

1 June 2018

Dear Councillor

A Meeting of the Finance & General Purposes Committee will be held at the Pye Green Community Centre, Bradbury Lane, Hednesford at **10:30 am on Friday 8 June 2018**. You are invited to attend for consideration of the matters shown on the agenda.

Yours sincerely



Peter Harrison
Town Council Manager/Clerk

To: All Members of the Council

AGENDA

1. Apologies
2. Declarations of Interest
3. Minutes of Meeting held on 19 December 2017 (enclosed – pages 1 to 3)
4. Report of the Town Council Manager/Clerk

a. Siting, supply and fitting of a defibrillator in the town centre

The Town Council on 15 May 2018 referred this matter to the Committee for consideration

Cllr P Woodhead has requested that the following be considered:

1. *Hednesford in Partnership has undertaken a limited fundraising task to help raise money to place additional defibrillators in the town. I will confirm the amount but believe this to be £250-300. We have agreed that we would like to donate this towards funds the Town Council are making available to assist in the funding of this important lifesaving equipment.*

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2. *We have an AED on the co-op, additional to the one on the Pye Green Community Centre, St Peter's church has placed one on the church hall. I have asked the manager at Tesco to relocate theirs from inside the store to outside. This leaves a gap at the lower end of town which would benefit from being the first priority of an additional AED. [the owner of] Cuisine and Kraft has offered to allow an AED to be sited on his premises, undertake monitoring checks and pay for the trickle feed electricity*

b. **There but not there Statuette**

The Town Council on 15 May 2018 referred this matter to the Committee for consideration

c. **Street Furniture – Bus Shelters – Town Centre Maintenance**

To consider this matter

d. **Standing Orders - Policies and Procedures**

The Town Council on 15 May 2018 referred this matter to the Committee for consideration. NALC has advised that due to changes in legislation Councils should take the opportunity to review their Standing Orders. All members received a printed copy of the current Standing Orders. A copy can also be downloaded from the Council website www.hednesford-tc.gov.uk

A revised version based on the NALC model, modified to reflect the Town Council's requirements (enclosed pages 1 to 20)

Also, to consider and to recommend approval to the Council of the following:

Financial Regulations (enclosed pages 21 to 37)

Publication Scheme (enclosed pages 38 to 43)

Data Protection Policy (enclosed pages 44 to 45)

Data Breach Policy (enclosed page 46)

General Privacy Notice for the Public (enclosed pages 47 to 51)

Privacy Notice for Staff, Councillors, Former Councillors and Role Holders (enclosed pages 52 to 57)

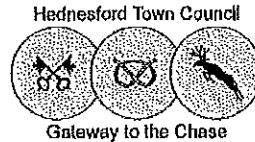
Media Policy (enclosed pages 58 to 59)

Equality and Diversity Policy (enclosed pages 60 to 61)

Child Protection Policy (enclosed pages 62 to 65)

Recruitment Policy (enclosed pages 66 to 68)

Complaints Procedure (enclosed pages 69 to 71)



Finance & General Purposes Committee

Pye Green Community Centre, Bradbury Lane, Hednesford

10:30 am Tuesday 19 December 2017

Present: Cllrs D J Davis (Chairman), S Cartwright, M Davis, B Gamble, B Hardman, S Hardman and A Pearson

In attendance P Harrison (Town Council Manager/Clerk) and L Bowman (Assistant Clerk)

(Apologies for absence were received from Cllrs G Adamson, D Grice and C Mitchell)

The Chairman welcomed Cllr M Davis to his first meeting since being co-opted as a Town Councillor

1. Minutes

The Minutes of the Meeting held on 20 December 2016 were approved

2. Report of the Town Council Manager/Clerk

a. Estimates of Income and Expenditure – 2018-19

Consideration was given to estimates of income and expenditure for 2018-19. Members were provided with information from Cannock Chase Council relating to the calculation of the Council Tax base

RECOMMENDED:

- i) That the estimates of income and expenditure as set out in Annex 1 be approved and a precept in the sum of £137,500 be demanded from Cannock Chase Council for 2018-19
- ii) That support of £5000 per annum be provided to CAB for the continued provision of the Outreach Service at Pye Green
- iii) That the proposal for the Town Council to arrange and fund the cost of Road Closure Orders for street markets be confirmed and also that the Council reimburse the cost of licences to permit the commercial markets to take place but will not be the applicant for such licences (Note: The Town Council will continue to arrange licences for the Christmas event)

- iv) That the action taken by the Town Council Manager/Clerk with regard to investment of reserves be confirmed as follows:

Nationwide	£50,000 (for 6 months)
Lloyds Bank	£50,000 (for 12 months)

b. Notification of Appointment of Auditor

RESOLVED:

That it be noted that Mazars LLP had been appointed as auditors for local councils in Staffordshire

c. Applications for Financial Assistance

Consideration was given to requests for financial assistance including a late application from the Friends of Hednesford Park

RECOMMENDED

- i) That the following grants be awarded:

Name	Amount
Brindley Village Legacy Group	£500*
Chadsmoor Tapestry Group	£700**
Chase Parkinson's Group	£200
Greenheath FC	£300
Friends of Hednesford Park -- Dementia Initiative	£250
Heart of Hednesford	£300
Hednesford in Partnership	£300
Hednesford Probus Computer Club	£352***
Hednesford Town FC Supporters Association	£100
Katherine House Hospice	£100
Ladies Social	£700
St. Peter's Church	£500

* One off payment

** One of payment for reimbursement of materials used in the production of the Hednesford Gateway Tapestry

***Cllr A Pearson declared an interest in this item

- ii) That the request from the Museum of Cannock Chase be refused
- iii) That £354.48 be awarded for Staffordshire Safer Roads Partnership Community Speedwatch for North Hednesford and this be funded from monies received under the Community Infrastructure Levy

d. Town Centre Christmas Event

Members discussed the recent town centre Christmas event which all agreed had been very successful. Consideration was given to recognising the contribution of various parties who had assisted with the organisation or who had participated in the event

RECOMMENDED:

- i) That the Town Council confirm its commitment to contributing to future Christmas events
- ii) That in recognition of, assistance given in connection with the Christmas event the following payments be made

Pye Green Academy	£100
Hednesford Valley High	£100
Staffordshire University Academy ¹	£100
West Hill Primary School	£100
Kingsmead School	£100
St Peter's School	£100
Burntwood Rotary	£100
Hednesford Centennial Lions	£200
Hednesford in Partnership	£250

3. Exclusion of the Public

RESOLVED:

That the public be excluded from the meeting due to the confidential nature of the business to be transacted

4. Staffing

The Town Council Manager/Clerk and Assistant Clerk withdrew from the meeting at this point

RECOMMENDED:

That in recognition of additional duties and responsibilities undertaken during 2017 the Town Council Manager/Clerk and Assistant Clerk be awarded honoraria of £200 each less statutory deductions

The meeting ended at 11:15 am

Signed:

Dated:

Annex 1

HEDNESFORD TOWN COUNCIL BUDGET 2018/19

	Budget 2017/18	Actual to 30.11.17	Expect to Spend	Budget 2018/19
Expenditure				
Clerks Department				
Salaries	49,000	30,050	49,000	50,000
Travelling	100	38	60	100
	49,100	30,088	49,060	50,100
Council Running Costs				
Telephone/Broadband	1,000	544	1,000	1,000
Stationery Items	250	118	250	250
Postage	700	410	700	700
Photocopying	750	347	750	750
Computer software & Maintenance	100	207	207	100
Furniture & Equipment	200	0	0	200
Subscriptions	1400	1,241	1,400	1400
Insurance	1600	0	1,500	1600
Audit Fees	400	600	600	400
Professional Fees	400	220	400	400
Councillor Training	150	0	0	150
Clerk Training	50	0	0	50
Conference Fees	100	0	0	100
Chairmans Allowance	1,000	310	1,000	1,000
Bank Charges	300	101	180	200
	8,300	4,098	7,987	8,200
Pye Green Community Centre				
PGCH - Electric	5,000	3,469	5,000	5,000
PGCH - Annual Utilities Checks, Fire Exting Srv	600	1,058	1,058	600
PGCH - Water Rates	1,500	620	1,500	1,500
PGCH - Insurance	1,200	0	1,200	1,200
PGCH - Salaries & Payroll costs	22,200	15,115	22,700	24,000
PGCH - Rates	7,500	4,505	6,757	7,500
PGCH - Licencing	180	180	180	180
PGCH - Rubbish Collection	1,000	659	1,000	1,000
PGCH - Sanitary Disposal	350	0	350	350
PGCH - Minor Repairs, Uniform, Gardening, Equi	1,200	85	500	1,200
PGCH - Cleaning Materials	800	618	800	800
PGCH - Security	700	683	683	700
PGCH - Furniture & Equipment	200	450	450	200
PGCH - Building Maintenance & Upgrades	3,000	0	0	3,000
PGCH - Advertising & Marketing Cost	150	99	99	150
PGCH - Loan Repayment	17,432	8,716	17,432	17,432
	63,012	36,257	59,709	64,812
Activities				
S.31 CCTV - Running Expenses	23,000	23,382	23,382	24,000
Publicity & Promotion	4,100	2,791	4,123	4,100
S137 Donations, grants, misc	5,200	0	5,200	5,200
Citizen Advise Bureau	5,000	5,000	5,000	5,000
Hednesford Street Christmas Lights	5,000	960	5,000	5,000
S.144 Events & Christmas	6,000	2,299	4,000	7,000
Heritage	1,000	0	0	500
Election costs	0	0	0	0
Neighbourhood Plan	2,000	500		500
Misc	1,000	401	1,000	1,000
	52,300	35,333	47,705	52,300
Total Expenditure	172,712	105,778	164,461	176,412

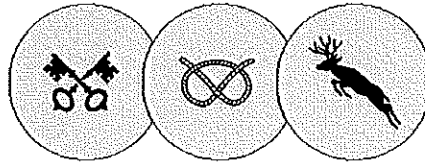
HEDNESFORD TOWN COUNCIL
BUDGET 2018/19

	Budget 2017-18	Actual to date	Expected Income	Budget 2018-19
	£		£	£
Income				
Precept	137,500.00	137,500.00	137,500.00	137,500.00
Interest Received	700.00	0.14	700.00	700.00
Miscellaneous Income	100.00			100.00
General Income	138,300.00	137,500.14	138,200.00	138,300.00
PGCC - Lettings	28,000.00	21,630.96	32,000.00	30,000.00
PGCC - Bar Takings	500.00	693.22	850.00	500.00
Community Hall Income	28,500.00	22,324.18	32,850.00	30,500.00
Total Income	166,800.00	159,824.32	171,050.00	168,800.00
Less Total Expenditure	172,712.00	105,776.00	164,461.00	175,412.00
Surplus/-Deficit	-5,912.00	54,048.32	6,589.00	-6,612.00

Y/E Reserve analysis 2018/19

Council Computer Replacement Programme	2,000.00
Election Costs	9,000.00
Building Repairs & Renewals	87,036.17
General reserve	5,870.72
Community Support Fund	30,000.00
CIL Income - Town Centre Maintenance	2,200.59
	<u>136,107.48</u>

Hednesford Town Council



Gateway to the Chase

STANDING ORDERS

NUMBER AND TITLE	PAGE NO.
1. RULES OF DEBATE FOR COUNCIL MEETINGS	2
2. DISORDERLY CONDUCT AT MEETINGS	4
3. MEETINGS GENERALLY	4
4. COMMITTEES AND SUB-COMMITTEES	6
5. ORDINARY COUNCIL MEETINGS	7
6. EXTRAORDINARY MEETINGS	9
7. PREVIOUS RESOLUTIONS	9
8. VOTING ON APPOINTMENTS	9
9. MOTIONS REQUIRING WRITTEN NOTICE	10
10. MOTIONS NOT REQUIRING WRITTEN NOTICE	10
11. MANAGEMENT OF INFORMATION	11
12. DRAFT MINUTES	12
13. CODE OF CONDUCT AND DISPENSATIONS	12
14. CODE OF CONDUCT COMPLAINTS	13
15. PROPER OFFICER	14
16. RESPONSIBLE FINANCIAL OFFICER	15
17. ACCOUNTS AND ACCOUNTING STATEMENTS	16
18. FINANCIAL CONTROLS AND PROCUREMENT	16
19. HANDLING STAFF MATTERS	18
20. RESPONSIBILITIES TO PROVIDE INFORMATION	19
21. RESPONSIBILITIES UNDER DATA PROTECTION LAW	19
22. RELATIONS WITH PRESS/MEDIA	19
23. EXECUTION AND SEALING OF LEGAL DEEDS	19
24. COMMUNICATING WITH DISTRICT/COUNTY CLLRS	20
25. RESTRICTIONS ON COUNCILLOR ACTIVITY	20
26. STANDING ORDERS GENERALLY	20

.1 RULES OF DEBATE AT MEETINGS

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

- in the debate on a motion except:
- i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the chairman of the meeting.

2 DISORDERLY CONDUCT AT MEETINGS

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

3 MEETINGS GENERALLY

- 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 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.
- d 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.
- e The period of time designated for public participation at a meeting in accordance with standing order 3(d) shall not exceed 30 minutes unless directed by the chairman of the meeting.
- f Subject to standing order 3(e), a member of the public shall not speak for more than 5 minutes.
- g A question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.

- h A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- i Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- j 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. However, as a matter of courtesy the Chairman should be advised before any recording takes place
- k A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- l 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.
- m Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).
- n The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.
- o 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.
- p The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.

See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.
- q Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question or abstained. Such a request shall be made before moving on to the next item of business on the agenda.

- r 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 submitted apologies;
 - 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.
- s A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.
- t 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.*
- u 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.
- v A meeting shall not exceed a period of 3 hours.

4 COMMITTEES AND SUB-COMMITTEES

- a Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.
- b The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.
- c Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-

councillors.

- d The Council may appoint standing committees or other committees as may be necessary, and:
- i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 10 working days before the meeting that they are unable to attend;
 - vi. shall appoint the chairman and vice chairman of the standing committee;
 - vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
 - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
 - ix. shall determine if the public may participate at a meeting of a committee or sub committee;
 - x. may dissolve a committee or a sub-committee.

5 ORDINARY COUNCIL MEETINGS

- a In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.
- b In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.
- c If no other time is fixed, the annual meeting of the Council shall take place at 6pm.
- d In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council

decides.

- e The first business conducted at the annual meeting of the Council shall be the election of the Chairman and the appointment of Vice-Chairman (if there is one) of the Council.
- f The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.
- g The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.
- h In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.
- i In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.
- j Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
 - i. In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - vi. Review of the terms of reference for committees;
 - vii. Appointment of members to existing committees;
 - viii. Appointment of any new committees in accordance with standing order 4;

- ix. Appointment Councillors to undertake roles of principal speakers for certain matters as determined by the Council;
- x. Determine the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

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

- a The Chairman of the Council may convene an extraordinary meeting of the Council at any time.
- b If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.
- c The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chairman of a committee [or a sub-committee] does not call an extraordinary meeting within seven days of having been requested to do so by two members of the committee [or the sub-committee], any two 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 six councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8 VOTING ON APPOINTMENTS

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

until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

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

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least ten 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 seven clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

10 MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i to correct an inaccuracy in the draft minutes of a meeting;

- ii. to move to a vote;
- iii. to defer consideration of a motion;
- iv. to refer a motion to a particular committee or sub-committee;
- v. to appoint a person to preside at a meeting;
- vi. to change the order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

11 MANAGEMENT OF INFORMATION

See also standing order 20.

- a The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.
- b The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).
- c The agenda, papers that support the agenda and the minutes of a meeting

shall not disclose or otherwise undermine confidential information or personal data without legal justification.

- d Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

12 DRAFT MINUTES

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

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

e Draft minutes are to be published on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.

13 CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(s).

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

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

- d Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by 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 at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required.
- h A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:
 - i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;
 - ii. granting the dispensation is in the interests of persons living in the Council's area; or
 - iii. it is otherwise appropriate to grant a dispensation.

14 CODE OF CONDUCT COMPLAINTS

- a Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.

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

15 PROPER OFFICER

- a The Proper Officer shall be either (i) the Town Council Manager/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).
 - 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 7 days before the meeting confirming his withdrawal of it;
 - iii. convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
 - iv. facilitate inspection of the minute book by local government electors;

- v. receive and retain copies of byelaws made by other local authorities;
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- x. 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);
- xi. arrange for legal deeds to be executed;
- xii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiii. record every planning application notified to the Council and the Council's response to the local planning authority in a format that he shall determine appropriate for such purpose;
- xiv. deal with consultations on planning applications in the manner determined by the Council;
- xv. manage access to information about the Council via the publication scheme; and
- xvi. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.

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 at each Council Meeting a statement to summarise:
 - i. the Council's latest receipts and payments;
 - ii. the Council's income and expenditure for the year to date;
 - iii. the latest balances held
- 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 financial year; and
 - ii. to the Council the accounting statements for the year in the form 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. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18 FINANCIAL CONTROLS AND PROCUREMENT

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

- iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below £25,000 due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly for fitness of purpose.
- c. A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts

Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.

- g. A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

19 HANDLING STAFF MATTERS

- a A matter personal to a member of staff that is being considered by a meeting of Council, committee or 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 chairman or if he is not available, the vice-chairman of absence occasioned by illness or other reason
- c The chairman or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Town Council Manager/Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chairman of the Council or in his absence, the vice-chairman in respect of an informal or formal grievance matter, and unless the grievance can be resolved it will be referred to the Council for determination
- e If an informal or formal grievance matter raised by a member of staff relates to a member of the Council this shall be dealt within accordance with the grievance procedure.
- 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

- a 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

See also standing order 11.

- a The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
- b The Council shall have a written policy in place for responding to and managing a personal data breach.
- c 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.
- d 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.
- e The Council shall maintain a written record of its processing activities.
- f

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

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

Any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

24 COMMUNICATING WITH DISTRICT AND COUNTY 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 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 () 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 they are elected
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.



FINANCIAL REGULATIONS

INDEX

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

These Financial Regulations were adopted by the Council at its Meeting held on

1. GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations must be observed in conjunction with the council's standing orders¹ and any individual financial regulations relating to contracts.
- 1.2. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
- 1.3. The council's accounting control systems include measures for:
 - producing accounts in a timely manner;
 - providing safe and efficient safeguarding of public money;
 - preventing and detecting inaccuracy and fraud; and
 - identifying the duties of officers.
- 1.4. At least once a year the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.5. A breach of these Regulations by an employee is gross misconduct.
- 1.6. Members of the Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute.
- 1.7. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. The Town Council Manager/Clerk has been appointed as RFO for this council and these regulations will apply accordingly.
- 1.8. The RFO;
 - acts under the policy direction of the council; administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of the council its accounting records and accounting control systems;
 - ensures the accounting control systems are observed;

- maintains the accounting records of the council up to date in accordance with proper practices;
 - assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
 - produces financial management information as required by the council.
- 1.9. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations².
- 1.10. The accounting records determined by the RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
 - a record of the assets and liabilities of the council; and
 - wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.11. The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
 - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
 - procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
 - measures to ensure that risk is properly managed.

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

- setting the final budget or the precept (Council Tax Requirement);
- approving accounting statements and the Annual Audit Return,
- approving a governance statement;
- borrowing;
- approval of banking arrangement,
- writing off bad debts;
- declaring eligibility for the General Power of Competence; and
- addressing recommendations in any report from the internal or external auditors,

shall be a matter for the full council only.

1.13. In addition the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve any grant or a single commitment in excess of £5,000; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant independent advisory body (NALC/SLCC)

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

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

2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

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

- 2.2. On a regular basis, at least once in each quarter, and at each financial year end, the RFO shall submit a report to the Council to verify bank reconciliations (for all accounts).
- 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- 2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.6. The internal auditor shall:
 - be competent and independent of the financial operations of the council;
 - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - have no involvement in the financial decision making, management or control of the council.
- 2.7. Internal or external auditors may not under any circumstances:
 - perform any operational duties for the council;
 - initiate or approve accounting transactions; or
 - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit

Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.

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

3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

- 3.1. The Council or such Committee appointed to deal with this shall review its forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of December each year including any proposals for revising the forecast.
- 3.2. The RFO must each year, by no later than the first week in January, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the council.
- 3.3. The council shall consider annual budget proposals in relation to the council's forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
- the council for all items over £5,000;
 - a duly delegated committee of the council for items over £2,500; or
 - the Town Council Manager/Clerk for any items below £2,500.

Such authority is to be evidenced by a Minute or by an authorisation slip duly signed by the Town Council Manager/Clerk

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

- 4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council

having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

- 4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.
- 4.4. The salary budgets are to be reviewed at least annually by the council.
- 4.5. In cases of extreme risk to the delivery of council services, the Town Council Manager/Clerk may authorise revenue expenditure on behalf of the council which in his opinion it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £2,500. Such action shall be reported to the chairman as soon as possible and to the council as soon as practicable thereafter.
- 4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
- 4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.8. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of 15% of the budget.
- 4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

5. BANKING ARRANGEMENTS AND CONFIRMATION OF PAYMENTS

- 5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
- 5.2. The RFO shall prepare a schedule of payments made and submit these to the council for confirmation. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting.
- 5.3. All invoices for payment shall be examined, verified and certified by the RFO and two members authorised as cheque* signatories to confirm that the work, goods or services to which each invoice relates has been received, carried out and represents expenditure previously approved by the council. (*Including electronic authorisation)

- 5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices in a timely manner.
- 5.5. The Town Council Manager/Clerk and RFO shall have delegated authority to authorise the payment of items in the following circumstances:
- a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Town Council Manager/Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of the council
 - b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council; or
 - c) Fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council.
- 5.6. Payments made shall be signed by two members on each and every occasion when payment is authorised.
- 5.7. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the council.
- 5.8. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
- 5.9. The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- 6.1. The council will make safe and efficient arrangements for the making of its payments.
- 6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Town Council Manager/Clerk shall give instruction that a payment shall be made.
- 6.3. All payments shall be effected by cheque, standing order, electronically or other instructions to the council's bankers, or otherwise, in accordance with a resolution of Council.

- 6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of council in accordance with a resolution instructing that payment. If a member who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made, that Councillor shall be required to consider Standing Orders, and thereby determine whether it is appropriate and / or permissible to be a signatory to the transaction in question.
- 6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 6.6. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable Direct Debit provided that the instructions are signed by two members and any payments are reported to council as made.
- 6.7. If thought appropriate by the council, payment for certain items (principally Salaries) may be made by Banker's Standing Order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made.
- 6.8. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
- 6.9. If thought appropriate by the council payment may be made by internet banking transfer provided evidence is retained showing which members approved the payment.
- 6.10. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.
- 6.11. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.

- 6.12. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question.
- 6.13. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall, software with automatic updates, together with a high level of security, is used.
- 6.14. Where internet banking arrangements are made with any bank, the Town Council Manager/Clerk shall be appointed as the Service Administrator. The Bank Mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.15. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 6.16. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by two members. A programme of regular checks of standing data with suppliers will be followed.
- 6.17. Any Debit Card issued for use will be specifically restricted to the Town Council Manager/Clerk and will also be restricted to a single transaction maximum value of £500 unless authorised by the council before any order is placed.
- 6.18. 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 Town Council Manager/Clerk.
- 6.19. Any corporate trade card account opened by the council will be restricted to use by the Town Council Manager/Clerk and shall be subject to automatic payment in full at each month-end.
- 6.20. The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the Town Council Manager/Clerk and employee or member (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

7. PAYMENT OF SALARIES

- 7.1. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.
- 7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Council.
- 7.4. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.5. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.

8. LOANS AND INVESTMENTS

- 8.1. All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for Borrowing Approval, and subsequent arrangements for the Loan shall only be approved by full council.
- 8.2. Any financial arrangement which does not require formal Borrowing Approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.
- 8.3. All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with council policy.
- 8.4. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 8.5. All investments of money under the control of the council shall be in the name of the council.

- 8.6. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.7. Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

9. INCOME

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

10. ORDERS FOR WORK, GOODS AND SERVICES

- 10.1. An official order, letter or email shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2. Order books shall be controlled by the RFO.

- 10.3. All members and Officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11 (I) below.
- 10.4. A member may not issue an official order or make any contract on behalf of the council.
- 10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the Council has the statutory authority

11. CONTRACTS

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

- a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
 - i. for the supply of gas, electricity, water, sewerage and telephone services;
 - ii. for specialist services such as are provided by solicitors, accountants, IT suppliers, surveyors and consultancy advice (including planning);
 - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - v. for additional audit work of the external Auditor up to an estimated value of £500 (in excess of this sum the Town Council Manager/Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of council); and
 - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where it is intended to enter into a contract exceeding £60,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Town Council Manager/Clerk shall invite tenders from at least three firms to be taken from the appropriate approved list.
- c. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.

- d. Such invitation to tender shall state the general nature of the intended contract and the Town Council Manager/Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Town Council Manager/Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- e. All sealed tenders shall be opened at the same time on the prescribed date by the Town Council Manager/Clerk in the presence of at least one member of council.
- f. If less than three tenders are received for contracts above £60,000 or if all the tenders are identical the council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- g. When it is to enter into a contract of less than £60,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Town Council Manager/Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £5,000 and above £500 the Town Council Manager/Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10 (3) above shall apply.
- h. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- i. Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.
- j. The European Union Procurement Directive shall apply and the terms of the Public Contracts Regulations 2006 and the Utilities Contracts Regulations 2006 including thresholds shall be followed.

12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

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

- 12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.
- 12.3. Any variation to a contract or addition to or omission from a contract must be approved by the council and Town Council Manager/Clerk to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.

13. STORES AND EQUIPMENT

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

14. ASSETS, PROPERTIES AND ESTATES

- 14.1. The Town Council Manager/Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £5000.
- 14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law, In each case a Report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a Report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including

matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

- 14.5. Subject only to the limit set in Reg. 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a Report in writing shall be provided to council.
- 14.6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15. INSURANCE

- 15.1. Following the annual risk assessment (per Financial Regulation 16), the RFO shall effect all insurances and negotiate all claims on the council's insurers.
- 15.2. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 15.3. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.
- 15.4. 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 by the council, or duly delegated committee.

16. RISK MANAGEMENT

- 16.1. The council is responsible for putting in place arrangements for the management of risk. The Town Council Manager/Clerk shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.
- 16.2. When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

17. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

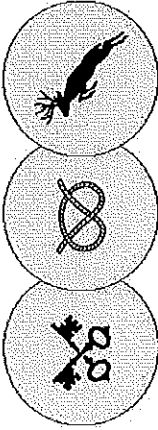
- 17.1. It shall be the duty of the council to review the Financial Regulations of the council from time to time. The Town Council Manager/Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these financial regulations.

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

Notes

Where the word “regularly” is used in the text it is for the council to set the required interval, monthly, quarterly, or half-yearly. This period should never exceed 12 months.

Reference to the Town Council Manager shall also include any other officer of the Council so delegated by that officer to act



Publication Scheme

Information to be published	How the information can be obtained
<p>Class1 - Who we are and what we do (Organisational information, structures, locations and contacts)</p> <p>This will be current information only.</p>	<p>Contact (A) the Town Council Manager/Clerk at Pye Green Community Centre, Bradbury Lane, Hednesford (01543 462621) or (B) on website www.hednesford-tc.gov.uk</p>
Who's who on the Council and its Committees	(A) & (B)
Contact details for Parish Clerk and Council members (named contacts where possible with telephone number and email address (if used))	(A) & (B)
Location of main Council office and accessibility details	(A) & (B)
Staffing structure	(A)

	<p>Class 2 – What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)</p> <p>Current and previous financial year as a minimum</p>	
Annual return form and report by auditor		(A) & (B)
Finalised budget		(A) & (B)
Precept		(A) & (B)
Borrowing Approval letter		(A)
Financial Standing Orders and Regulations		(A) & (B)
Grants given and received		(A) & (B)
List of current contracts awarded and value of contract		(A)
Members' allowances and expenses		None
	<p>Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)</p> <p>Current and previous year as a minimum</p>	
Parish Plan (current and previous year as a minimum)		None
Annual Report to Parish or Community Meeting (current and previous year as a minimum)		(A) & (B)
Quality status		None

Local charters drawn up in accordance with DCLG guidelines	
Class 4 – How we make decisions (Decision making processes and records of decisions)	
Current and previous council year as a minimum	
Timetable of meetings (Council and any committee/sub-committee meetings and parish meetings)	(A) & (B) and notice boards
Agendas of meetings (as above)	(A) & (B)
Minutes of meetings (as above) – n.b. this will exclude information that is properly regarded as private to the meeting.	(A) & (B)
Reports presented to council meetings – n.b. this will exclude information that is properly regarded as private to the meeting.	(A) & (B)
Responses to consultation papers	(A)
Responses to planning applications	(A) & (B)
Bye-laws	(A)
Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities)	
Current information only	
Policies and procedures for the conduct of council business:	
Procedural standing orders	(A) & (B)

<p>Committee and sub-committee terms of reference Delegated authority in respect of officers Code of Conduct Policy statements</p>	<p>(A) (A) (A) (A)</p>
<p>Policies and procedures for the provision of services and about the employment of staff:</p> <p>Internal instructions to staff and policies relating to the delivery of services Equality and diversity policy Health and safety policy Recruitment policies (including current vacancies) Policies and procedures for handling requests for information Complaints procedures (including those covering requests for information and operating the publication scheme)</p>	<p>(A) (A) (A) (A) (A) & (B) (A) & (B)</p>
<p>Information security policy</p>	<p>(A) & (B)</p>
<p>Records management policies (records retention, destruction and archive)</p>	<p>(A)</p>
<p>Data protection policies</p>	<p>(A) & (B)</p>
<p>Schedule of charges (for the publication of information)</p>	<p>(A) & (B)</p>
<p>Class 6 – Lists and Registers</p> <p>Currently maintained lists and registers only</p>	

Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)	(A)
Assets register	(A)
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by the Town Council)	(A)
Register of members' interests	(A) & (B)
Register of gifts and hospitality	(A)
Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)	
Current information only	
Pye Green Community Centre	(A) & (B)
Any other	(A)

SCHEDULE OF CHARGES

Charges will be levied as follows except in cases where the charge is set by statute

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying @ 12p per sheet (black & white)	Actual cost *
	Photocopying @ 50p per sheet (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 nd class
	Packaging	Actual cost

* the actual cost incurred by the Town Council

Hednesford Town Council

Data Protection Policy

1. This Privacy Policy is provided to you by Hednesford Town Council which is the data controller for your data.

2. 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 by the personal data alone or in conjunction with any other 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 local legislation relating to personal data and rights such as the Human Rights Act.

3. 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.

4. 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.

5. 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):

- 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.

6. 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.

- The right to access personal data we hold on you
- The right to correct and update the personal data we hold on you
- The right to have your personal data erased
- The right to object to processing of your personal data or to restrict it to certain purposes only
- The right to data portability
- The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained.
- The right to lodge a complaint with the Information Commissioner's Office.

7. 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.

8. Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Policy, then we will provide you with a Privacy 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.

9. We keep this Privacy Policy under regular review.

Hednesford Town Council

Data Breach Policy

This Data Breach Policy is provided to you by Hednesford Town Council

A personal data breach is one that leads to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.

1. Notifying the Information Commissioners Office (ICO)

The Information Commissioners Office will be notified of a breach where it is likely to result in a risk to the rights and freedoms of individuals or if it could result in discrimination, damage to reputation, financial loss, loss of confidentiality or any other significant economic or social disadvantage.

Data Breaches will be recorded using the ICO's online system: <https://ico.org.uk/fororganisations/report-a-breach/> and the following information should be provided:

- The potential scope and cause of the breach
- Mitigation actions the council plans to take
- Details of how the council plans to address the problem.

2. Notifying the Individual concerned

If a breach is likely to result in a high risk to the rights and freedoms of individuals (such as through identity theft) the council will notify those concerned.

3. Timescales

Under the GDPR, we are required to report a personal data breach, which meets the reporting criteria, within 72 hours to the Information Commissioner.

In line with the accountability requirements, all data breaches must be recorded by the town council along with details of actions taken. This record will help to identify system failures and should be used to improve the security of personal data.

4. Notifying the council

If anyone (including a third party such as a payroll provider) suspects that a data breach has occurred details of the alleged breach should be submitted immediately in writing to: The Town Council Manager/Clerk, Pye Green Community Centre, Bradbury Lane, Hednesford, WS12 4EP

HEDNESFORD TOWN COUNCIL

GENERAL PRIVACY NOTICE FOR THE PUBLIC

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 Hednesford Town Council which is a data controller for your data.

Other data controllers the council works with:

Staffordshire County Council
Cannock Chase Council
Other Town and Parish Councils
Community groups
Charities
Other not for profit entities
Contractors

We may need to share your personal data we hold with them so that they can carry out their responsibilities to the council. If we and the other data controllers listed above are processing your data jointly for the same purposes, then the council and the other data controllers may be “joint data controllers” which mean we are all collectively responsible to you for your data.

Where each of the parties listed above are processing your data for their own independent purposes then each of us will be independently responsible to you and if you have any questions, wish to exercise any of your rights (see below) or wish to raise a complaint, you should do so directly to the relevant data controller.

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

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

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

- Where you pay for activities 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:

- 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, or telephone
- 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.

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 community facilities.

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 to comply with a legal obligation).

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

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

5) The right to data portability

You have the right to request that we transfer some of your data to another controller.

We will comply with your request, where it is feasible to do so, within one month of receiving your request.

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

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

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

You can contact the Information Commissioners Office on 0303 123 1113 or via email

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

Further processing

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

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on www.hednesford-tc.gov.uk. This Notice was last updated in May 2018.

Contact Details

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

The Data Controller
Town Council Manager/Clerk
Hednesford Town Council
Pye Green Community Centre
Bradbury Lane
Hednesford
WS12 4 EP

01543 424872

HEDNESFORD TOWN COUNCIL

PRIVACY NOTICE FOR STAFF, COUNCILLORS, FORMER COUNCILLORS AND ROLE HOLDERS

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, photograph, video, 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 Hednesford Town Council, which is the data controller for your data.

The council works together with:

- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Former and prospective employers

We may need to share personal data we hold with them so that they can carry out their responsibilities to the council and our community. The organisations referred to above will sometimes be “joint data controllers”. This means we are all responsible to you for how we process your data where for example two or more data controllers are working together for a joint purpose. If there is no joint purpose or collaboration, then the data controllers will be independent and will be individually responsible to you.

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.

What data do we process?

- Names, titles, and aliases, photographs.
- Start date / leaving date
- Contact details such as telephone numbers, addresses, and email addresses.

- Where they are relevant to our legal obligations, or where you provide them to us, we may process information such as gender, age, date of birth, marital status, nationality, education/work history, academic/professional qualifications, employment details, hobbies, family composition, and dependants.
- Non-financial identifiers such as passport numbers, driving licence numbers, vehicle registration numbers, taxpayer identification numbers, staff identification numbers, tax reference codes, and national insurance numbers.
- Financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.
Financial information such as National Insurance number, pay and pay records, tax code, tax and benefits contributions, expenses claimed.
- Other operational personal data created, obtained, or otherwise processed in the course of carrying out our activities, including but not limited to, CCTV footage, recordings of telephone conversations, IP addresses and website visit histories, logs of visitors, and logs of accidents, injuries and insurance claims.
- Next of kin and emergency contact information.
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process and referral source (e.g. agency, staff referral)).
- Location of employment or workplace.
- Other staff data (not covered above) including; level, performance management information, languages and proficiency; licences/certificates, immigration status; employment status; information for disciplinary and grievance proceedings; and personal biographies.
- Information about your use of our information and communications systems.

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

Please note: We need all the categories of personal data in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Providing any contractual benefits to you
- Administering the contract we have entered into with you.
- Management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Conducting grievance or disciplinary proceedings.
- Making decisions about your continued employment or engagement.
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving you, including accidents at work.
- Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.

- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To conduct data analytics studies to review and better understand employee retention and attrition rates.
- Equal opportunities monitoring.
- To undertake activity consistent with our statutory functions and powers including any delegated functions.
- To maintain our own accounts and records;
- To seek your views or comments;
- To process a job application;
- To administer councillors' interests
- To provide a reference.

Some of the above grounds for processing will overlap and there may be several grounds, which justify our use of your personal data.

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.

We may also use your personal data in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest [or for official purposes].

How we use sensitive personal data

We may process sensitive personal data relating to staff, councillors and role holders 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, such as for equal opportunities monitoring or in relation to our pension scheme.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

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?

We do not need your consent if we use your sensitive personal data in accordance with our rights and obligations in the field of employment and social security law.

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.

You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

Information about criminal convictions

We may only use personal data relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

Less commonly, we may use personal data relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary 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.

The legal basis for processing your personal data?

Some of our processing is necessary for compliance with a legal obligation.

We may also process data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract.

We will also process your data in order to assist you in fulfilling your role in the council including administrative support or if processing is necessary for compliance with a legal obligation.

Sharing your personal data

Your personal data will only be shared with third parties including other data controllers where it is necessary for the performance of the data controllers' tasks or where you first give us your prior consent. It is likely that we will need to share your data with:

- Our agents, suppliers and contractors.
- Other persons or organisations operating within local community.
- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Former and prospective employers
- Professional advisors
- Trade unions or employee representatives

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 responsibilities

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your working relationship with us.

Your rights in connection with personal data

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

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

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

At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond within one month.

There are no fees or charges for the first request but additional requests for the same personal data or requests, which are manifestly unfounded or excessive, may be subject to an administrative fee.

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

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

3. The right to have your personal data erased

If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.

When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

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

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

5. The right to data portability

You have the right to request that we transfer some of your data to another controller.

We will comply with your request, where it is feasible to do so, within one month of receiving your request.

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

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

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

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

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, if we start to use your personal data for a purpose not mentioned in this notice.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on The Council web site www.hednesford-tc.gov.uk. This Notice was last updated in May 2018.

HEDNESFORD TOWN COUNCIL

MEDIA POLICY

Introduction

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

Legal requirements and restrictions

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

Councillors are subject to additional restrictions about the disclosure of confidential information which arise from the code of conduct adopted by the Council, a copy of which is available via the Council's publication scheme.

Meetings

6. A meeting of the Council and its committees is open to the public unless the meeting resolves to exclude them because their presence at the meeting is prejudicial to the public interest due to the confidential nature of the business or other special reason(s) stated in the resolution. In accordance with the Council's standing orders, persons may be required to leave a meeting of the Council and its committees, if their disorderly behaviour obstructs the business of the meeting.
7. Where a meeting of the Council and its committees include an opportunity for public participation, the media may speak and ask questions. Public participation is regulated by the Council's standing orders.
8. The photographing, recording, filming or other reporting of a meeting of the Council and its committees (which includes e.g. using a mobile phone or tablet, recording for a TV/radio broadcast, providing commentary on blogs, web forums, or social networking sites such as Twitter, Facebook and YouTube) which enable a person not at the meeting to see, hear or

be given commentary about the meeting is permitted unless (i) the meeting has resolved to hold all or part of the meeting without the public present or (ii) such activities disrupt the proceedings or (iii) paragraphs 9 and 10 below apply.

9. The photographing, recording, filming or other reporting of a child or vulnerable adult at a Council or committee meeting is not permitted unless an adult responsible for them has given permission.

10. Oral reporting or commentary about a Council or committee meeting by a person who is present at the meeting is not permitted.

11. The Council shall, as far as it is practicable, provide reasonable facilities for anyone taking a report of a Council or committee meeting and for telephoning their report at their own expense.

12. The Council's standing orders will confirm if attendance by the public, their participation, photographing, recording, filming or other reporting is permitted at a meeting of a sub-committee.

Other communications with the media

13. This policy does not seek to regulate councillors in their private capacity.

14. The Council's communications with the media seek to represent the corporate position and views of the Council. If the views of councillors are different to the Council's corporate position and views, they will make this clear.

15. The Council's Clerk, or in his absence, the nominated deputy may contact the media if the Council wants to provide information, a statement or other material about the Council.

16. Subject to the obligations on councillors not to disclose information referred to in paragraph 5 above and not to misrepresent the Council's position, councillors are free to communicate their position and views.

Hednesford Town Council

Equality & Diversity Policy

1. Aims

1.1 The aim of this policy is to communicate the commitment of Hednesford Town Council, its Members and Officers to meeting the Public Sector Equality Duty, which came into force on 5 April 2011. The Equality Duty applies to public bodies and others carrying out public functions. It supports good decision-making by ensuring public bodies consider how different people will be affected by their activities, helping them to deliver policies, representation and services, which are efficient and effective; accessible to all; and which meet different people's needs.

2. Policy Statement

It is Hednesford Town Council's policy to provide representation, information, facilities, services and employment to all irrespective of:

- Gender, including gender reassignment
- Marital or civil partnership status
- Having just had a baby or being pregnant
- Having or not having dependants
- Religious belief or political opinion
- Race (including colour, nationality, ethnic or national origins)
- Disability
- Sexual orientation
- Age

Hednesford Town Council is opposed to all forms of unlawful and unfair discrimination. All people and employees will be treated fairly and will not be discriminated against on any of the above grounds. All decisions about will be made objectively and without unlawful discrimination.

Hednesford Town Council recognises that supporting Equality is of primary importance. This policy will help all those who are Council Members or work for the Council to develop sound and effective policies that impact on the community and surrounding areas.

Hednesford Town Council aims to create a culture that respects and values each other's' differences, that promotes dignity, equality and diversity. We aim to remove barriers, bias or discrimination that prevent individuals or groups from realizing their potential and contributing fully to the community to develop a culture that positively values diversity.

Hednesford Town Council will challenge discrimination. It aims to provide equality and fairness to all in the community and expects all Members and Officers to be aware and understand the Equality Act 2010.

3. Equality Commitments

Hednesford Town Council is committed to:

- Promoting equality of opportunity for all persons.
- Promoting a good and harmonious environment in which all persons are treated with respect.
- Preventing occurrences of unlawful direct discrimination, indirect discrimination, harassment and victimization.
- Fulfilling our legal obligations under equality legislation and associated codes of practice.
- Complying with our own equal opportunities policy and associated policies.
- Taking lawful affirmative and positive action where appropriate.

This policy has been adopted by and is fully supported by all Members of Hednesford Town Council.

4. Implementation

The policy will be communicated to Members, the Town Council Manager/Clerk, other employees and members of the public

Equal opportunities will be incorporated into general practices

Ensuring that other persons or organisations comply with the policy in their dealings with the Council

5. Monitoring and Review

This will be carried out as necessary

In addition to the Council's internal procedures, any person has the right to pursue complaints of discrimination under the Equality Act 2010

HEDNESFORD TOWN COUNCIL CHILD PROTECTION POLICY

Introduction

The Town Council believes that children and young people have the right to have fun and be safe in the services provided for them and the activities they choose to participate in.

The Town Council believes all children and young people have the right to live their lives to the fullest potential, to be protected, to have the opportunity to participate in and enjoy any activity and to be treated with dignity and respect.

The Town Council believes that all children and young people irrespective of their age, class, religion, culture, disability, gender, ethnicity or sexual preference have the right to protection.

Child Protection Statement

This Council is committed to ensuring that all children and young people are protected and kept safe from harm whilst engaged in services organised and provided by the Council. This Council will also safeguard the welfare of children and young people who use the Council's services or who attend activities within its venues, by protecting them from abuse.

This Council recognises its responsibilities under the terms of the Children Act 2004, earlier Children's Acts and other relevant legislation to make arrangements for ensuring that its functions are discharged having regard to the need to safeguard and promote the welfare of children and young people. This policy applies to all situations within the Council's operation, which could potentially involve children or young people. Good practice guidelines are provided in this policy to guide staff in the protection of children and young people and to protect staff from allegations of abuse and reassure parents.

The policy affects every elected member, staff member, volunteer and anyone working on behalf of and/or representing the Council.

Definitions

- The term children or young person is used to refer to anyone under the age of 18 years.
- The term parent is used as a generic term to represent anyone with legal parental responsibility.
- The terms elected members, staff and volunteers is used to refer to employees, councillors, volunteers and anyone working on behalf of and/or representing the Council, including temporary and agency staff and contractors.

Aims of the Policy

This Council accepts the moral and legal responsibility to implement procedures, provide a duty of care for children and young people, safeguard their wellbeing and protect them when they are engaged in services organised and provided by the Council or when they come into contact with Council staff, those on work experience, elected members and volunteers.

The Council aims to do this by:

- Raising an awareness throughout the Council and beyond of the statutory “duty of care” relating to children and young people and actively encourage good practice amongst all staff, elected members and volunteers.
- Creating a safe and healthy environment within all its services, avoiding situations where abuse or allegations of abuse may occur.
- Respecting and promoting the rights, wishes and feelings of children and young people. Listening to children and young people, minimising dangers and working closely with other agencies.
- Recruiting, training, supervising and supporting staff, elected members and volunteers who work with children and young people to adopt best practice to safeguard and protect children and young people from abuse, and themselves against false allegations. Staff and volunteers who work with children and young people will be subject to the appropriate level Criminal Records Bureau check.
- Responding to any allegations appropriately and implementing the appropriate disciplinary and appeals procedures.
- Requiring staff, elected members and volunteers to adopt and abide by this policy and guidelines.

Use of Contractors

This Council and its staff, elected members and volunteers should take care that contractors doing work on behalf of the Council are monitored appropriately. Any contractor or sub-contractor, engaged by the Council in areas where workers are likely to come into contact with children and young people, should have a similarly robust Child Protection Policy, or failing this, must comply with the terms of this policy. Contractors will be monitored by the Officer responsible for the contract.

Procedures

These procedures inform staff, elected members and volunteers of what actions they should take if they have concerns or encounter a case of alleged or suspected child abuse.

Responding To Concerns and Allegations:

- It is important that all staff, elected members and volunteers are aware that the first person that has concerns or encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. It is not the place of any Officer of the Council to investigate allegations. However, staff, elected members and volunteers do have a duty of care to the child or young person which means they must report any suspicions they may have.
- It is the duty of any member, or council employee or volunteer to report any concerns about a child being subject to abuse, receive a disclosure or are aware of Members, or colleagues behaving in an inappropriate manor. All reports should be treated as confidential and with respect to the person raising the concern regardless of the outcome.

In general there are 3 situations that staff, elected members and volunteers may need to respond to a concern or case of alleged or suspected abuse:

1. Responding to a child or young person disclosing abuse, i.e. they make an allegation of abuse

2. Responding to allegations or concerns about a member of staff, elected member or volunteer from your own observation or due to a complaint.
3. Responding to allegations or concerns about any other person, i.e. parent, carer, other service user. In the case of an emergency where a child is in danger phone 999 immediately.

Record in writing all the details that you are aware of and what was said using the child or young person's own words, immediately. In your record you should include the following:

- a) The date and time
- b) The child or young person's name, address and date of birth
- c) The nature of the allegation
- d) Your observations – a description of the child or young person's behaviour, physical and emotional state and any visible injuries.
- e) Exactly what the child or young person said and what you said. Record the child or young person's account of what has happened as closely as possible.
- f) Sign and date what you have recorded.

Do not ask questions, other than the child or young person's name, address and date of birth. Reassure the child or young person that they have done the right thing in telling you. Contact local Social Services or the Police without delay and follow their guidance.

Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only this is usually Social Services or the Police. It is extremely important that allegations or concerns are not discussed, as any breach of confidentiality could be damaging to the child or young person, their family, those who are the subject of allegations and any child protection investigations that may follow.

Informing the parents of a child or young person of concerns you may have should be dealt with by Social Services. Parents will not be informed if they are the subject of the allegation. Any individual against whom an allegation has been made has the right to be notified about the cause for concern. This should be done by Social Services and the Police. It is important that the timing of this does not prejudice the investigation; therefore, confidentiality is of the utmost importance

Recorded information should be handed over to Social Services or the Police and any copies stored in a secure place with limited access in line with data protection laws (e.g. that information is accurate, regularly updated, relevant and secure). If enquiries arise from public or any branch of the media, it is vital that all staff, elected members and volunteers are briefed to not make any comments regarding the situation.

Photography

Staff, elected members and volunteers should be vigilant at all times regarding people using cameras or videos within Council services and at events or activities which involve children and young people. Consent must be sought from parents when cameras and other image recorders are used to picture children and young people.

- Do not allow unsupervised access to children or young people or one to one photographic sessions.
- Do not allow photographic sessions outside of the activities or services, or at a child's or young person's home.

- The child or young person should be happy with having their picture taken.
- Parents must be informed that photographs of their child or young person may be taken during Council services, activities or events, and signed parental consent needs to be obtained agreeing to this. This must include information about how and where these photographs will be used.
- The names of children or young people should not be used in photographs or video footage, unless with the express permission of the child or young person's parent.
- Free helpline for children and young people in the UK. children and young people can call to talk about any problem

Sources of Support/Information

Staffordshire County Council

T:0800 1313 126

Childline

www.childline.org.uk

T: 0800 1111

NSPCC

Information for children and adults

www.nspcc.org.uk/html/home/needadvice/needadvice.htm

T: 0808 800 5000

Samaritans

www.samaritans.org

T: 08457 909090

HEDNESFORD TOWN COUNCIL

RECRUITMENT POLICY

Introduction

This procedure provides guidance to those involved in selecting staff on what Hednesford Town Council considers to be good practice. The Council has made clear its commitment to equal opportunities for all by the adoption of an Equal Opportunities Policy.

All selection processes must take place within the framework laid down by this policy. All those involved in selecting candidates for jobs should be aware that legislation increasingly regulates employment behaviour. Failure to follow certain basic steps can lead to an aggrieved candidate referring a matter to an employment tribunal.

Aims

The key aims of the Council's selection procedures are:

- i. To maximise the effectiveness of the selection process;
- ii. To ensure that selection practice is in accordance with the Council's Equal Opportunities Policy and with equal opportunities legislation;
- iii. To ensure a consistent and fair approach is adopted across the Council in the recruitment and selection of staff.

Elements in the Recruitment Process

1 Job description

The job description and the person specification (see 2 below) form the basis for the selection process. On these depend the advertisement, further particulars, shortlisting criteria, structure of the interview and final selection. Before deciding whether or how to fill a post the description of the duties associated with it will be reviewed by the Town Council Manager/Clerk to clarify the essential elements of the job and to ensure that the components remain relevant. The job description will be included in the further particulars.

2 Person specification

The person specification constitutes essentially a list of abilities, experience and qualifications which are essential and/or desirable to do the job. Candidates will be assessed against it. Once these criteria have been identified they must be maintained throughout the selection process. The list should be drawn up by referring to the summary of duties or job description the appointee will be required to undertake. A person specification functions as a yardstick in the selection process and is essential to good recruitment practice. It is also important in the event of decisions being challenged by unsuccessful candidates. Particular care should be taken to avoid discrimination.

3 Advertisements

Posts can be advertised both internally and externally. All advertisements will be approved by the Town Council Manager/Clerk and conform to an agreed Council style. The aim of advertising is to attract an appropriate number of candidates of suitable calibre and qualification and to demonstrate that the Council is an equal opportunities employer. The advertisement should be consistent with the person specification and the job description/summary of duties and all requirements stated should be justifiable and objective. If there is some flexibility available this should be stated – for example, that applications from part-time or job share candidates would be considered. The advertisement should not be too wordy as this reduces impact.

4 Further particulars

Following advertisement of a post the pack which is issued to enquirers will include the relevant Conditions of Service and, where appropriate, a set of Further Particulars. The purpose of the further particulars is to provide general information about the Council, its activities and about the particular post. They will expand on the information given in the advertisement and should specify any particular selection criteria associated with the post.

These should be consistent with, and based on the job description/summary of duties and the person specification. The further particulars should contain a reference to a contact to whom informal enquiries regarding the nature of the post will be directed (normally the Town Council Manager/Clerk).

5 Applications

The Council uses application forms for recruitment in respect of all staff. All potential applications should be directed to apply formally through the official named contact. This is essential to ensure coordination of the recruitment process, appropriate equal opportunities monitoring, and notification of unsuccessful candidates at the conclusion of the exercise.

The form is designed also to elicit essential information from candidates.

6 Shortlisting

As soon after the closing date as possible those involved in the shortlisting will meet to draw up a shortlist. The composition of the Shortlisting Panel will vary according to the type of post being filled and membership will be determined by the Town Council from time to time. Shortlisting will be undertaken by more than one person. The person specification and the further particulars must be used as the basis for shortlisting against the factual elements and criteria specified. At this stage particular care should be taken to avoid discrimination. It is essential for monitoring purposes and for defence purposes in the event of a claim for unlawful discrimination that the Council keeps records of reasons for not shortlisting candidates. Ideally, no more than six candidates should be identified for interview. Particular care should be taken in fielding any queries from candidates not shortlisted, or unsuccessful following the interview (see 7 below)

7 Interviews

The Interview Panel will comprise normally the members of the Shortlisting Panel. The aim of the interview is to ascertain who is the most suitable candidate for the job and to ensure that the candidates have a clear picture of what the post entails. Before the interviews begin the Panel will establish at the outset aspects of the candidate's qualifications and experience to be explored by each panel member. To ensure equity, all candidates should be asked similar questions, with supplementary questions structured around each candidate to enable individuals to demonstrate their relevant skills and abilities.

At this stage we will check and photocopy one of the following documents to verify their ID: • UK British passport or Full UK Birth Certificate and Proof of NI Number. • EU Passport or ID Card. • Non EU-Passport and Visa. Once a photocopy has been taken original ID can be returned to the applicant.

Interviewers should be careful not to imply discrimination by asking questions about personal circumstances which are unrelated to the job. Such as questions contrary to the Council's Equal Opportunities Policy. Panel member should be aware that asking the same question of all candidates does not necessarily ensure non-discrimination; the use to which answers are put may be discriminatory. Note taking is highly recommended at interviews to ensure that relevant information is not forgotten when assessing all candidates at the end of the interviews.

When all candidates have been interviewed the Interview Panel should compare their formal decisions about each candidate taking care to ensure that comparison should be primarily against the defined criteria in the person specification rather than against the other candidate/s. Once a decision had been made on whom to appoint, the reasons for not offering the post to the other candidates should be recorded. This information is for the Council's own monitoring purposes and is essential for reference in the case of a claim of unlawful discrimination. The reasons given should relate to the comparison against the person specification.

8 Notification

An offer of appointment may be made verbally following the interviews but by authorised personnel only (normally the Town Council Manager/Clerk) and must be confirmed in writing by the Town Council Manager/Clerk. Members of the Interview Panel are should not enter into discussion with unsuccessful candidates but refer them to the Town Council Manager/Clerk. Similarly, they should not enter into 'negotiations' with the successful candidate; this is the responsibility of the senior officer (normally the Town Council Manager/Clerk)

9.Exceptions

In order to ensure the smooth operation of the Pye Green Community Centre the Town Council Manager/Clerk or nominated deputy in consultation with the Chairman of the Pye Green Community Centre Management Committee be authorised to take any action necessary to appoint staff or take any other action to provide temporary cover for absence of staff or deal with unforeseen emergencies

Hednesford Town Council

Complaints' Policy and Procedures

Hednesford Town Council is committed to providing high quality, accessible and responsive services to everyone who lives, works or visits the town and to serve them as effectively and courteously as possible.

One of the ways in which the Council can continue to improve its services is by listening and responding positively to any comments or complaints that it may receive and by putting right mistakes.

The Council has adopted a standard procedure to provide a transparent, fair and confidential process for dealing with complaints made about the administration of the Council or its procedures, which will ensure that any complaint is properly and fully considered.

Aims

The Council aims to ensure that:

- a) making a complaint is as easy as possible;
- b) a complaint is taken as a clear expression of dissatisfaction with its service which calls for an immediate response;
- c) a complaint is dealt with promptly, politely and, when appropriate, confidentially;
- d) it responds in the right way - for example, with an explanation, and an apology where it has got things wrong, or information on any action taken etc;
- e) it learns from complaints, uses them to improve its service, and reviews annually its complaints policy and procedures.

Every effort will first be made by the Town Council Manager/Clerk or Chairman to resolve complaints to the satisfaction of the complainant informally, or by providing an explanation, before resorting to the formal complaints procedure.

The complaints procedure will not apply:-

- a) to complaints about a member of the Town Council's staff - these will be dealt with internally as an employment matter and appropriate action taken as required.
- b) to complaints made about individual councillors - breaches of the Members' Code of Conduct for the Council should be reported to the Monitoring Officer at Cannock Chase Council.
- c) where someone feels very strongly that a decision of the Town Council was unlawful, they may apply to the courts for a judicial review of the Council's decision
- d) to an accusation of financial wrongdoing, where a complaint may be made to the Council's external auditor, who may refer the matter to another body if required, refuse to sign off the accounts or produce a public interest report.

- e) to any matter that raises a suspicion of criminal wrongdoing which may be referred to the police.
- f) where the Council carries out functions on behalf of another authority, under an agency agreement with the District or County Council, the complaint may be referred to them. In such a situation, the Ombudsman may be involved if the matter is not resolved by the principal authority.
- g) to complaints against policy decisions made by the Council which shall be referred back to Council subject to the rules in the Council's Standing Orders regarding rescission of previous resolutions

Unreasonable and Vexations Complaints

There will be circumstances when a complainant persists in wishing to proceed when there clearly is no reasonable basis to do so, or when the Council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should or has been taken. The Council may decide that no further action can usefully be taken in response to the complaint, and inform the complainant so, making it clear that only new and substantive issues will merit a response.

Anonymous Complaints

Anonymous complaints may be dismissed at the discretion of the council according to the type and seriousness of the allegation.

Formal Complaints Procedure

1. The complainant shall be asked to put the complaint about the council's procedures or administration in writing to the Town Council Manager/Clerk.
2. If the complainant does not wish to put the complaint to the Town Council Manager/Clerk he or she shall be advised to address it to the chairman of the council.
3. The Town Council Manager/Clerk or Chairman shall acknowledge the receipt of the complaint and advise the complainant when the matter shall be considered by the town council (or by the Committee established for the purposes of hearing complaints). The complainant shall also be advised as to whether the complaint is to be treated as confidential or whether, for example, notice of it will be given in the usual way on the council agenda.
4. The complainant shall be invited to attend the relevant meeting and bring a representative if desired.
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 town council shall similarly provide the complainant with copies of any documentation upon which they wish to rely on at the meeting and shall do so promptly, allowing the complainant the opportunity to read the material in good time for the meeting.
6. The town council shall consider whether the circumstances of the meeting warrant the exclusion of the public and press. Any decision on a complaint shall be announced at the town council meeting in public.
7. The chairman shall introduce everyone and explain the procedure.

8. The complainant (or representative) shall be invited to outline grounds for complaint and then questions may be asked by the Town Council Manager/Clerk and then members.
9. The Town Council Manager/Clerk shall be given the opportunity to explain the council's position and questions may then be asked by (i) the complainant and (ii) members.
10. The Town Council Manager/Clerk and then the complainant shall be offered the opportunity to summarise their position.
11. The Town Council Manager/Clerk and complainant will be asked to leave the room while members decide whether or not the grounds for complaint have been made. If a point of clarification is necessary, both parties will be invited back.
12. The Town Council Manager/Clerk and the complainant shall be given the opportunity to wait for the decision but if the decision is unlikely to be formalised on that day, they should be advised when the decision is likely to be made and when they are likely to be informed of it.
13. The decision should be confirmed in writing within seven working days together with details of any action to be taken.

Informal Complaint (Stage 1)

A complaint should be made, either orally or in writing, to the Town Council Manager/Clerk or the Chairman who will investigate the complaint and report back to the complainant.

Complaints Panel (Stage 2)

If the complainant is not satisfied with the response, they will be advised of their right to have the complaint referred to a complaints panel consisting of three town councillors .

Complaint Review of Investigation and (Stage 3)

If the issue remains unresolved, the complainant will be notified of his or her right to have the matter referred to a meeting of the Town Council. The outcome of all formal complaints dealt with by Council will be announced in public at the following Town Council Meeting.