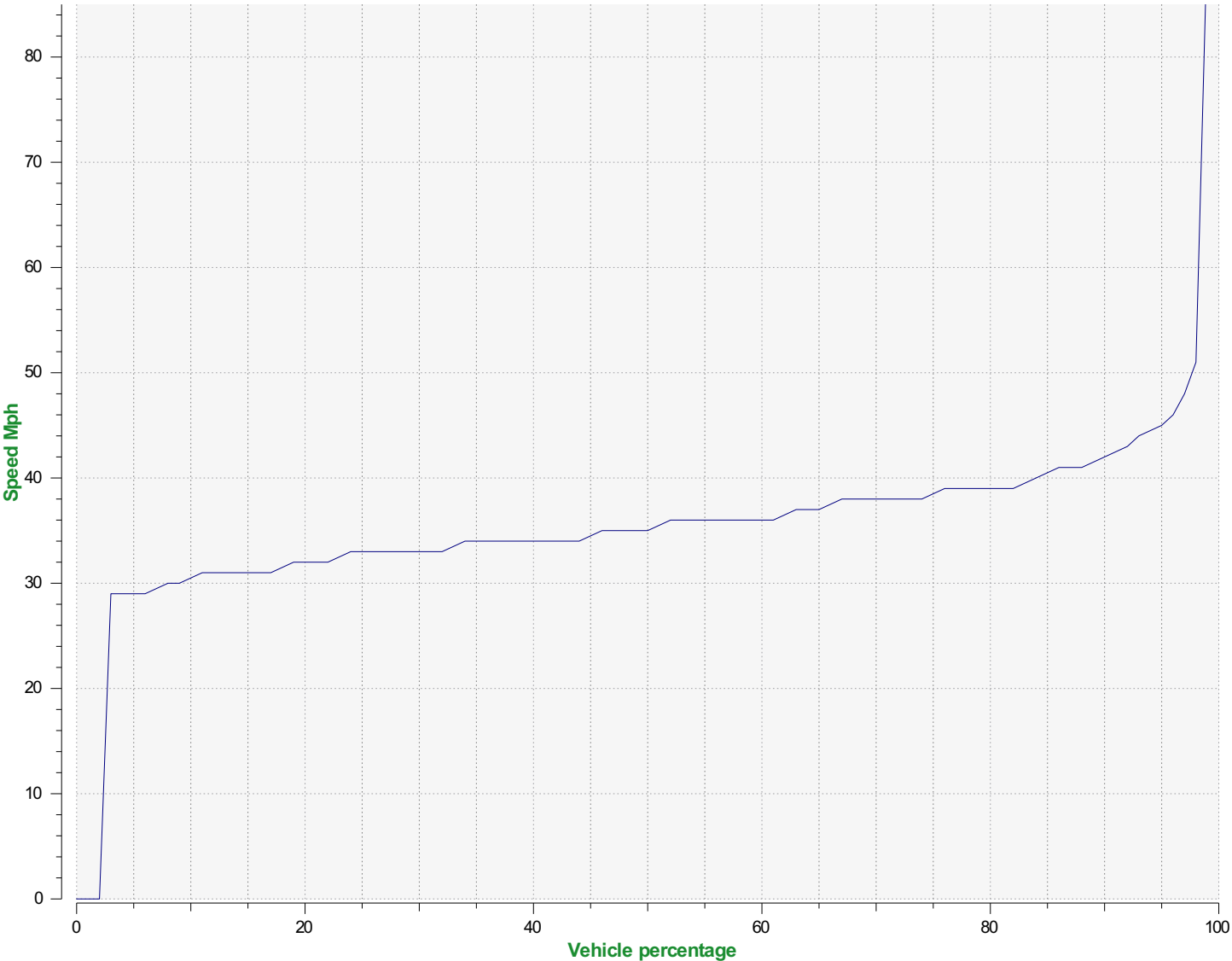
Speed percentiles (incoming)

V30: 32.00Mph **V50:** 34.00Mph **V85:** 40.00Mph

Start date: Friday, April 5, 2024 12:00 AM
End date: Friday, May 3, 2024 10:00 AM

Location:

Comments:



Speed percentile(outgoing)

V30: 33.00Mph V50: 35.00Mph V85: 40.00Mph

Start date: Friday, April 5, 2024 12:00 AM
End date: Friday, May 3, 2024 10:00 AM

Location:

Comments: