

THORPE ST ANDREW TOWN COUNCIL

## ANNUAL TOWN COUNCIL MEETING

Roxley Hall, Yarmouth Road, Thorpe St Andrew, Norwich, NR7 0QF  
Tel/Fax: (01603) 701048 Email: [office@thorpestandrew-tc.gov.uk](mailto:office@thorpestandrew-tc.gov.uk)

25<sup>th</sup> April 2022

### Notice of Town Council Meeting

You are hereby summoned to attend the annual meeting of Thorpe St Andrew Town Council to be held at Roxley Hall on 9<sup>th</sup> May 2022 from 7.30pm for the purpose of transacting the following business.

*Foreman*

Thomas Foreman Clerk to the Council

### AGENDA

- 1 Election of Town Mayor
- 2 Election of Deputy Town Mayor
- 3 Committee/Working Group Terms of Reference and Memberships – report attached
- 4 Appointment to Member Champion positions and Allotment Panel – verbal Report
- 5 Attendance book and apologies for absence
- 6 Declarations of interest in items on the agenda
- 7 To confirm the minutes of the Town Council meeting held on 4<sup>th</sup> April 2022 - attached
- 8 Announcements (For information only)  
To receive announcements from
  - (i) The Town Mayor
  - (ii) The Locum CEO
- 9 Public participation –To consider a motion to suspend the meeting to allow members of the public the opportunity to address the meeting on matters related to items on the agenda, limited to 3 minutes per person.
  - (i) Norfolk Constabulary – Police, Crime, and Community Safety Plan
  - (ii) County and District Councillors (Report from Councillor John Ward)
  - (iii) Members of the public
- 10 Finance – to follow
  - i. Financial Statement 1/4/20 to 31/3/21
  - ii. Variance Notes
  - iii. Income, Expenditure, Balance Sheet and Variances 1/4/21 to 31/3/22
  - iv. End of year ear-marked reserves
  - v. Payments List Voucher number
  - vi. Bank Reconciliation Statement
- 11 Draft Minutes of Committee Meetings
  - (i) Plans Committee held 11<sup>th</sup> April 2022
- 12 Scheme of Delegation - attached
- 13 Update on Playareas – verbal report
- 14 Virtual Meeting Attendance – verbal report of Cllr John Fisher
- 15 Confirmation of Annual Administration – report attached
- 16 Annual Confirmation of Key Policies – report attached
- 17 Daily Town Hall Hire Discount – verbal report
- 18 Opening Civic Award Nominations – report attached
- 19 Broadland District Council Overview and Scrutiny Work Programme – attached

Future Agenda Items. (Not for discussion)

### Locum Chief Executive Officer – Thomas Foreman

Thorpe St Andrew Town Council, Town Hall, Pound Lane, Thorpe St Andrew, NR7 0UL

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VAT No. 107 2921 90

# Thorpe St Andrew Town Council



THORPE ST ANDREW TOWN COUNCIL

**Town Council : 9<sup>th</sup> May 2022**

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## **Confirm Committee/Working Group Terms of Reference and Membership**

**Agenda Item: 3**

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### **Reason for this Report**

This report has been prepared for the Town Council to approve the terms of reference for the Committees/Working Groups of the Town Council.

### **Result**

The terms of reference for each committee/working group is contained in Appendix A. The memberships of each Committee/working group are contained in Appendix B

Note a working group cannot make a decision, but they can explore options and present these views to the CEO (where delegated power exists) or Committee for a decision.

### **Advice**

The Town Council is requested to approve the committee/working group terms of reference.

### **Legal Implications**

All decisions and actions taken by or on behalf of Thorpe St Andrew Town Council must (1) be within the local powers of the Authority; (2) comply with any procedural requirement imposed by law; (3) be within the powers of the body or person exercising powers on behalf of the Authority; (4) be undertaken in accordance with the Authority procedural rules inc. Standing Orders and Financial Regulations; (5) be fully and properly informed; (6) be properly motivated; (7) be taken with regard to the fiduciary duty of the Authority to its residents; and (8) be reasonable and proper.

### **Financial Implications**

There are no financial implications arising from this report.

## Appendix A

### Planning and Environment Committee

1. Terms of Reference
  - a. To receive, consider and comment on all planning applications concerning the Town.
  - b. Aim to visit the sites of planning applications where appropriate
  - c. To notify the applicant of the date of the meeting when the application would be considered and also notify neighbours where appropriate.
  - d. To take into account any planning matters raised by members of the public.
  - e. To make recommendations to Broadland District Council, Norfolk County Council, the Broads Authority and neighbouring authorities.
  - f. To report all planning decisions to the Town Council
  - g. To monitor and consider policy issues in relation to, and to scrutinise the operation of, environmental services
  - h. To consider, manage and oversee environmental projects or programmes
  - i. To take any other action needed to achieve the above objective.
2. Delegated Function
  - a. Where necessary in order to meet statutory limits a response would be delegated to the Clerk and Chairman.
  - b. To commit to spend up to £6,000 on any one project or annual environmental contract without referral to the Town Council, with a limit of £6,000 at any one meeting.

### Planning Applications Working Group

1. Terms of Reference
  - a. To recommend comments to the CEO on all planning applications concerning the Town.
  - b. Aim to visit the sites of planning applications where appropriate
  - c. To notify the applicant of the date of the working group meeting when the application would be considered and also notify neighbours where appropriate.
  - d. To take into account any planning matters raised by members of the public.
  - e. To report all planning comments to the Planning and Environment Committee

## Finance and Staffing

1. Terms of Reference
  - a. To review project proposals prior to inform Town Council meetings
  - b. To oversee project working within the powers outlined in the terms of reference
  - c. To assist the Responsible Financial Officer in producing and monitoring the annual budget by receiving and reviewing budget requests as per guidelines.
  - d. To recommend an annual budget to the Town Council.
  - e. To review the financial risk assessments and regulations of the Council on an annual basis.
  - f. To oversee and approve staff appointments. To require new employees to serve a probationary period and to confirm that appointment in writing when the probationary period has been satisfactorily completed.
  - g. To provide all staff with a job description, terms of conditions and service contract and copies of the Disciplinary and Grievance policy
  - h. To provide job descriptions to all Council members
  - i. To conduct annual staff appraisals
  - j. To ensure satisfactory working conditions for all staff and the protection of their employment rights.
  - k. General Data Protection Regulations
    - i. To determine the purpose and manner of processing personal data according to the law
    - ii. To ensure that the Clerk as Data Protection Officer (DPO) has no conflict of interest with this process
    - iii. To ensure that councillors and staff receive ongoing and appropriate training for Data Protection
    - iv. To conduct a survey of the Information Audit, Privacy Notices and any Risk Management to ensure compliance with Data Protection
    - v. To receive any reports from the DPO of any manifestly unfounded requests and confirm action to be taken
    - vi. To receive reports from the DPO of any investigation of breaches which might need to be undertaken
    - vii. To make an annual review of the GDPR Policy and recommend any changes to Council which might be required
    - viii. To recommend to Council any changes which may be required in Standing Orders in respect of DP
2. To recommend to Council any changes which may be required to the Job Description and Contract of Employment for the Clerk / DPO.
3. Delegated Power
  - a. To commit to spend up to £10,000 on any one project without referral to the Town Council meeting, with a limit of £15,000 at any one meeting.

## Events and Media Committee

1. Terms of Reference
  - a. To organise recreational events with a budget set and agreed with the Town Council.
  - b. To put forward a budget for the Committee's proposed recreational activities in the following financial year to meet any deadline set by the Town Council.
  - c. To ensure meetings are held to discuss the format, timings, staffing and health and safety issues at each event.
  - d. To ensure that Thorpe St Andrew News is produced each year.
  - e. To ensure that meetings are held to discuss the content of each issue well in advance of the publication date, to allow for compilation, printing and distribution.
  - f. To negotiate and determine the cost of production and delivery for the council and to ensure that this is allowed for in the yearly budget.
  - g. To arrange the distribution of the Town Council News throughout Thorpe St Andrew.
  - h. To review and evaluate the content of the town council website and to ensure that it is updated regularly.
  - i. To provide a platform to represent the views of local people and to advertise events in Thorpe St Andrew.
  - j. To coordinate and approve publicity material of Town Council events.
2. Delegated Power
  - a. To commit to spend up to £6,000 on any one event without referral to the Town Council, with a limit of £6,000 at any one meeting.
  - b. On matters which have a financial or risk element only Town Councillors can vote

## Events Working Group

1. Terms of Reference
  - a. To make recommendations to the CEO on recreational events and the Thorpe St Andrew NEWS
  - b. To review and evaluate the content of the town council website and to make suggestions to the Clerk
  - c. To provide a platform to represent the views of local people and to advertise events in Thorpe St Andrew.

## **Appendix B**

### Committee/Working Group Memberships

**Planning and Environment Committee:** Mr Fisher (Chairman), Mr Berry, Mr Bowe, Mrs Fisher, Mr Garner, Mr Snelling, Ms M Friend

**Planning Applications Working Group:** Mr J Fisher (Chairman), Mr Berry, Mr Bowe, Mrs Fisher, Mr Garner, Mr Snelling, Ms M Friend

**Finance and Staff Committee:** Deputy Town Mayor (Chairman), Mr Bowe, Mr Emsell, Mr Fisher, Miss Lawn, Mr Reeves, Mr Shaw, Mr Snelling, Mr J Ward, Mrs J Fisher, Mr P Berry

**Events and Media Committee:** Mr Emsell (Chairman), Miss Lawn, Mr Reeves, Mr Snelling, Mr Ward, Mr J Boast, Mr T Fordham

**Events Working Group:** Mr Emsell (Chairman), Miss Lawn, Mr Reeves, Mr Snelling, Mr Ward, Mr J Boast, Mr T Fordham

**THORPE ST ANDREW TOWN COUNCIL  
MINUTES OF THE TOWN COUNCIL MEETING  
HELD ON 4<sup>TH</sup> APRIL 2022 AT 7:30PM**

**1 PRESENT:**

Miss S Lawn (Town Mayor)	
Mrs J Fisher (Deputy Town Mayor)	Mr T Garner
Mr J Emsell	Mr J Fisher
Mr J Ward	Mr M Lake
Mr F Bowe	Mr S Snelling
Mr L Reeves	Ms M Friend
Mr J Boast	Mrs T Mancini Boyle

**APOLOGIES:**

Mr P Berry, Mr N Shaw (attended virtually)

**IN ATTENDANCE:** Dr T. Foreman (Locum CEO, Virtually), Mrs R McCarthy (OM, RFO) Mr N Shaw (Virtually – non voting), and Ms K Hulatt

**2 DECLARATIONS OF INTEREST IN ITEMS ON THE AGENDA**

None

**3 TO CONFIRM THE MINUTES OF THE TOWN COUNCIL MEETING HELD ON 7<sup>TH</sup> MARCH 2022**

The minutes of the meeting held on 7<sup>th</sup> March 2022 were agreed and signed as a true record.

**4 ANNOUNCEMENTS (FOR INFORMATION ONLY)**

To receive announcements from

- (i) The Town Mayor- The Town Mayor provided an update on her activities during the previous month. She also thanked Mrs J Fisher for deputising for her at a recent event.
- (ii) The Clerk- The Clerk explained a number of his updates were items on the agenda and so would update the Council on these during the meeting. In addition, he had attended a number of meetings during the previous month including the Broadland District Council Parish Forum.

**5 PUBLIC PARTICIPATION –TO CONSIDER A MOTION TO SUSPEND THE MEETING TO ALLOW MEMBERS OF THE PUBLIC THE OPPORTUNITY TO ADDRESS THE MEETING LIMITED TO 3 MINS EACH**

The Meeting was suspended following a proposal from Mr J Fisher, seconded by Miss S Lawn.

- (i) Norfolk Constabulary – None

- (ii) County and District Councillors – The meeting noted to the report of Mr J Ward and Mr I Mackie. Mrs T Mancini-Boyle provided an update on the energy rebate on properties Band A-D, and on the Jubilee plans underway at Broadland District Council. Mr J Ward provided a further update on school meals being offered through a hardship fund or through activity providers during the holiday. Mr J Fisher provided an update on the work of children services and on local buses.
- (iii) Members of the public – None

## 6 FINANCE

- (i) Payments List: Voucher numbers 1261 to 1360 were signed
- (ii) Bank Reconciliation Statement was agreed and signed as a true record.

## 7 DRAFT MINUTES OF COMMITTEE MEETINGS.

- (i) Planning and Environment Meeting – noted
- (ii) Finance and Staffing Meeting - noted

## 8 CO-OPTION OF COUNCILLORS TO COMMITTEES

Dr T Foreman explained that the committee memberships will be considered at the annual meeting in May 2022. Prior to that, Ms M Friend had requested joining the Planning and Environment Committee. It was proposed by Mr J Fisher, seconded by Miss S Lawn and on a show of hands with all in favour **RESOLVED** to add Ms M Friend to the Planning and Environment Committee membership.

## 9 CORPORATE PLAN

Dr T Foreman provided an introduction to the Corporate Plan which had previously been considered by both the Finance and Staffing Committee and the Town Council. The additions and changes requested during these meetings had now been completed and the Corporate Plan was therefore presented for adoption. It was proposed by Miss S Lawn, seconded by Mrs J Fisher and on a show of hands with all in favour **RESOLVED** to adopt the Corporate Plan 2022 – 2027.

## 10 FORWARD PLAN

Dr T Foreman gave an overview of the forward plan which had been developed following the decision not to appoint a Chief Executive Officer. It was explained that this document would inform the direction of travel over the next 12 months through to the May 2023 elections. It would therefore be used by staff to develop appraisal priorities and provides a medium-term vision for what the Council aims to achieve. There was some discussion about the terms outlined within the Forward Plan. It was proposed by Mrs J Fisher, seconded by Mr J Emsell and on a show on hands with all in favour **RESOLVED** to approve the Forward Plan.

## 11 STAFF VACANCIES

Following the March 2022 Finance and Staffing meeting, the Town Council received a report outlining proposals for new staffing posts, which combined



and reorganised the existing posts which are currently vacant. The Town Council were supportive of the proposals to reflect the needs of both the Council and the wider community. It was proposed by Miss S Lawn, seconded by Mrs J Fisher and on a show of hands with all in favour **RESOLVED** that the Town Council approve the job descriptions for both the Policy and Committee Officer and the Community and Communications Officer.

It was further proposed by Miss S Lawn and seconded by Mrs J Fisher and on a show of hands with all in favour **RESOLVED** that the Locum Chief Executive Officer be authorised to advertise the Policy and Committee Officer, Community and Communications Officer, and the Parks and Estates Officer posts.

**12 TREE WARDEN DONATION REQUEST**

The Town Council received correspondence from the Tree Warden Scheme for Broadland requested a donation for 2022-2023. It was proposed by Miss S Lawn, seconded by Mr J Ward and on a show of hands with all in favour **RESOLVED** that a donation of £50 be made to the Tree Warden Scheme for Broadland.

**13 WILLIAMS LOKE HIGHWAY COMPOUND REQUEST**

The Town Council received correspondence from Norfolk County Council requesting the carpark at Williams Loke be provided as space for a highways compound for a period of 8 weeks from 11<sup>th</sup> April 2022. There was significant discussion regarding the request and alternative spaces which could be used by Highways which would not have such a significant impact on parking space for both St Williams Primary School and the Thorpe St Andrew Library. It was proposed by Miss S Lawn, seconded by Mr S Snelling and on a show of hands with all in favour **RESOLVED** that the Town Council does not give permission for the Williams Loke carpark to be used, but to suggest alternatives which may be suitable.

**14 TO CONSIDER A MOTION TO EXCLUDE PRESS AND PUBLIC FROM THE MEETING UNDER THE PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960, AS AMENDED BY THE LOCAL GOVERNMENT ACT 1972 SS.100 AND SS.102 DUE TO THE DISCLOSURE OF PERSONAL AND COMMERCIAL INFORMATION**

It was proposed by Miss S Lawn, seconded by Mrs J Fisher and on a show of hands with all in favour **RESOLVED** that the meeting be closed to press and public.

**15 REPORT BACK FROM THE PROCESS REVIEW PANEL ESTABLISHED 7<sup>TH</sup> FEBRAURY 2022**

The Town Council received the report of the Process Review Panel which was presented by Ms K Hulatt. It was proposed by Miss S Lawn, seconded by Mrs J Fisher and on a show of hands with all in favour **RESOLVED** to approve the findings of the panel.

**16 OFFER OF AN EXPRESS EASEMENT**

The Town Council received correspondence regarding an offer of an express lease. There was some significant discussion regarding the terms outlined

within the proposal. It was proposed by Miss S Lawn, seconded by Mrs T Mancini-Boyle and on a show of hands with 12 in favour and 1 against **RESOLVED** that the offer of an express easement be refused.

**Future Agenda Items.** (Not for discussion)

With no further business the meeting closed at 20.10hrs

Signed

Chairman \_\_\_\_\_

Date \_\_\_\_\_

At the end of March the PCC launched his new Police, Crime and Community Safety Plan. Below is a brief that explains the plan more and has a link direct to the plan. Can please read and share with your contacts.

As always thank you so much for your support.

## **Norfolk's PCC releases plan for safety, policing and supporting people across the county**

*Norfolk's Police and Crime Commissioner (PCC) Giles Orpen-Smellie has launched his Police, Crime and Community Safety Plan for 2022-24.*

*The plan represents the PCC's commitment to Norfolk residents about how their policing service will be delivered and managed as well as the provision of support for victims, crime prevention work and extensive partnership working that brings together services, and prioritises safety for every resident in the county.*

*For the first time, the plan brings together the PCC's Police and Crime Plan and the priorities within the Norfolk County Community Safety Partnership's Safer Norfolk Plan, putting a comprehensive focus on justice and safety for the whole county.*

*It is part of the job of every PCC to publish a plan setting out how they will oversee policing in their county, manage budgets and provide support services for victims. In Norfolk, the Office of the Police and Crime Commissioner is unique in hosting the management of the county's Community Safety Partnership, which brings together a network of local councils, policing, probation, youth offending, health and housing, all working together to improve safety in the county.*

*The Police, Crime and Community Safety Plan was developed following a public consultation held during the summer which asked people about their priorities for policing and safety in the county and with the input of partners including Norfolk Constabulary's Chief Constable Paul Sanford.*

**Giles said:** *"This is a plan for the people of Norfolk, developed with their input and designed to put safety and justice for all at the heart of everything we and our partners in the constabulary do.*

*"Throughout the development of this plan I have heard loudly and clearly that what people want is policing that tackles the crimes that really impact communities.*

*"They are concerned about drug use and drug dealing, they want more to be done about speeding and dangerous driving and they want perpetrators of rape, serious sexual assaults and domestic abuse brought to justice.*

*"Violence against women and girls is cause of huge concerns in communities up and down the country and more must be done to tackle it, in convictions but also in prevention.*

*"People also want a police service they can see and that they can trust. Building those feelings of confidence in Norfolk's communities goes hand in hand with demonstrating that our county has a police force to be proud of, and that is why all of these issues are*

*at the heart of my new plan.”*

*The plan sets out the detail of what the PCC will expect Norfolk Constabulary to deliver over the next two years and how, through a network of partnerships, the Office of the Police and Crime Commissioner will ensure the right support is available for Norfolk’s communities.*

***The priorities are built on six pillars, with detailed objectives under each one featured in the plan:***

- *Sustain Norfolk Constabulary*
- *Visible and Trusted Policing*
- *Tackling Crime*
- *Prevent Offending*
- *Support Victims*
- *Safer and Stronger Communities.*

***Giles added:*** *“It is the job of the PCC to ensure that the people they serve get the policing service they need, and these priorities will form the basis on which I hold the Chief Constable for Norfolk to account. I hold regular accountability meetings with the Chief Constable and his senior team, and they are required to provide reports on how they are delivering against the priorities we have all agreed are the most important for Norfolk.*

*“But it is also by drawing together a wider network through the Community Safety Partnership that we can really all be stronger together, sharing expertise to ensure that preventing crime, supporting victims and building trust are absolutely entwined in everything we do.”*

*The Police Crime and Community Safety Plan replaces the plan in place under the previous PCC and will be in place throughout Giles’ term as PCC.*

***Chief Constable Paul Sanford said:*** *“In developing this plan, the PCC has consulted widely with communities across Norfolk and with my chief officer team. The result is a plan which seeks to address the significant police challenges facing the county. “The constabulary is committed to working alongside the PCC to tackle the priorities set out in the plan and to provide exceptional policing throughout the county.”*

<https://www.norfolk-pcc.gov.uk/police-and-crime-plan/2022-24/>

17<sup>th</sup> April 2022

## **Report from Councillor John Ward**

### **Broadland District Council**

The oral hearing of the appeal against the listing of Sprowston Sports & Social Club as an Asset of Community Value was heard on 5<sup>th</sup> April. The Senior Governance Officer at BDC has extended the time she has to review this until 6<sup>th</sup> May.

BDC have advised that Sprowston Town Council have now received CIL payments of £598,520 for Halsbury Homes, Land South of Salhouse Road (Gt & Lt Plumstead received the same amount for this development.. We have also received £14,537 for land adjacent to 9 Lowry Cole Road.

### **Norfolk County Council**

On 14/4, I attended an on-line briefing by the National Grid on their project 'East Anglia Green' which is new power lines supported by 45mtr pylons running 180km from the Norwich Main Substation to Tilbury. This is essential work to cope with the extra electricity being generated by the new off-shore wind farms. The exact route of the pylons is out for consultation 21/4-16/6. Government will make a final decision on the route mid 2026 with construction 2027-30.

In the 6 months to Jan 2022, there has been a 35% increase in the uptake of apprenticeships in Norfolk with another 3026 starting in that period.

In the last 12 months:-

70% of County Council owned streetlights in Norfolk have been converted to LED.

51,000 Adult Social Care Assessments were made.

£4.5m has been spent on maintaining paths and pavements.

Under the Health & Care Bill, Integrated Health & Care systems are being established across the country with new Health & Wellbeing Partnerships driving this activity forward locally.

Norfolk is to get faster broadband thanks to new Government funding with rural homes and businesses getting the next generation gigabit broadband.

As part of our plans to boost biodiversity along roads & paths, there will be fewer cuts, a pollinator action plan, & 188 more roadside nature reserves.

**Thorpe St Andrew Norfolk County Council and Broadland District Council (TSA NW) Councillor Update**  
**Ian Mackie**

1. Pleased to report that the Sustainable School Street programme for Dussindale Primary is due to start its pilot on 9<sup>th</sup> May. Residents on Vane Close have been notified, however if residents on that road have not seen their permits they can collect replacements from the school with proof of address. As a Dussindale School Governor, I hope this scheme is a huge success for the safety of local children. The question and answer pack can be found here: [School Streets FAQs - Active Norfolk](#)
2. Members will be aware of the spate of anti-social behaviour on Dussindale over recent weeks, especially spray painting. I have spoken with PC Jennings and he and his team are undertaking more foot patrols. They were in the area last weekend.
3. I have met with our local Highways Engineer to discuss a range of items, there is now a programme of works to repaint white lines and road markings, in particular the mini roundabout on Yarmouth Road and the Ring Road markings.
4. On Monday 9<sup>th</sup> I will be hosting a coffee and cake morning at St Williams Way Library for local Ukrainian refugees and hosts.
5. The County Council has launched its new Norfolk Cost of Living Scheme with £7.7m, which is a combination of Central Government and County Council funding until October 2022, to support the immediate cost of living pressures on Norfolk residents. The first area is for children and families (voucher schemes), there is a new family scheme for those not able to access free school meals, but in need of support, and vouchers for older people, £2.3m, to support those 65 and over to support via the Norfolk Assistance Scheme. There will also be a programme working with Anglian Water to help with tariffs and debt. More details will follow. This is the press release story: [Norfolk Cost of Living Support Scheme launched | Eastern Daily Press \(edp24.co.uk\)](#)
6. I will soon be reaching out to the community for proposals to use some of my Highways and Environmental Allowance 2022/23 and have asked Plumstead Parish Council if they have schemes they wish to support and I extend this to Thorpe Town Council, and with parish partnership grants we can double the impact and outcomes.
7. The traffic survey relating to the Pinebanks proposals has had to be undertaken again on Henby Way following errors: [Norwich housing: Pinebanks traffic counter has to be redone | Norwich Evening News \(eveningnews24.co.uk\)](#)
8. It was shocking to see another historic site lost to arson, former Oasis site, Pound Lane: [Norwich: Firefighters at Pound Lane building fire | Norwich Evening News \(eveningnews24.co.uk\)](#)

# Thorpe St Andrew Town Council

## Guidance for Public Speaking at Full Council/Committee

Members of the public are welcome to attend any of the Town Council meetings and can speak on matters which appear on the agenda.

The full meeting of the Town Council considers a range of topics, but there are also Committees which have terms of reference to consider specific matters and either make a decision or make a recommendation to the full Town Council meeting.

The Committees are:

- Planning and Environment Committee
- Finance and Staff Committee
- Events and Media Committee

Who can speak:

- County/District Councillors (maximum 3 minutes per person or organisation)
- Police (maximum 3 minutes per person or organisation)
- Members of the Public (maximum 3 minutes per person or organisation)

### Meeting Format

You will have a maximum of 3 minutes to make your point, so you will need to be concise. You will not need to repeat submissions you have already made in writing as a summary/copy of these will be included in the report or in the meeting documents.

You will be invited to speak at the appropriate point on the agenda. You may be asked questions by the Councillors once you have spoken but you will not be able to ask questions of either the Councillors or officers. If you dispute anything within the report, you should raise this with the CEO or designated officer well before the meeting.

In addition, you are not permitted to circulate any papers or photographs at the meeting. If you wish them to be available to the Councillors, they must be submitted to the CEO at least 3 clear days prior to the meeting date.

### Constructive contributions are welcome

Everyone at the meeting is there to make sure the best decision is made, and your contribution should be heard in an atmosphere of respect. However strongly someone feels, critical comments about individuals are not acceptable. If someone is libelled, they can sue. The Town Mayor or Committee Chairman has the right to refuse to hear anyone behaving inappropriately.



THORPE ST ANDREW TOWN COUNCIL

**THORPE ST ANDREW TOWN COUNCIL  
MINUTES OF THE PLANNING AND ENVIRONMENT COMMITTEE  
MEETING  
HELD ON 11<sup>TH</sup> APRIL 2022**

**PRESENT:** Mr J Fisher (Chairman) Ms M Friend  
Mr F Bowe (Vice-Chairman) Mr T Garner  
Mr S Snelling Mr P Berry

**1. In Attendance:** Dr T Foreman (Locum CEO), and one member of the public.

**Apologies for Absence:** Mrs J Fisher

**2. Declarations of Interest:** None

**3. Minutes of meeting held on 14<sup>th</sup> March 2022**

The minutes of the meeting held on 14<sup>th</sup> March 2022 were signed and approved as a true record.

**4. Planning Items Raised by Residents**

The Committee heard public comments from the applicant for application 20220417.

**5. Planning Applications**

**20220342      1 Woodlands Crescent      Singler storey rear & side extension & new front porch**

The Town Council, in its capacity as statutory consultee, raises no objection.

**20220279      79A South Hill Road      Two storey rear extension (FB)**

The Town Council, in its capacity as statutory consultee, objects to the application due to loss of light and amenity to neighbours. Also, the Town Council considers the bulk of the building is such that it is both overdevelopment and un-neighbourly.

**20220256      The Folly      Porch and conservatory extension  
151a Yarmouth Road**

The Town Council, in its capacity as statutory consultee, raises no objection.

**20220417      22 Hansell Road      Single storey rear extension plus roof  
conversion to      include replacement of hipped  
roof with gable and front      and rear dormer window  
(FB)**

The Town Council, in its capacity as statutory consultee, raises no objection.

**7. Confidential- Enforcement Notices**

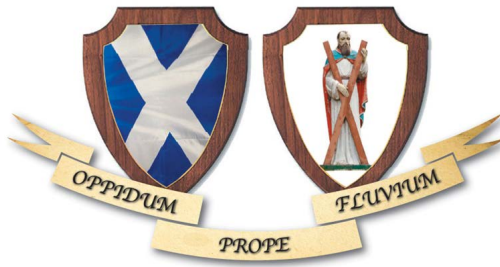
Noted

**Meeting closed at 20.04hrs**

Chairman\_\_\_\_\_

Date\_\_\_\_\_





# Thorpe St Andrew Town Council

## Scheme of Delegation to the Chief Executive Officer

### Introduction

The powers and duties set out in this scheme are delegated to the Chief Executive Officer. The Chief Executive Officer may delegate these duties and powers to other Officers within the Council.

The Chief Executive Officer is also the Council's Proper Officer and responsible for the management of the organisation.

### Extent of Delegation

- 1.0 All delegated functions shall be deemed to be exercised on behalf of and in the name of the Council.
- 1.1 The Chief Executive Officer will exercise these powers in accordance with:
  - approved budgets
  - the Council's Financial Regulations
  - the Council's Contract Procedure Rules
  - the Council's Procurement Strategy
  - the Council's Policy Framework and other adopted policies of the Council
  - all statutory common law and contractual requirements
- 1.1. The Chief Executive Officer. may do anything pursuant to the delegated power or duty, which it would be lawful for the Council to do including anything reasonably implied or incidental to that power or duty.
- 1.2. Provided that such authorisation is not prohibited by statute the Chief Executive Officer. to whom a power, duty or function is delegated may authorise another Officer to exercise that power, duty or function, subject to:
  - such authorisations being in writing
  - only be given to an Officer below the delegating officer in the organisational structure
  - only being given where there is significant administrative convenience in doing so
  - the Officer authorised by the Chief Executive Officer acting in the name of the Chief Executive Officer.
  - such authorisation not being prohibited by statute.

- 1.3. A delegation to a subordinate Officer shall not prevent the Chief Executive Officer. from exercising the same power or duty at the same time.

## **General Matters**

2. The Chief Executive Officer. is authorised to:
  - 2.1. Sign, or where appropriate, have sealed on behalf of the Town Council, any Orders, Deeds or Documents necessary to give effect to any of the matters contained in reports or in any resolution passed by the Town Council.
  - 2.2. Take any proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council.
  - 2.3. Institute and appear in any legal proceedings authorised by the Council.
  - 2.4. To appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest (in its own right or on behalf of the citizens of Thorpe St Andrew).
  - 2.5. Alter the date or time of a Council Committee, Working Group, Panel or Task Group meeting but, before doing so, shall consult the Mayor of the Council, or chairman of the Committee or Task Group concerned.
  - 2.6. Decide arrangements for the closure of the Council offices in the Christmas/New Year period, subject to consultation with the Mayor.
  - 2.7. Deal with day to day matters relating to the use of office accommodation space.
  - 2.8. Negotiate and enter into contractual arrangements for artistes and promoters in relation to events held in Thorpe St Andrew, organised by the Town Council and programmes of entertainment.
  - 2.9. Manage all the Council's current services including the following:
    - Events
    - Neighbourhood planning
    - Provision of street furniture
    - Services agreed under contract for other authorities and bodies
    - Website
  - 2.10. To act as the Council's designated Officer for the purposes of the Freedom of Information Act 2000 and General Data Protection Regulations.
  - 2.11. To apply for planning consent for the carrying out of development by the Council.
  - 2.12. To respond to consultations on planning applications and licensing applications subject to the comments by the Planning and Environment Committee
  - 2.13. Under the Regulation of Investigatory Powers Act 2000 to authorise directed surveillance or the use of a human intelligence source.
  - 2.14. To respond to complaints made under the Council's complaints procedure.

- 2.15. To manage, monitor and review the Council's internal control procedures.
- 2.16. To manage, monitor and review the Council's Corporate Risk Management Strategy.

### **Financial Matters**

3. The Chief Executive Officer is authorised to:
  - 3.1. Be the Responsible Financial Officer for the purposes of Section 151 of the Local Government Act 1972, in the absence of the Responsible Financial Officer.
  - 3.2. Have oversight of the Council's banking arrangements including arranging overdrafts.
  - 3.3. Incur expenditure up to a maximum of £3,500 on any item for which provision is made in the appropriate revenue budget provided that any action taken complies with any legislative provisions and the requirements of the Council's Constitution and Financial Regulations.
  - 3.4. pay of all accounts properly incurred.
  - 3.5. Pay all subscriptions to organisations to which the Council belongs.
  - 3.6. Make all necessary arrangements for the provision of an internal and external audit service for the Council.
  - 3.7. Negotiate settlements in connection with claims made by and against the Council in consultation with the Council's insurers where appropriate.
  - 3.8. Incur expenditure on revenue items within the approved estimates and budgets under their control.
  - 3.9. Incur expenditure on capital schemes within the Council's approved capital Programme.
  - 3.10. Use the Repairs and Maintenance Budgets for the maintenance, replacement or repair of existing plant, vehicles or equipment.
  - 3.11. Enter into leasing and contract hire agreements for the acquisition of vehicles machinery and equipment on such terms as are considered appropriate.
  - 3.12. Accept quotations or tenders for work supplies or services (where tenders are required by the Council's Financial Regulations), subject to:
    - a) the cost not exceeding the amount approved estimate
    - b) the tender being the lowest price or the most economically advantageous to the Council according to the criteria set out in the tender documentation
    - c) all the requirements of the Council's Financial Regulations being complied with.
  - 3.13. Compile, approve or vary lists of approved contractors subject to the requirements of the Council's Financial Regulations.
  - 3.14. Carry out virement of sums between cost centres in accordance with the Council's Financial Regulations.
  - 3.15. Manage investments and raise and repay loans as appropriate and obtain such other sources of credit as are required in accordance with the Financial Regulations.

- 3.16. Authorise action for the recovery of debts.
- 3.17. Write-off debts up to £500 + VAT.
- 3.18. Maintain a Register of Assets and Inventory of Equipment.
- 3.19. Determine the Town Council's insurance requirements on the Council's behalf.
- 3.20. Make all necessary arrangements for the Council's insurances.
- 3.21. Determine Community Grant applications up to a value of £2,000 subject to approval by Full Council.

### **Staffing Matters**

4. The Chief Executive Officer is given delegated powers to manage the Council staff in accordance with the Council's policies, procedures and budget, including:
  - 4.1. Appointments to posts including apprentices.
  - 4.2. Appointment of Team Leaders through an appointment panel which includes the Town Mayor
  - 4.3. Employment of temporary employees.
  - 4.4. Preparation of the job description and person specification, placing of the advertisement and short-listing of applicants.
  - 4.5. Management of staff performance.
  - 4.6. Control of discipline and performance, including the power of suspension and dismissal.
  - 4.7. Exercise of disciplinary and grievance procedures in accordance with the Council's procedures.
  - 4.8. Determine approved duties for the payment of travel and subsistence expenses to Members and Officers where they represent the Council outside of the Town Council area.
  - 4.9. Approve or refuse applications for re-grading, remove any bars in salary scales and to authorise salary increments and accelerated increments.
  - 4.10. Approve payment of overtime.
  - 4.11. Agree minor variations to the condition of employment.
  - 4.12. Approve changes to the establishment structure.
  - 4.13. Implement and monitor the arrangements for annual leave, flexi time, sickness absence, maternity and paternity leave in accordance with the Council's policies.
  - 4.14. Authorise training in line with the Council's policies.

- 4.15. Authorise the provision of uniforms or protective clothing.
- 4.16. Approve payment of claims from employees for compensation for loss of or damage to personal property.
- 4.17. Negotiate and agree settlements on behalf of the Council in relation to any proceedings in the Employment Tribunal.
- 4.18. Agree to premature retirement on the grounds of duly certified ill health, having consulted full Council.
- 4.19. Terminate employment during probation and to review salary on completion of probationary periods.
- 4.20. Commission legal and professional advice on staffing matters.

### **Property Matters**

5. The Chief Executive Officer is given authority to manage the land and property of the Council including:
  - 5.1. Agreeing the terms of any lease, licence, conveyance or transfer.
  - 5.2. The granting or refusal of the Council's consent under the terms of any lease.
  - 5.3. Variations of restrictive covenants of a routine nature.
  - 5.4. The granting of easements, wayleaves and licences over Council land.
  - 5.5. Initiating legal action or proceedings against unauthorised encampments or encroachments on Council land.
  - 5.6. Directing the custody of Town Council property and documents in accordance with the provisions of Local Government Act 1972 S226.
  - 5.7. Exercising responsibility for the safe custody and maintenance of the civic regalia.

### **Urgency**

6. The Chief Executive Officer is authorised to act on behalf of the Council in cases of urgency or emergency. Any such action is to be reported to the next meeting of the Council or relevant Committee or Working Group. The Mayor, the Leader of the Council (if appointed) and the Chairman of any relevant Committee or Working Group are to be consulted where possible before such action is taken.

### **Emergency Planning**

#### **The Chief Executive Officer is authorised to:**

7. Implement the Council's Emergency Plan and to incur any necessary expenditure. Any such action is to be reported to the next meeting of the Council or relevant Committee or

Working Group. The Mayor or the Chairman of any relevant Committee are to be consulted where possible before such action is taken.

### **Procedural**

The Chief Executive Officer can:

8. Authorise Officers to exercise statutory powers of entry and inspection for the purposes of any function under their control.
- 8.1. Serve requests for information as to ownership occupation and other interests in land for the purposes of any function under their control.
- 8.2. Appoint consultants and other professionals to carry out any function and provide any service under their control.

### **Health and Safety at Work Act 1974**

9. To oversee the discharge of the Council's responsibilities under the Act.

### **Legal Proceedings**

#### **The Chief Executive Officer is authorised to:**

10. Take and discontinue legal proceedings in any Court or at any Tribunal.
- 10.1. Take Counsel's advice or instruct Counsel to represent the Council.
- 10.2. Seek injunctions and commence proceedings for the purposes of:
  - enforcement in accordance with the Council's policies
  - recovering money due to the Council
  - recovering or otherwise preserving possession of the Council's land or property
  - defending the interests of the Council
  - appealing against a decision affecting the interests of the Council and responding to appeals against action taken by the Council.
- 10.3. Represent the Council at Court or any Tribunal or to make arrangements for appropriate representation.
- 10.4. Negotiate and settle the terms of documents to give effect to a decision of the Council or any of the Committees or of any Officer acting under delegated powers.
- 10.5. Apply the affixing of the Common Seal of the Council to documents in accordance with Standing Orders.
- 10.6. Be the responsible Officer for the co-ordination and operation of the legal requirements under the Data Protection Act and the Freedom of Information Act.
- 10.7. Serve Requisitions for Information.

Date of Adoption

This Scheme of delegation was reviewed and adopted by Council on \_\_\_\_\_.

# Thorpe St Andrew Town Council



**Town Council : 9<sup>th</sup> May 2022**

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## Confirmation of Annual Administration

**Agenda Item: 15**

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### Reason for this Report

This report is to confirm the checks and administration which have taken place according to the standing orders.

### Result

- Review and adoption of appropriate standing orders was undertaken in January 2022.
- The review and confirmation of the Financial Regulations was undertaken at the Finance and Staff Committee Meeting in January 2022.
- There are no current agency agreements with local authorities and no contributions are made to other local authorities.
- The Town Council currently subscribes to the Society for Local Council Clerks (SLCC).
- The Town Council is not a member of the Norfolk Association for Local Councils.
- The Town Council has signed up to the Freedom of Information Act Publication Scheme.
- The Town Council meetings shall take place on the first Monday of the month, except when this falls on a Bank Holiday. The Plans Committee will meet on the second Monday of the Month. The Finance and Staff Committee shall meet on the third Monday of each month. The Events and Media Committee shall meet on the 4<sup>th</sup> Monday or any Wednesday of the month.
- All meetings of the Town Council and its Committee shall take place at Roxley Hall, starting at 7.30pm.
- The dates, times and locations of meetings are subject to change, but shall be notified with no less than three clear days' notice.

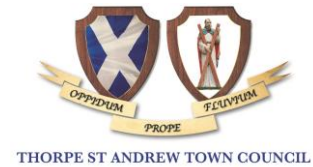
### Legal Implications

All decisions and actions taken by or on behalf of Thorpe St Andrew Town Council must (1) be within the local powers of the Authority; (2) comply with any procedural requirement imposed by law; (3) be within the powers of the body or person exercising powers on behalf of the Authority; (4) be undertaken in accordance with the Authority procedural rules inc. Standing Orders and Financial Regulations; (5) be fully and properly informed; (6) be properly motivated; (7) be taken with regard to the fiduciary duty of the Authority to its residents; and (8) be reasonable and proper.

### Financial Implications

There are no financial implications arising from this report.

# Thorpe St Andrew Town Council



Town Council : 9<sup>th</sup> May 2022

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## Annual Confirmation of Key Policies

**Agenda Item: 16**

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### Reason for this Report

This report is to confirm the key policies and procedures not already approved for 2022.

### Result

The Town Council is requested to review the following policies, there have been no changes since the last review.

- Business Continuity
- Code of Conduct for Councillors
- Code of Conduct for Officers
- Community and Social Policy
- Constitution
- Customer Care Policy
- Data and Information Policy
- Data Audit 2022
- Flexible Working and TOIL
- Freedom of Information Vexatious Requests Policy
- GDPR Policy
- Grant Aid Guidelines
- Member-Officer Protocol
- Protection of Children and Vulnerable Adults

### Advice

The Town Council is requested to review and approve the above documents for 2022. Further documents for approval will be presented to the Finance and Staff Committee for review prior to approval by full Council.

### Legal Implications

All decisions and actions taken by or on behalf of Thorpe St Andrew Town Council must (1) be within the local powers of the Authority; (2) comply with any procedural requirement imposed by law; (3) be within the powers of the body or person exercising powers on behalf of the Authority; (4) be undertaken in accordance with the Authority procedural rules inc. Standing Orders and Financial Regulations; (5) be fully and properly informed; (6) be properly motivated; (7) be taken with regard to the fiduciary duty of the Authority to its residents; and (8) be reasonable and proper.

### Financial Implications

There are no financial implications arising from this report.

**Locum Chief Executive Officer – Thomas Foreman**

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**THORPE ST ANDREW TOWN COUNCIL**

**THORPE ST ANDREW TOWN  
COUNCIL  
BUSINESS CONTINUITY PLAN**

Adopted by the Council at its Meeting held on \_\_\_\_\_

# **THORPE ST ANDREW TOWN COUNCIL**

## **BUSINESS CONTINUITY PLAN**

### **Introduction**

The Council is a major business in the Town, and as part of its Quality Policy, must ensure that it can recover quickly from a disaster which affects its ability to deliver services and continue to function as far as is reasonably practicable in the meantime.

The Council's Business Plan is produced annually and includes an assessment of business risks and actions to lower identified risks. This Plan has been developed to compliment the overall risk arrangements, help maintain critical services during and after any major disruption and promote recovery.

The Council is also the most accessible tier of local government and community leader, and as such would have a key role in helping the Town deal with and recover from a major emergency. The statutory responsibility under the Civil Contingencies Act 2004 to prepare a Major Emergency Plan lies with Norfolk County Council in conjunction with various other agencies, including the emergency services and Broadland District Council. The Town Council will support the principal authorities in implementing their Major Emergency Plan and make its resources available to them.

### **Organisation**

Council has overall responsibility for both disaster recovery and emergency planning, but have delegated all powers as follows:

#### Cases of civil emergency

The CEO in consultation with three of: The Mayor, Deputy Mayor, any one other Committee Chairman.

#### Other cases of urgency

The CEO in consultation with two of: the Mayor, Deputy Mayor, any one other Committee Chairman subject to reporting to the next council meeting.

The Council has the responsibility for working with the principal authority in preparing and implementing Major Emergency Plans. Finance and Staff Committee Chairman is responsible for the overall management and control of the Council's finances.

The Council will develop operating procedures on both Disaster Recovery and Emergency Planning.

### **Business Continuity Plan**

Responsibility for maintaining services is primarily the responsibility of the relevant section manager, with overall responsibility lying with the CEO.

The Business Continuity Plan identifies the critical service areas and details actions to be taken to continue or recover delivery of the services within identified timescales:

**Priority 1. (0-24hours), Priority 2. (3 days) and Priority 3. (14 days).**

Each member of staff will have a list of contact details of members, other staff and key partners. On discovering or being advised of a disaster which might affect business continuity or a major civil emergency, the officer or member of staff will contact the CEO or most senior officer available.

The most senior officer will then:-

- Ensure all members of staff are contacted, advised of the situation and either put on standby or advised of the action required.
- Convene any necessary meetings of staff and/or Members  Consider staff welfare issues and take necessary action  Deploy staff in non-critical service areas as required.
- Advise statutory authorities (e.g. emergency services, HSE etc) and insurance company as necessary.
- Advise 3 named councillors and other committee chairmen  Advise other members by cascade system/e-mail.
- Keep staff informed.
- Invoke process of determining loss or damage, and minimising it.

**Disaster Recovery - Specific losses**

1. Early tasks of the CEO, after damage has been assessed, will be:

- Determine any short term training needs for re-deployment
- Request Health & Safety Advisor to assess any additional health and safety risks and actions to be taken.
- Keep a log of actions taken by all staff.
- Issue any immediate press statements deemed necessary.

Total or partial loss of the Town Hall through fire or other disaster would extinguish the hub of the organisation as well as losing a key facility for the Town.

- a. Notify insurance and any statutory authorities (e.g. HSE) **Priority 1**
- b. See 3. below for IT recovery **Priority 1**
- c. Establish virtual office with staff working from home **Priority 1**
- d. Establish temporary office and telephone and advise public & stakeholders **Priority 2**
- e. Salvage any physical records/files and make list of actions with priorities **Priority 2**
- f. Advise clients that facility is unavailable **Priority 2**
- g. Advise Bank & ensure key banking services are protected. **Priority 1**
- h. Request support from principal councils & other partners **Priority 1**
- i. Re-establish Council meetings **Priority 2**
- j. Re-establish Committee meetings **Priority 3**
- k. Prioritise service recovery actions **Priority 2**
- l. Assess financial loss, income etc for insurance claim **Priority 3**
- m. Issue press release **Priority 1**
- n. Re-establish internal key financial procedures **Priority 2**, other financial procedures **Priority 3**
- o. Assess any contractual obligations **Priority 2**

Loss of IT System either as part of Town Hall damages, system crash or theft.

- a. Notify insurance, police etc **Priority 1**
- b. Contact support contractors to get systems operational & provide alternative hardware **Priority 2**
- c. Re-locate back-up tapes **Priority 1**
- d. If theft, consider potential security issues such as bank details & confidential information **Priority 1**
- e. If necessary get latest Omega information from RBS accountant **Priority 3**
- f. Advise clients and stakeholders of loss of service/information **Priority 3.**

Damage to Amenity Area or Open Space

- a. Offer Parks and Estates to help secure area **Priority 1**
- b. Consider if it affects a Town Council planned event **Priority 2**
- c. If so advise partners and try to find alternative site **Priority 2**
- d. Use Parks and Estates to help clear area **Priority 3**

Loss of Parks and Estates Service

- a. Advise Public **Priority 3**
- b. Not a statutory service and **Priority 3** service to reinstate unless civil emergency, then **Priority 1**
- c. Assess what needs to be done to re-establish service e.g. vehicles, personnel **Priority 1**
- d. Advise principal authority **Priority 3**
- e. Prepare recovery programme **Priority 3**

Loss of key personnel

- a. Assess implications to services. **Priority 1**
- b. Consider succession planning, either permanent or temporary. **Priority 1**
- c. Contact other agencies who can provide personnel if a priority. **Priority 2**
- d. Use consultancy **Priority 3**
- e. Look at permanent alternatives if necessary **Priority 3**
- f. Support for other staff **Priority 1**

Loss of Investment Money

- a. Quantify loss & understand cause **Priority 1**
- b. Take any immediate action to minimise loss. **Priority 1**
- c. Assess implications on services for remainder of year. **Priority 2**
- d. Review investment Policy **Priority 3**
- e. Establish likely protection from Government, principal council, bank or insurer **Priority 3**
- f. Take action to adjust costs & make provision for any necessary loan/ change of priorities **Priority 3**

## Major Civil Emergency

1. Norfolk County Council have a statutory responsibility under the Civil Contingencies Act 2004 to prepare a Resilience (Emergency) Plan which sets out how it will, in conjunction with various other agencies, including emergency services, respond to major and other serious civil incidents. At the time of an incident, the principal Council acts in support of the emergency services, and aims wherever possible to lessen the effects on the people, property and the environment, and to assist with the restoration of normality. It would be the lead organisation for the recovery stage.
2. The Resilience Plan consists of 4 main documents:
  - Emergency Plan Preparedness Guide
  - Corporate Emergency Plan
  - Corporate Business Continuity Plan
  - Recovery Plan
3. The Town Council do not have such a duty but have resolved to support the principal Council by identifying resources which they can deploy if necessary during an incident, which may range from a minor, locally contained incident to a major emergency crossing the district or even county boundary.
4. The Town Council's resources and contact details are to be provided to both principal councils. Its role would vary depending on the scale and nature of the incident, but may include:-
  - Local town control of certain operations, or provision of a local emergency control.
  - In liaison with the District Council, use of the Town Hall as a rest centre or control centre
  - Staff to help man the local DOSEC if a shift system became necessary.
  - Use of staff to supplement resources.
  - Help with Public Relations and keeping local councillors informed.
  - Use of Parks and Estates staff, vehicles and equipment to supplement other resources. □  
Help in coordinating the use of volunteers & voluntary organisations.
5. Each member of staff will have a list of contact details of members and other staff and key contacts at the principal councils. On discovering or being advised of a civil a major civil emergency, the officer (or member) will contact the CEO or most senior officer available.

The most senior officer will then carry out the role in Business Continuity Plan above and:-

- Make contact with principal councils to offer help and await instructions. Advise them whether operating from office or somewhere else.
6. Elected Members have an important role in keeping local communities informed, representing their views and concerns back to statutory authorities and helping to keep calm. Some may volunteer for practical roles.

## Flood Incident Response Plan

1. The Town Council receives adverse weather warnings from Norfolk County Council by e-mail. The Environmental Agency has a system of automatically generating flood warnings. Reactions to warnings are again a multi-agency response.

2. The Town Council is best able to help support the Flood Incident Response Plan by making the principal Council aware of its resources and contacts, so that it can be requested to help at times of flooding or potential flooding. As in the case of other aspects of Emergency Planning, it is important for the Town Council to work at the request of the principal Council so that responses can be coordinated and properly prioritised.
3. The roles the Town Council would perform include;-
  - Monitoring water courses and the sea at known flooding points at times of potential flood.
  - Use of Parks and Estates staff for preventative maintenance or distribution of sandbags.
  - Use of Parks and Estates in case of flooding.
  - Supporting the operation of an emergency centre by providing staff and/or premises.

### **Major Civil Emergency-Recovery Process**

1. It may be necessary following a major civil emergency to work with the principal Council in aiding recovery. Norfolk County Council may establish a Community Recovery Committee, which is a group drawn from the local community to reflect community concerns, and assist in informing the community. It will most likely assist in Impact Assessment of the affected community. Town Council elected representatives would be included in the Membership.

Its role is non executive. If the disaster was limited to the Town, Thorpe St Andrew Town Council and volunteers may be asked to play this role of engaging with the community in the recovery process.

An important role would be engaging with the Business Community and taking their concerns to the principal Council's main Recovery Coordinating Group.

2. Elected Members, as community leaders again have an important role to play in assisting the recovery process:
  - A focus for community concerns
  - Identifying problems and vulnerabilities of their community
  - knowledge of local personalities and resources
  - Enhancing local community liaison
  - Visiting people affected and giving reassurance
  - Consultation on re-builds or modernisation
  - Assisting with the media in getting messages to the community (following established policy guidelines)
  - Assisting with VIP visits
  - Liaising with elected representatives (district and county councillors, MP, MEP)

In the worse circumstances, recovery may take months or even years and staff will need to support councillors in these roles as a priority duty.

3. Council will need not only to help with damage assessment but use local knowledge to draw up a Recovery Action Plan and to give each action a priority rating of "Essential"; "Important" or "Desirable". This will need to be done with the myriad of partners who will be involved in the recovery process.

# THORPE ST ANDREW TOWN COUNCIL



**THORPE ST ANDREW TOWN COUNCIL**

## CODE OF CONDUCT FOR COUNCILLORS

Adopted by Council on at its meeting on \_\_\_\_\_

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# 1 Introduction and Interpretation

- 1.1 The Council has adopted this Code of Conduct to set out the standards required by Councillors and Co-opted Members of Thorpe St Andrew Town Council
- 1.2 The Code is consistent with the General Principles set out in Appendix 1 and the provisions of S29(1) Localism Act 2011.
- 1.3 In this Code:
  - “Co-opted Member” means a person who is not a member of Thorpe St Andrew Town Council but who is a member of any committee or sub-committee of the Council whether or not entitled to vote on any question that falls to be decided at any meeting of that committee or subcommittee.
  - 1.3.1 “Councillor” includes Members and Co-opted Members of Thorpe St Andrew Town Council.

N.B. Councillors who have been co-opted to the Council as opposed to being elected at ordinary or by-elections are “Members of Council” and not “Co-opted Members” within the definition above.
  - 1.3.2 “interest” means a Disclosable Pecuniary Interest (see paragraph 4) or an Ordinary Interest (see paragraph 6).
  - 1.3.3 “meeting” means any meeting of:
    - 1.3.3.1 the Council;
    - 1.3.3.2 any of the Council's committees or sub-committees;
    - 1.3.3.3 any briefings by officers and site visits organised by the Council; whether the press and public are excluded from the meeting
  - 1.3.4 “Relevant Person” means the Councillor or:
    - 1.3.4.1 that Councillor’s spouse or civil partner;
    - 1.3.4.2 a person with whom that Councillor is living as husband and wife; or
    - 1.3.4.3 a person with whom that Councillor is living as if they were civil partners.
  - 1.3.5 an interest is “subject to a pending notification” if the interest has been notified to the District Council’s Monitoring Officer under paragraph 5 but has not been entered in the Council's register in consequence of that notification

## 2 Scope

- 2.1 Councillors must comply with this Code whenever they:
  - 2.1.1 conduct the business of the Council (which, in this Code, includes the business of the office to which they are elected or appointed); or
  - 2.1.2 act as a representative of the Counciland references to their official capacity are construed accordingly
- 2.2 This Code only has effect in relation to the conduct of a Councillor when they are acting in their official capacity
- 2.3 Where a Councillor acts as a representative of the Council
  - 2.3.1 on another relevant authority which has a Code of Conduct, they must, when acting for that other authority, comply with that other authority's Code of Conduct; or
  - 2.3.2 on any other body, they must, when acting for that other body, comply with the Council's Code of Conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject

### 3 General Obligations- Respect Etc

- 3.1 Councillors must treat others with respect
- 3.2 Councillors must comply with their statutory obligations
- 3.3 Councillors must not do anything which may cause the Council to breach any of the equality enactments
- 3.4 Councillors must not bully any person
- 3.5 Councillors must not intimidate nor attempt to intimidate any person who is or is likely to be:
  - 3.5.1 a complainant:
  - 3.5.2 a witness: or
  - 3.5.3 involved in the administration of any investigation or proceedings, in relation to an allegation that a Councillor (including that Councillor) has failed to comply with their authority's Code of Conduct.
- 3.6 Councillors must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council

#### CONFIDENTIAL INFORMATION ETC.

- 3.7 Councillors must not disclose information given to them in confidence by anyone, or information acquired by them which they believe, or ought reasonably to be aware, is of a confidential nature, except where:
  - 3.7.1 they have the consent of a person authorised to give it;
  - 3.7.2 they are required by law to do so;
  - 3.7.3 the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
  - 3.7.4 the disclosure is:
    - 3.7.4.1 reasonable and in the public interest; and
    - 3.7.4.2 made in good faith and in compliance with the reasonable requirements of the Council
- 3.8 Councillors must not prevent another person from gaining access to information to which that person is entitled by law.

## DISREPUTE

3.9 Councillors must not conduct themselves in a manner which could reasonably be regarded as bringing their office or the Council into disrepute.

## IMPROPER ADVANTAGE ETC.

3.10 Councillors must not use or attempt to use their position as a councillor improperly to confer on or secure for themselves or any other person, an advantage or disadvantage.

3.11 Councillors must, when using or authorising the use by others of the resources of the Council:

3.11.1 act in accordance with the Council's reasonable requirements;

3.11.2 ensure that such resources are not used improperly for political purposes (including party political purposes).

3.12 Councillors must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986

## DECISION MAKING

3.13 When reaching decisions on any matter, Councillors must have regard to any relevant advice provided to them by:

3.13.1 the Council's Proper Officer, or (where different) Responsible Financial Officer; and

3.13.2 the District Council's Monitoring Officer, where that officer is acting pursuant to their statutory duties.

3.14 Councillors must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.

## INVESTIGATIONS

3.15 Councillors must co-operate with any investigations or other procedures in relation to an alleged breach of this Code of Conduct.

## 4 Disclosable Pecuniary Interests

4.1 A Councillor has a “Disclosable Pecuniary Interest” in any business of the Council if the interest is of a description set out in paragraph 4.2 below and is an interest of a Relevant Person and, if the Relevant Person is not the Councillor, the Councillor is aware that that other person has the interest.

4.2 “Disclosable Pecuniary Interests” are as defined from time to time by the Secretary of State in Regulations. The Regulations current at the time of adoption of this Code are The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and are set out in Appendix 2.

## 5 Registration of Disclosable Pecuniary Interests

5.1 Subject to paragraph 7, Councillors must, within 28 days of this Code being adopted by the Council or their election or appointment to office (whichever is the later), register in the District Council's Register of Councillors' Interests (maintained under section 29(1) of the Localism Act 2011) details of their Disclosable Pecuniary Interests (as referred to in paragraph 4 above) by completing the appropriate form and delivering this to the Council's CEO who will forward it to the Monitoring Officer.

5.2 Subject to paragraph 7, Councillors must, within 28 days of becoming aware of any Disclosable Pecuniary Interests (as referred to in paragraph 4 above) which they have not registered, or any change to such an interest which they have registered under paragraph 5.1, register details of that unregistered interest or change by completing the appropriate form and delivering this to the Council's CEO who will forward it to the District Council's Monitoring Officer.

## 6 Ordinary Interests

6.1 A Councillor has an “Ordinary Interest” in any business of the Council where it is not a Disclosable Pecuniary Interest but either:

6.1.1 a decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

6.1.1.1 the Councillor

6.1.1.2 a member of the Councillor’s family; or

6.1.1.3 any person with whom they have a close association to a greater extent than it would affect the majority of other council tax payers, ratepayers or inhabitants of the electoral ward for which the Councillor has been elected; or

6.1.2 it relates to or is likely to affect any of the interests listed in the table of Disclosable Pecuniary Interests set out in Appendix 2 but in respect of a member of the Councillor’s family (other than a Relevant Person) or of any person with whom they have a close association.

## 7 Sensitive Information

7.1 Paragraphs 7.2 and 7.3 apply where:

7.1.1 a Councillor has an interest (whether or not a Disclosable Pecuniary Interest), and

7.1.2 the nature of the interest is such that the Councillor, and the District Council's Monitoring Officer, decide in writing that disclosure of the details of the interest could lead to the Councillor, or a person connected with the Councillor, being subject to violence or intimidation.

7.2 If the interest is entered in the Council's register, copies of the register that are made available for inspection, and any published version of the register, will not include details of the interest (but may state that the Councillor has an interest the details of which are withheld under subsection 32(2) Localism Act 2011).

7.3 If paragraph 8.2 applies in relation to the interest, that paragraph is to be read as requiring the Councillor to disclose not the interest but merely the fact that the Councillor has an interest in the matter concerned.

7.4 If a Councillor becomes aware of any change of circumstances which means that information excluded from the register under paragraph 7.2 is no longer sensitive information, they must notify the District Council’s Monitoring Officer so that the register can be amended.

## 8 Disclosure of Interest at Meetings

8.1 Paragraphs 8.2 and 8.3 apply if a Councillor:

8.1.1 is present at a meeting;

8.1.2 has a Disclosable Pecuniary Interest or an Ordinary Interest in any matter to be considered, or being considered, at the meeting; and

8.1.3 is aware or ought reasonably to be aware that the condition in paragraph 8.1.2 is met.

8.2 Subject to paragraph 7.3, the Councillor must disclose the existence and the nature of the interest to the meeting.

8.3 If the interest is a Disclosable Pecuniary Interest which is not entered in the Council's register and is not the subject of a pending notification, the Councillor must notify the Council's Monitoring Officer of the interest as soon as possible and in any event before the end of 28 days beginning with the date of the disclosure.

## 9 Participation at Meetings

9.1 Paragraph 9.2 applies if a Councillor:

9.1.1 is present at a meeting; and

9.1.2 has a Disclosable Pecuniary Interest in any matter to be considered, or being considered, at the meeting; or

9.2 Subject to paragraph 10, the Councillor:

9.2.1 may not participate, or participate further, in any discussion of the matter at the meeting

9.2.2 may not participate in any vote, or further vote, taken on the matter at the meeting; and

9.2.3 must withdraw from the room where the meeting considering the business is being held.

## 10. Dispensations

10.1 The Council may, on a written request made to the Council's Proper Officer by a Councillor, grant a dispensation relieving the Councillor from all or any of the restrictions in paragraph 9.2 in cases described in the dispensation.

10.2 The Council may grant a dispensation under paragraph 10.1 only if, after having had regard to all relevant circumstances, the Council considers that:

10.2.1 without the dispensation the number of persons prohibited by Section 31(4) Localism Act 2011 from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,

10.2.2 without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,

10.2.3 granting the dispensation is in the interests of persons living in the authority's area,

10.2.4 it is otherwise appropriate to grant a dispensation.

10.3 A dispensation under paragraph 10.1 must specify the period for which it has effect, and the period specified may not exceed four years. Paragraph 9.2 does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation under paragraph 10.1.



## APPENDIX 1 - THE GENERAL PRINCIPLES

### *Selflessness*

1. Councillors should act solely in terms of the public interest.

### *Integrity*

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

### *Objectivity*

3. Councillors must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### *Accountability*

4. Councillors are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

### *Openness*

5. Councillors should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing. *Honesty* 6. Councillors should be truthful.

### *Leadership*

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

## APPENDIX 2 - DISCLOSABLE PECUNIARY INTERESTS

In this Appendix:

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society; “land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Subject	Prescribed Description
Employment, office, trade, any employment, office, trade, profession or vocation carried on for profit profession or vocation or gain.	
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <ul style="list-style-type: none"> <li>(a) under which goods or services are to be provided or works are to be executed; and</li> <li>(b) which has not been fully discharged.</li> </ul>
Land	Any beneficial interest in land which is within the area of the relevant authority
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for 1 month or longer.
Corporate Tenancies	<p>Any tenancy where (to M's knowledge) –</p> <ul style="list-style-type: none"> <li>(a) the landlord is the relevant authority; and</li> <li>(b) the tenant is a body in which the relevant person has a beneficial interest</li> </ul>
Securities	<p>Any beneficial interest in securities of a body where—</p> <ul style="list-style-type: none"> <li>(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and</li> <li>(b) either— <ul style="list-style-type: none"> <li>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</li> <li>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class</li> </ul> </li> </ul>

## **GUIDANCE**

This guidance is not part of the adopted Code of Conduct but is designed to explain how certain matters should be dealt with to ensure compliance.

### **Predetermination or Bias**

There will be situations where matters are discussed which do not affect the Disclosable Pecuniary Interests of the member and his/her partner but during which participation of that member is still inappropriate.

It is not a problem for councillors to be predisposed to a particular view. That predisposition can be strong and can be publicly voiced. They may even have been elected specifically because of their views on this particular issue. It might be in favour of or against a particular point of view, for example an application for planning permission.

However, the councillor must be open to the possibility that, they will hear arguments during the debate about the issue that will change their mind about how they intend to vote. They must also take into consideration written reports and advice from officers. As long as they are willing to keep an open mind about the issue, they are entitled to take part in any vote on it.

The appearance of predetermination or bias on behalf of any member who takes part in the discussion or voting on a matter may result in the validity of any decision taken on the matter being challenged through the courts. Members should take care to not participate (and should usually leave the meeting room) when discussions on matters which they may have predetermined or in respect of which they may be perceived to be biased take place.

An example of such bias occurring would be where an application for planning permission made by a relative of the member was being discussed.

## Offences

It is a criminal offence to:

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

The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale (currently £5000) and disqualification from being a councillor for up to 5 years.

Any allegations of a failure to comply with the Code of Conduct other than in respect of a Disclosable Pecuniary Interest will be dealt with locally and the following sanctions might be appropriate:

- Recommending to the Town Council, that he/she be removed from any or all Committees or Sub- Committees of the Council;
- Recommending the Town Council to arrange training for the member;
- Recommending to the Town Council, that the member be removed from all outside appointments to which he/she has been appointed or nominated by the authority;
- Recommending to the Town Council, that the member be excluded from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings;



**THORPE ST ANDREW TOWN COUNCIL**

**THORPE ST ANDREW TOWN  
COUNCIL  
OFFICERS' CODE OF CONDUCT**

Adopted by the Council at its Meeting held on \_\_\_\_\_

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## **INTRODUCTION**

This Code of Conduct is for Officers. The Codes themselves are printed in bold type and *beneath has been added procedural guidelines in italics*.

These Procedural Guidelines are intended to provide background information to help employees understand and interpret the requirements of the Code of Conduct. They cannot cover all circumstances and are not to be considered as a substitute for reading the Code itself.

## **BACKGROUND**

The public are entitled to expect the highest standards of conduct from all employees who work for local government. This Code outlines existing laws, regulations and conditions of service and provides further guidance to assist the Council and its employees in their day-to-day work.

## **STATUS OF THE CODE**

This Code is based on the voluntary Code of Conduct approved by the Local Authority Associations and the Local Government Management Board, adapted and/or amplified where perceived necessary to meet local circumstances or requirements. It also incorporates the principles contained in the draft model Code of Conduct for Local Authority Employees which was the subject of consultation by the Office of the Deputy Prime Minister.

The aim of the Code is to lay down guidelines for employees which helps maintain and improve standards and protect employees from misunderstanding or criticism. The standards contained in it are the minimum that should apply.

## **WHO IS THE CODE AIMED AT?**

The Code is intended to cover all employees under a contract of employment with the Council. Activities carried out by employees acting as members of companies or voluntary organisations should be subject to the minimum standards within this Code.



## **1 STANDARDS**

**1.1 The Council's employees are expected to give the highest possible standard of service to the public, and must perform their duties with honesty, integrity, impartiality and objectivity. Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service. Employees must report to the appropriate manager any impropriety or breach of procedure that is more than trivial.**

**1.2 An employee must be accountable to the Authority for his/ her actions.**

**1.3 An employee must at all time act in accordance with the trust that the public is entitled to place in him/ her.**

**1.4 The guidance in this Code is based on these principles. At the end of the day the Council relies on the integrity, reasonableness, common sense and professional judgement of individual officers. Staff should not hesitate at any time, to seek advice on the interpretation of the Code, or when circumstances arise which it does not cover.**

### **PROCEDURAL GUIDELINES**

*1a In determining acceptable standards, employees are asked to familiarise themselves, not only with the Council's Code of Conduct for Officers but also with the operating procedures used, Standing Orders & Financial Regulations and the Council's Protocol for Members & Officers.*

## **2 DISCLOSURE OF INFORMATION**

**2.1 It is generally accepted that open government is best. The law requires that certain types of information must be available to members, auditors, government departments, service users and the public. The Authority itself is open about other types of information. Employees must be aware of which information the Authority is and is not open about, and act accordingly.**

**2.2 Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way. Any particular information received by an employee from a councillor that is personal to that councillor and does not belong to the Authority, should not be divulged by the employee without the prior approval of that councillor, except where such disclosure is required or sanctioned by the law.**

**2.3 Employees must not prevent another person from gaining access to information to which that person is entitled in law.**

## PROCEDURAL GUIDELINES

*2a The Council's employees receive information relating to the Council's business, as well as confidential information about clients and the public, businesses, Councillors and other employees. Much of this information needs to be treated as confidential and should not be betrayed either inside or outside work, even to family and friends.*

*2b Both councillors and the public have rights to certain information and all officers should encourage and help people to access this.*

## **3 POLITICAL NEUTRALITY**

**3.1 Employees serve the authority as a whole. It follows they must serve all councillors and not just those of any controlling group, and must ensure that the individual rights of all councillors are respected.**

**3.2 Subject to the authority's conventions, employees may also be required to advise political groups. They must do so in ways which do not compromise their political neutrality.**

**3.3 Employees must follow every lawful expressed policy of the Authority and must not allow their own personal or political opinions to interfere with their work.**

## PROCEDURAL GUIDELINES

*3a It is only to be expected that the CEO will work closely with members of the Council. Confidentiality over discussions with particular groups is vital.*

## **4 RELATIONSHIPS**

### **4.1 Councillors**

**Employees are responsible to the Authority. For some, their role is to give advice to councillors and all are there to carry out the Authority's work. Mutual respect between employees and councillors is essential to good local government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors and should therefore be avoided.**

### **4.2 The Local Community and Service Users**

**Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the Authority.**

### **4.3 Contractors**

**All relationships of a business or private nature with external contractors, or potential contractors, should be made known in writing to the CEO or Mayor. Orders and contracts must be awarded on merit, by fair competition**

against other tenders unless a formal resolution is made to waive Financial Regulations and the reason stated in the Minutes. No special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

**4.4 Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to the CEO or Mayor in writing.**

**4.5 In the event of employees engaging a Contractor for private work at home, who is known by the employee to be one of the Council's contractors, care must be taken to ensure that the price paid for the work represents full value and thereby cannot be construed as an inducement or reward for the award of Council contracts. Especial care must be taken in this respect by employees who engage or supervise contractors in the course of their employment.**

#### PROCEDURAL GUIDELINES

*4a It is not sufficient to ensure that a relationship with a contractor or potential contractor will not unduly influence their business involvement with the Council, but impartiality and integrity need to be demonstrated. It is necessary for such relationships to be open and beyond suspicion by the reasonable person.*

*4b It is difficult to define precisely when a declaration should be made. The decision should be made after you have assessed the degree of influence that you may have over the Council's relationship with the particular contractor. If you are responsible for the administration of the contract, or are in any way involved in it, a declaration should be made. If in doubt, declare it.*

## **5 APPOINTMENT AND OTHER EMPLOYMENT MATTERS**

**5.1 Employees involved in appointments should ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her.**

**5.2 Similarly, employees should not be involved in decisions relating to discipline promotion or pay adjustments for any other employee who is a relative, partner, etc.**

#### PROCEDURAL GUIDELINES

*5a In cases where you are involved in deciding any matter relating to the appointment, promotion, discipline, pay, conditions of service or training*

*opportunities for a person who is a relative, partner or with whom you have a close personal relationship outside work, you should declare this to the CEO or Mayor (in the case of the CEO) and have no further involvement in the matter.*

*5b In this paragraph "relative" means a spouse, partner, parent-in-law, son, daughter, stepson, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons and "partner" means a member of a couple who live together.*

## **6 OUTSIDE COMMITMENTS**

**6.1 You must not become engaged or concerned in any other business in which your duties may conflict with the interests of the Council, without prior permission from the CEO. You must not become engaged in any secondary occupation that may interfere with your work. Officers earning in excess of Scale Point 28 must not be otherwise employed without the authority of the CEO. The CEO must obtain authority from Council before undertaking other employment.**

**6.2 The Town Council is a consultee for making recommendations to the determining bodies for applications for various types of consent such as planning permission, licensing etc. and also determines grant applications. Staff members who are in any way concerned, connected or consulted in their work during the processing of such applications are precluded from preparing or assisting with those submissions in any private capacity on behalf of applicants (unless for their own submissions when, of course, their private interest in the matter would be perfectly clear and should be declared).**

**6.3 The general guidance is therefore as follows:-**

**(a) Staff at all levels should not undertake any outside work which would put them in a position of conflict of interest. Such a conflict would arise when an employee is to be paid by a member of the public or any outside organisation or body for work which is in any way connected with the scope of his or her official duties.**

**(b) Employees should follow such rules as the Council may from time to time impose on the ownership of intellectual property or copyright created during their employment.**

## **7 PERSONAL INTERESTS**

**7.1 An employee must not in his/her official or personal capacity:-**

- allow personal interests to conflict with the Authority's requirements, or**
- use his/ her position improperly to confer an advantage or disadvantage on any person.**

**7.2 Employees must declare to the CEO or Mayor (in the case of the CEO) in writing, any non-financial interests that they consider could**

**bring about conflict with the authority's interests e.g. school governor, membership of local sports club, membership of another council.**

**7.3 Employees must declare to the CEO or Mayor (in the case of the CEO) in writing, any financial interests which could conflict with the authority's interests e.g. financial interests of a spouse or other member of the family in a contract.**

**7.4 Employees should declare to an appropriate manager membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct.**

## PROCEDURAL GUIDELINES

### **7a Non-Financial Interests**

*The test as to whether an interest in an outside body should be declared is whether or not the interests of the body may conflict with those of the Council. By way of advice, it may always be appropriate to declare being a governor of a school within the Town, or membership of another council. Similarly, membership of a trust or statutory body operating within the Town would be best declared.*

*In the case of, for instance, local sports clubs, these should be declared when a conflict of interest may arise, e.g. where planning permission is sought, or where land is being brought from or sold to the Council.*

### **7b Financial Interests**

*The Council needs to be aware of all cases where an employee or his/her close relative, partner or associate has a financial interest in a business (including private company, public sector organisation and/or voluntary organisation) which are, or are seeking to have business dealings or enter into a contract with the Council.*

*Examples of such interests are:-*

- Paid employment, directorships, consultancies or personal sponsorship.*
  - An interest in land or other assets, held or used by the business organisation.*
- Share capital in the company exceeding £25,000 (the amount need not be declared) or more than  $\frac{1}{100}$ <sup>th</sup> of the issued shares or securities*
- NB, this does not include money invested in a Building Society or Bank where you have no influence over the dealings of that organisation.*

*7c Organisations not open to the public with formal membership etc.*

## **8 EQUALITY ISSUES**

**8.1 All local government employees should ensure that policies relating to equality issues as agreed by the Authority are complied with in addition to the requirements of the law. All members of the local community, customers and other employees have a right to be treated with fairness and equity.**

### PROCEDURAL GUIDELINES

*8a Reference should be made to the Council's Equality Policy.*

## **9 ROLES DURING TENDERING**

**9.1 Employees must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.**

**9.2 Employees who are privy to confidential information on tenders or costs should not disclose that information to any unauthorised party or organisation.**

**9.3 Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.**

## **10 CORRUPTION**

**10.1 Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity.**

### PROCEDURAL GUIDELINES

*10a It is essential to remember that dealings with officers and members of local authorities and other public bodies are subject to the provisions of special legislation with onerous requirements and imposing sanctions under criminal law designed to protect the public interest and public confidence.*

*10b In summary, anyone who corruptly gives, promises or offers any gift, loan, fee, reward or advantage to any person as an inducement to or a reward for any member, officer or servant of a public body for doing or forbearing to do anything in respect of any matter or transaction is guilty of a criminal offence. Similarly, a criminal offence is committed by anyone who corruptly solicits, receives or agrees to receive for themselves or any other person such an inducement or reward.*

*10c It is particularly to be noted that the giving or acceptance of any money, gift or other consideration is deemed to have been given or received corruptly unless the*

*contrary is proved. This represents a departure from the general principle that a person is deemed innocent until proven guilty.*

## **11 USE OF FINANCIAL RESOURCES**

**11.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the authority.**

**11.2 Employees must not make personal use of property or facilities of the authority unless properly authorised to do so.**

### **PROCEDURAL GUIDELINES**

*11a An area of particular concern is the use of computers. See Rules in Employee Handbook and ICT Policy*

## **12 HOSPITALITY AND GIFTS**

**12.1 Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the local authority in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the authority should be seen to be represented. They should be properly authorised and recorded. It is generally more acceptable to join in hospitality offered to a group of people rather than something unique to the individual, i.e. there is a degree of safety in numbers. Hospitality should only be accepted when it is reasonably incidental and on a scale appropriate to the occasion or circumstances.**

**12.2 When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the authority.**

**12.3 Employees should not accept significant personal gifts from contractors and outside suppliers, although the Authority allow employees to keep insignificant items of token value such as pens, diaries etc.**

**12.4 When receiving authorised hospitality employees should be particularly sensitive as to its timing in relation to decisions which the authority may be taking affecting those providing the hospitality. Where it is known that a particular person or body has a matter currently in issue with the Town Council, an offer of hospitality should be refused even if in normal times it would be acceptable.**

**12.5 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal and where it is clear that any purchasing decisions are not compromised. Approval to attend a relevant conference or**

course will be considered to be approval of allied hospitality as outlined above. Where visits to inspect equipment etc are required, employees should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

**12.6 Employees must report to the CEO or Mayor (in the case of the CEO) the offer of any gifts or hospitality. These must be recorded in the register maintained by the CEO**

#### PROCEDURAL GUIDELINES

*12a Offers of hospitality and gifts should be approached with caution. Members of staff should ask themselves what a member of the public, who may be critical or suspicious, might think. Offers of hospitality where any suggestion of improper influence is possible should be tactfully refused. Hospitality should only be accepted when it is reasonably incidental, and on a scale appropriate, to the occasion or circumstances. If in doubt say no.*

*12b Employees should only accept reasonable or modest hospitality and, if in doubt as to whether such hospitality is reasonable or modest in the circumstances, the employee should seek guidance from the CEO or Mayor.*

*12c Clearly, hospitality received in the ordinary course of business (for example working lunches) need not be declared or registered provided it is modest and reasonable.*

*12d All hospitality received (other than that mentioned in 12.3 above) and hospitality offered but not accepted should be registered in the Register of Hospitality (see below).*

*12e Any employee receiving an offer of hospitality should inform the supplier or contractor offering the same that the employee is under a duty to register hospitality received or offered but not accepted.*

*12f A Register will be kept and maintained by the CEO. The details to be included in the Register will be:*

- i the name of the employee concerned;*
- ii the name of the contractor or the supplier or other party making the invitation;*
- iii the nature of the hospitality received or offered but not accepted; and*
- iv the date or receipt of hospitality.*

*12g As with Declarations of Interest, it is the duty of each individual employee to register hospitality received, or offered but not accepted, within a reasonable period before or after that hospitality is received or offered and it is suggested for this purpose*



*that a reasonable period would be no longer than 7 days after the hospitality is received or offered. Notices to be sent to CEO or Mayor.*

*12h Some offers of hospitality are clearly unacceptable, e.g. offers of holiday accommodation. Invitations to sporting fixtures or evenings at the theatre are acceptable only in accordance with paragraph 12.1 of the Code of Conduct for Employees, or when they are clearly required for the conduct of Council*

### Gifts

*Examples of the type of modest gifts which would normally be acceptable are:-*

- Small gifts of office equipment or stationery given by way of trade advertisement to a range of officers or for use in the office. Nothing more elaborate than calendars, diaries, rulers or blotters would fall into this category;*
- Small gifts of only token value given on the conclusion of an official courtesy visit e.g. to a factory or other premises.*
- Small tokens of thanks such as modest chocolates or flowers*
- Gifts to a member of staff or a member of their family where the donor is a personal friend. Extreme care needs to be taken in such circumstances that friendships are equal in both directions and declarations are made in accordance with Section 4 of the Code.*
- If a gift outside the exceptions arrives without warning, it must be handed to the CEO or Mayor (in the case of the CEO) to decide whether the gift should be returned (or passed to an appropriate charity) and to ensure the donor is informed of what has happened.*

*These rules also, of course, apply to offers by firms to members of staff of discounts going beyond those on general offer.*

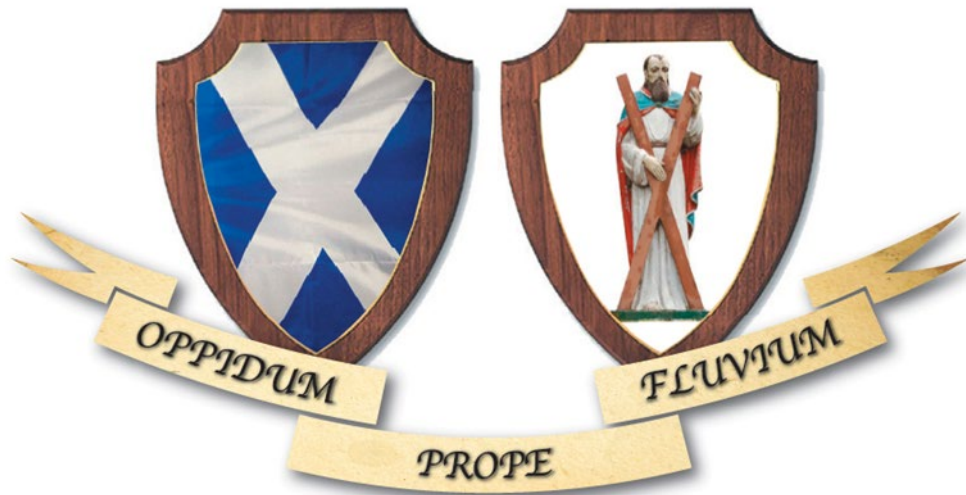
## **13 SPONSORSHIP - GIVING AND RECEIVING**

**13.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.**

**13.2 Where the authority wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to the CEO or Mayor (in the case of the CEO) of any such interest. Similarly, where the authority through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.**

### **PROCEDURAL GUIDELINES**

*13a The Council must not be seen to offer any special favours or business in return for sponsorship.*



**THORPE ST ANDREW TOWN COUNCIL**

**THORPE ST ANDREW TOWN  
COUNCIL**

**COMMUNITY & SOCIAL POLICY**

Adopted by the Council at its Meeting held on \_\_\_\_\_

## **Local**

This Policy contains Thorpe St Andrew Town Council's written commitment to strengthening the Town's communities of both place and interest and to recognising and encouraging their diversity and development. The Policy supports the Council's Corporate Strategy which includes a Community Promise to take ownership of community problems. It also complements the authority's Environmental; Equality and Procurement Policies.

The Council will aim to understand the nature of society within the Town and will use its role as the level of local government closest to the people, to develop its qualities and encourage interaction within and between the communities.

In particular the Council will:-

- Promote and help provide cultural facilities and community venues.
- Promote and facilitate events which draw the whole community together.
- Support ways of giving individuals and communities a voice and where appropriate act as an advocate.
- Support the reporting of local events and issues.
- Work in partnership to tackle significant social welfare issues within the Town.
- Use its governance role to strengthen communities as well as supporting voluntary and community organisations which seek to do the same.
- Put the needs of the public first and provide fair, responsive and accountable local government.
- Promote good relationships between members of the community including those who might suffer discrimination.
- Monitor policies and procedures to assess their effectiveness in achieving our aims.
- Work with our partners in statutory, voluntary and private sectors to ensure the best outcomes for the people of Thorpe St Andrew.
- Coordinate its activities to further the aims of the various regeneration projects in the Town.

## **Global**

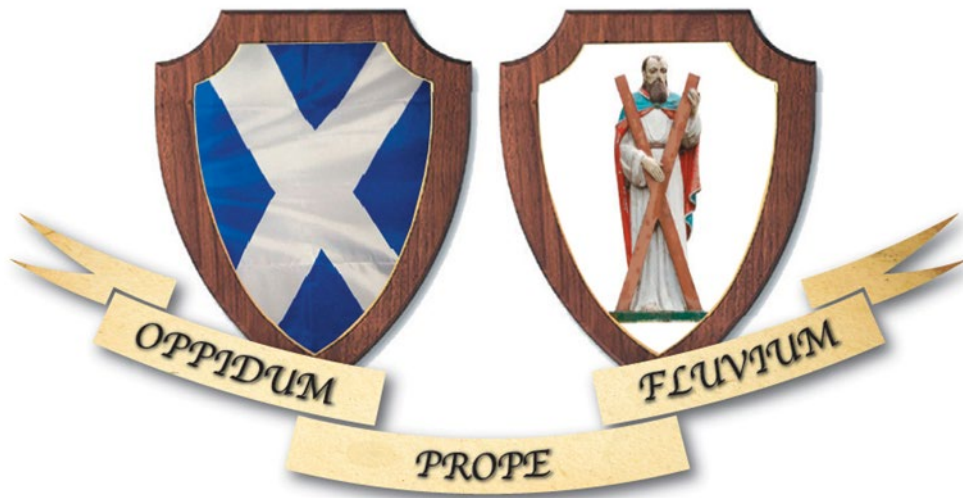
Thorpe St Andrew Town Council will also strive to set a good example in addressing world ethical issues and will encourage partner and associated organisations to do so. It is committed to the prevention of any violation of established Human Rights of any kind, particularly where child labour or undesirable forced acts are involved.

In particular the Council will:-

- Promote a culture of ethical behaviour throughout the organisation
- Act to protect the integrity and enhance the reputation of the Council
- Only engage with suppliers, contractors or business partners who do not endanger our reputation
- Maintain policies and procedures which will deliver value for money and demonstrate socially and environmentally responsible behaviour.
- Purchase Fair Trade goods where possible and promote & support Thorpe St Andrew as a Fair Trade Town.

- Question its major suppliers of goods and services about their ethical credentials.
- Encourage all suppliers to the Council, to ensure that throughout their global supply chains, all organisations comply with the Ethical Trading Initiative Base Code.
- Collaborate and compete with other business institutions in a fair, honest and appropriate manner.
- Ensure that ethics as well as returns, govern our investments

N.B. Companies with a commitment to ethical trade adopt a code of labour practice that they expect all their suppliers to work towards. Such codes address issues like wages, hours of work, health and safety, employment to be freely chosen, no child labour, the right to join free trade unions and a ban on harsh or inhuman practices.



**THORPE ST ANDREW TOWN COUNCIL**

**THORPE ST ANDREW TOWN COUNCIL  
CONSTITUTION**

# SUMMARY AND EXPLANATION

## **BACKGROUND – LOCAL GOVERNMENT**

Before considering the detail of how Thorpe St Andrew Town Council operates, it is useful to consider briefly where local government has come from and how it is changing.

In Britain there is no codified constitutional document setting out the rights and responsibilities of local authorities and their relationship with National Government. Instead, there is a set of institutions and practices, some centuries old, that have been created and adopted in response to changing circumstances and which have gradually been given a statutory framework.

Local Government is in the public sector, but is not a local civil service. It is political in nature because the people that determine its direction are democratically elected by local people. Central Government, however, has the capacity to direct and regulate councils through legislation and fiscal means. Local Government is, first and foremost, a people business and service to the community is the cornerstone of its activity.

Local Government in England is a mixture of single and two tier principal authorities and local councils. County councils and district councils (sometimes called borough councils) have a split responsibility for service provision, a situation which still exists in West Sussex. Metropolitan and unitary authorities are all purpose. The term "local council" means a parish or town council. They are, like all councils, an elected corporate body, but have a far more limited range of duties and powers than the principal councils. Never the less the Town Council is the most local form of government and therefore plays a vital role at the community interface.

Local government traditionally can only do what it is powered to do by statute, other acts are "ultra vires" (beyond the power of) which is the reverse of the position of an individual who can do anything which is not restricted by law. This position was widened for principal authorities and qualifying local councils by the provisions of the Local Government Act 2000 which gave those councils the power to undertake a wide range of duties which they considered were likely to achieve the promotion or improvement of the economic, social or environmental well-being of their area.

The well being powers are now superseded by a **general power of competence** provided for by the Localism Act 2011. In brief, this provides for a principal council or qualifying local council to have the power to do anything that individuals generally may do.

## **BACKGROUND – THORPE ST ANDREW TOWN COUNCIL**

Thorpe St Andrew is now home to over 14,500 people (Office for National Statistics data based on 2011 census) and has one of the largest populations of any parish or town within the Broadland area.

The town was mentioned in the Domesday Book and was until the 20<sup>th</sup> Century a sparsely populated village in the valley beside the River Yare. It has developed over time to become a large settlement on the outskirts of Norwich.

Thorpe St Andrew is seen as an attractive part of Norfolk in which to live. The boundary between the town and the City of Norwich is less clear than it once was, but residents are keen to retain its individual identity. The town has continued to grow and change and further growth is predicted over the next 5-10 years.

Local people have stated that Thorpe St Andrew has an excellent range of facilities, together with a large amount of recreational spaces including nature reserves and woods, parks and sporting amenities.

## **HOW THE COUNCIL OPERATES**

The Council is composed of 16 Councillors, representing two electoral wards North-West Thorpe St Andrew and South-East Thorpe St Andrew. Council elections take place in May every 4 years, when a new Council is elected; the most recent elections took place in May 2019. The term of office of councillors is four years starting on the fourth day after being elected and finishing on the fourth day after the date of the regular election four years later. The overriding duty of Councillors is to the whole community, but they have a special duty to their ward constituents, including those who did not vote for them.

Only registered voters of the Town or those living or working there, or living within 3 miles of the parish boundary are eligible to hold the office of councillor, providing they are 18 years of age or over and not disqualified.

Councillors have to agree to follow a code of conduct to ensure high standards in the way they undertake their duties which includes the declaration of interests in matters considered by Council. The Standards Committee of Broadland District Council is responsible for promoting and ensuring the standards of conduct by district, parish and town Councillors. Broadland District Council's Monitoring Officer deals with complaints about the behaviour of Councillors under the Code.

All Councillors meet together as the full Council every four weeks including the annual council meeting in May. Here Councillors decide the Council's overall policies, set the budget each year and deal directly with the more major issues.

The Council appoints committees which deal with the more detailed or routine items of business. Many decisions are delegated by full Council to these committees, however a number of items are dealt with as recommendations to be ratified at a meeting of full Council. Council may also establish working parties, which do not usually have decision

making powers but look at the detail of future policy or services in a depth which would not be possible in the formal arena.

The Council's functions can be broadly divided into two main areas; firstly providing local services for residents and visitors that improve the quality of life, such as floral displays, events, allotments and improved street-care services. Secondly, it works closely with statutory providers, for example the District and County Councils and Norfolk Constabulary. It does this by commenting on planning applications, consultations or perhaps taking other authorities to task on matters of concern.

## **HOW DECISIONS ARE MADE**

All formal meetings of Council and its committees are subject to statutory notice being given, and the Council publishes an annual programme each year. Meetings are always publicised on the Web Site and Notice Boards. All formal meetings are open to the public and press. Reports to those meetings are available for the public to see and relevant background papers are available on request.

Occasionally, Council or committees may need by law to consider matters in private. Examples of this are matters involving personal details of staff, or a particular member of the public, or where details of commercial sensitivity are to be discussed. This will only happen after a formal resolution has been passed to exclude the press and public. Minutes from all formal meetings, including the confidential parts are public documents.

## **THE COUNCIL'S STAFF**

The Council has people working for it (called 'officers') to give advice, implement decisions and manage the day-to-day delivery of its services. The CEO heads up this paid service and has specific duties as the "proper officer" to ensure that the Council acts within the law. The CEO is also designated as "Responsible Financial Officer" to ensure that financial best practice is followed. A code ensures high standards of conduct and a protocol governs the relationships between officers and members of the council.

## **CITIZENS' RIGHTS**

Citizens have a number of rights in their dealings with the Council. Some of these are legal rights, whilst others depend on the Council's own processes. Where members of the public use specific council services they have additional rights. These are not covered in this Constitution but you will be told of them when you use the service.

Citizens have the right to:

- Vote at local elections if they are registered;
- Contact their local councillor about any matters of concern to them;
- View a copy of the Constitution;
- Attend meetings of the Council and its committees except where, for example, personal or confidential matters are being discussed;
- Present a petition to the Council;
- Complain about any aspect of the Council's services. (If a complaint in the usual way does not bring satisfaction, the Council has a formal complaints procedure);

**Adopted by Council at its Annual Meeting – May 2017**



- Complain to the Broadland District Council's Monitoring Officer if they have evidence which shows that a Councillor has not followed the Council's Code of Conduct;
- Inspect the Council's accounts and make their views known to the external Auditor who checks the Council's book-keeping and expenditure;
- View and in most cases obtain copies of documents set out in the Council's publication scheme;
- The Council welcomes participation by its citizens in its work and welcomes interested people at its meetings.

## **ROLES AND FUNCTIONS OF ALL COUNCILLORS**

All Councillors, whatever their formal position on the Council (or party political system), share common roles and responsibilities.

### **(a) Key Roles**

All Councillors will:

- collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions;
- represent their communities and bring their views into the Council's decision making process, i.e. become the advocate of and for their communities;
- contribute to the good governance of the area and actively encourage community participation and citizen involvement in decision making;
- deal with individual casework and act as an advocate for constituents in resolving particular concerns or grievances;
- balance different interests identified within the ward and represent the ward as a whole;
- participate in the governance and management of the Council; be available to represent the Council on other bodies; and maintain the highest standards of conduct and ethics.

### **(b) Rights and Duties**

- Councillors will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.
- Councillors will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a Councillor or officer entitled to know it.
- Unless specifically authorised to do so by the Council or a Committee, a Member of the Council shall not issue any order respecting any works which are being carried out by or on behalf of the Council or claim by virtue of his/her membership of the Council any right to inspect or to enter upon any lands or premises which the Council have the power or duty to inspect or enter.

## **ROLE AND FUNCTION OF THE MAYOR**

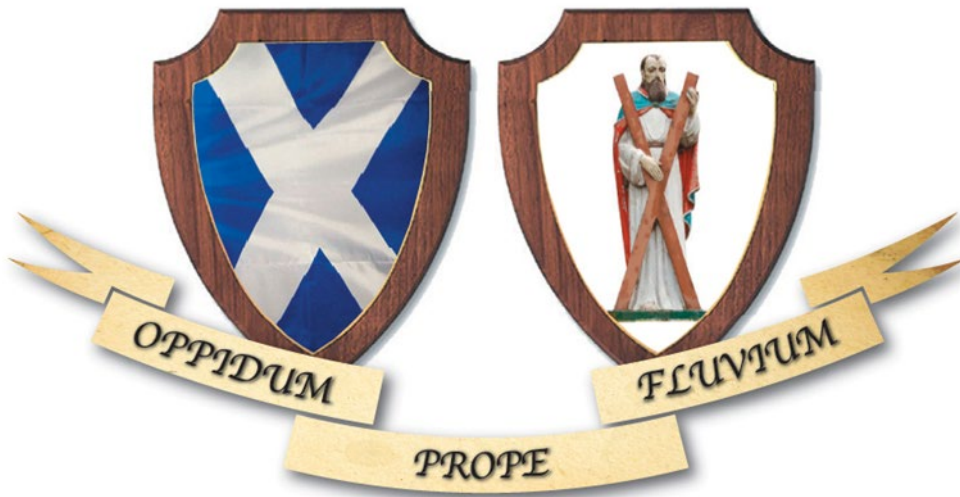
The Mayor will be the civic head of the Council, first citizen of the Town subject to deference to the District Chairman where appropriate. He / She will be a symbol of the authority and an expression of social cohesion.

The Mayor will chair meetings of full Council and, in doing so, will promote political neutrality.

The Mayor will be elected by the Council at its Annual Meeting.

## **DEPUTY MAYOR**

The Council will appoint a Deputy Mayor at the time the Mayor is elected, who shall assume the role of the Mayor when the Mayor is not present, or unable to fulfil that function.



**THORPE ST ANDREW TOWN COUNCIL**

**THORPE ST ANDREW TOWN  
COUNCIL**

**CUSTOMER CARE POLICY**

Adopted by the Council at its Meeting held on \_\_\_\_\_

Thorpe St Andrew staff will deliver services in a friendly, inclusive and helpful way.

The Council will treat all members of the public and customers of its services in a courteous and professional manner. It will recognise their needs as an individual or as part of a local community. It will always try to offer a way forward on the particular issue being raised.

In particular the Council will:-

- Provide information in accordance with its Publication Scheme and Information & Data Protection Policy.
- Give you clear and accurate information
- Respect confidentiality unless it is legally required to disclose information.
- Deliver its services in accordance with stated standards and its Equality Policy.
- Return telephone calls within two working days.
- Respond to letters and e-mails within 5 working days of receipt.
- Where it is unable to resolve an issue for a customer, it will advise where further help can be obtained or act as advocate by contacting the other organisations on the customer's behalf

If a member of the public or customer has a grievance against the Council, it will be dealt with in accordance with the Council's Complaints Policy.

Please note that the Local Government Ombudsman does not currently deal with complaints about town or parish councils however this is being reviewed by Government.

We would ask you in return to treat our staff with courtesy and respect, in a manner in which you would expect to be treated.



**THORPE ST ANDREW TOWN COUNCIL**

# **THORPE ST ANDREW TOWN COUNCIL INFORMATION & DATA PROTECTION POLICY**

Adopted by the Council at its Meeting held on \_\_\_\_\_

The Council recognises it must at times, keep and process sensitive and personal information about both employees and the public, it has therefore adopted this policy not only to meet its legal obligations but to ensure high standards. This Policy is linked to its Quality Policy, which will ensure information considerations are central to the ethos of the organisation, and to its ICT Policy.

The Council will be very open about its operations and will work closely with public, community and voluntary organisations. Therefore in the case of all information which is not personal or confidential, it will be prepared to make it available to partners and members of the Town's communities. Details of information which is routinely available is contained in the Council's Publication Scheme which is based on the statutory model publication scheme for local councils.

### **Making Information Available**

The Publication Scheme is a means by which the Council can make a significant amount of information available routinely, without waiting for someone to specifically request it. The scheme is intended to encourage local people to take an interest in the work of the Council and its role within the community.

In accordance with the provisions of the Freedom of Information Act 2000, this Scheme specifies the classes of information which the Council publishes or intends to publish. It is supplemented with an Information Guide which will give greater detail of what the Council will make available and hopefully make it easier for people to access it.

All formal meetings of Council and its committees are subject to statutory notice being given on notice boards, the Website and sent to the local media. The Council publishes an annual programme in May each year. All formal meetings are open to the public and press and reports to those meetings and relevant background papers are available for the public to see. The Council welcomes public participation and has a public participation session on each Council and committee meeting. Details can be seen in the Council's Standing Orders, which are available on its Website or at its Office.

Occasionally, Council or committees may need to consider matters in private. Examples of this are matters involving personal details of staff, or a particular member of the public, or where details of commercial/contractual sensitivity are to be discussed. This will only happen after a formal resolution has been passed to exclude the press and public and reasons for the decision are stated. Minutes from all formal meetings, including the confidential parts are public documents.

The Council are willing to make special arrangements on request for persons who do not have English as their first language or those with hearing or sight difficulties.

### **Protecting Confidential or Sensitive Information**

The Data Protection Act 1998 seeks to strike a balance between the rights of individuals and the sometimes competing interests of those with legitimate reasons for using personal information. The policy is based on these principles:

The Council will make any notification required to the Information Commissioner's Office under the Data Protection Act and periodically up date the information.

The Council will comply with the eight principles of good practice for processing sensitive data, by ensuring it is:

- Fairly & lawfully processed
- Processed for limited purposes
- Adequate, relevant & not excessive
- Accurate and up to date
- Not kept longer than is necessary
- Processed in accordance with the individuals rights
- Secure
- Not transferred to countries outside the EU unless the country has adequate protection for the individual.

The Council will ensure that at least one of the following conditions is met for personal information to be considered fairly processed:

- The individual has consented to the processing
- Processing is necessary for the performance of a contract with the individual
- Processing is required under a legal obligation
- Processing is necessary to protect the vital interests of the individual
- Processing is necessary to carry out public functions
- Processing is necessary in order to pursue the legitimate interests of the data controller or third parties.

Particular attention is paid to the processing of any sensitive personal information and the Council will ensure that at least one of the following conditions is met:

- Explicit consent of the individual
- Required by law to process the data for employment purposes
- A requirement in order to protect the vital interests of the individual or another person

The Council will always give guidance on personnel data to employees through the Employee handbook.

The Council will ensure that individuals on whom personal information is kept are aware of their rights and have easy access to that information on request.

### **Disclosure Information**

The Council will as necessary undertake checks on both staff and Members with the Disclosure and Barring Service and will comply with their Code of Conduct relating to the secure storage, handling, use, retention and disposal of Disclosures and Disclosure Information. It will include an appropriate operating procedure in its integrated quality management system.

## **Data Transparency**

The Council has resolved to act in accordance with the Code of Recommended Practice for Local Authorities on Data Transparency (September 2011). This sets out the key principles for local authorities in creating greater transparency through the publication of public data and is intended to help them meet obligations of the legislative framework concerning information. "Public data" means the objective, factual data on which policy decisions are based and on which public services are assessed, or which is collected or generated in the course of public service delivery.

The Code will therefore underpin the Council's decisions on the release of public data and ensure it is proactive in pursuing higher standards and responding to best practice as it develops.

The principles of the Code are:

Demand led: new technologies and publication of data should support transparency and accountability

Open: the provision of public data will be integral to the Council's engagement with residents so that it drives accountability to them.

Timely: data will be published as soon as possible following production.



**Thorpe St Andrew Town Council Data Audit 2022/23 – Review July/August 2023**

To whom does it relate?	What Data is it?	Including Sensitive Data?	What is it for?	Why do we have it?	Are we legally obliged to hold this data? NOTE: If we are legally obliged to hold it, no consent is needed.	Have we got a contract or privacy notice relating to the data subject?	If we have a contract with the data subject, does it demonstrate all necessary consents?	With whom do we share this data? LIST THEM ALL	Who is responsible for keeping it?	How often is it checked?	How long do we keep it?	Where is it held?	Protection?	Action needed
Thorpe St Andrew Town Council Staff	Employment contracts	Yes	HR	It is a contract	No	Contract	Yes	External Professional Advisers	Clerk	On appointment/any staff related issue/Staff Appraisals	duration of employment plus 6 years	Locked Cupboard/Server	Lock and key Password / Confidential Drive	Destroy any old employee files 'out of scope'
	Leave/sickness record	Yes	HR	Employment Purposes	No	Yes	Yes	External Professional Advisers; HMRC;	Clerk & RFO	Monthly	last financial year	Locked Cupboard	Lock and key	
	Discipline/Grievance record	Yes	HR	Employment	No	Yes	Yes	External Professional Advisers; HMRC;	Clerk	As required	duration of employment	Server/Filing Cabinet	Lock and key Password / Confidential Drive	
	Next of Kin details	Yes	HR	Employment	No	Yes	Yes		Clerk	As required	duration of employment	Employees File	lock and key	
	Accident/Injury record	No	HR	H&S	Yes	Contract	Yes	External Professional Advisers	Clerk/RFO	As required	doc retention policy	Open shelf		
	Pension details	Yes	HR	Legislative requirement		Not required	Not applicable	External Professional Advisers; HMRC; LGPS	Clerk/RFO	As required	duration of employment	Filing cabinet	lock and key	
	PAYE	No	HR	Legislative requirement	Yes	Not required	Not applicable	External Professional Advisers; HMRC; LGPS	Clerk/RFO	monthly	duration of employment	Filing cabinet	lock and key	
	Contact details	Yes	HR	Employment	No	Yes	Yes	External Professional Advisers; HMRC; LGPS	Clerk/RFO	As required	duration of employment	Server	password	
	Bank details	No	HR	To pay staff salaries	No	Yes	Yes		Clerk/RFO	Monthly	duration of employment	Payroll software	Lock and key password	
	Job applications (unsuccessful applicants)	Yes	HR	Employment	No	Yes	Yes		Clerk	On application	until appointment made	Filing cabinet	lock and key	Destroy any old employee files 'out of scope'
	Job applications/references (successful applicants)	Yes	HR	Employment	No	Yes	Yes		Clerk	On appointment/any staff related issue	duration of employment	Filing cabinet	lock and key	
	Staff Appraisals	Yes	HR	Employment	No	Yes	Yes		Clerk	As required	duration of employment	Filing cabinet	lock and key	
	Performance Plans	Yes	HR	Employment	No	Yes	Yes		Clerk	As required	duration of employment	Filing cabinet	lock and key	
	Training records	Yes	HR	Employment	No	Yes	Yes		Clerk	As required	duration of employment	Filing cabinet	lock and key	
Councillors/Trustees	Declarations of Interest	Yes	Democracy	legislative requirement	Yes	Not required	Yes	This is Public Knowledge	All Staff	At election	term of office	website	no	
	Personal contact details	No	Democracy	legislative requirement	Yes	Not required	Yes	This is Public Knowledge	All staff	At election	term of office	Server	password	
	Email Addresses	No	Democracy	legislative requirement	Yes	Not required	Yes	This is Public Knowledge	All staff	At election	term of office	Notice boards	no	
Contractors/Suppliers (TSATC)	Contact details	No	Business	Contact	No	Contract	Yes	External Professional Advisers	Parks and Estates Manager/RFO	When appointed	2 years from last contract	Accounts software	password	
	Invoices	No	Business	Payment	No	Contract	Yes	Public inspection on audit	Parks and Estates Manager/RFO	On payment	doc retention policy	Accounts software	password	
	purchase orders		business	Purchasing					All staff	On raising	doc retention policy	Files	no	
	Quotations	No	Business	Purchasing	No	Contract	Yes	Public inspection on audit	All staff	On raising	doc retention policy	Files	no	
	Bank Account details	No	Business	Payment	No	Contract	Yes	Our Bank	RFO	On payment	doc retention policy	Server	password	
	Insurance	No	Business	Contract	No	Contract	Yes	External professional advisers	Clerk	On appointment	doc retention policy	Filing cabinet	lock and key	

	References	No	Business	Contact	No	Contract	Yes	External professional advisers	Clerk	On appointment	doc retention policy	Filing cabinet	lock and key	
Residents	Complaints	Sometimes	Democracy	Democracy	No	Privacy Notice	No contract	External professional advisers	All staff	On receipt	1 year	Filing cabinet	lock and key	
	Freedom of Information requests	No	Democracy	Democracy	Yes	Privacy Notice	No contract	External Professional Advisers	Clerk	On receipt	doc retention policy	Server	password	
	Electoral Register	No	Democracy	Democracy	No	Not applicable	No contract	Public Document required by law, which we choose to hold.	All staff	On receipt	1 year	Clerk's Office	lock and key	
Community Organisations														
	Email Addresses	No	Democracy	Contact	No	Privacy Notice	No Contract	Nobody without consent	All staff	Annually	2 years	Server	password	
	Grant Application Forms	Perhaps	Democracy	Service to Community	No	Privacy Notice	No Contract	External Professional Advisers	All staff	Annually	2 years	Server	password	
	Nominations of external committee members	No	Democracy	Contact	No	Privacy Notice	No Contract	Names become Public Knowledge, other data is confidentialia	All Staff	On appointment	GDPR Policy	Server	password	
Allotments	Waiting list	No	Business	Allocation	No	Privacy Notice	No Contract	Nobody without consent	RFO	Monthly	Until plot available	Filing cabinet	lock and key	
	Tenant Contact Details	No	Property records	Contact	No	Tenancy Agreement	Yes	Allotments Association and its members	RFO	Monthly	indefinite	Filing cabinet	lock and key	
	Tenancy Agreements	No	Property records	Service to Community	No	Tenancy Agreement	Yes	Allotments Association and its members	RFO	Annually	until plot relinquished	Filing cabinet	lock and key	
Civic Lists	Contact details		Civic events	Invitations	No	Privacy Notice	No Contract	Nobody without consent	Admin Assistant	Annually	2 years	Server	password	
		No	Mayoral functions	Invitations	No	Privacy Notice	No Contract	Nobody without consent	Admin Assistant	Annually	1 year	Server	password	
		No	Mayoral functions	Christmas Card send-out	No	Privacy Notice	No Contract		Admin Assistant	Annually	1 year	Server	password	
Planning	Objections	No	Democracy	We are consulted on applications	Yes	Public Document	No contract	Our objection or approval is a public document	Dep Clerk Comms	On receipt	1 year	Server	password	
Property	Leases/licenses	No	Property	Council/Trust function	No	Public Document	Yes	Public Document registered at Land Registry	Clerk	Annually	indefinitely	Server	password	
	Pitch Rental contact details	No	Business	Contact	No				Clerk/RFO/Admin Ass/Dep Clerk/Parks and Estates Manager					
	Tenant Contact Details	No	Democracy	Contact	No	Contract	Yes	External Professional Advisers/Maintenance Contractor	Clerk/RFO/Admin Ass/Dep Clerk/Parks and Estates Manager	Monthly	See document Retention Policy	Filing cabinet	lock and key	
	Covenants	No	Property	Council function	No	Public Document	Yes	Public Document registered at Land Registry	Clerk	Annually	See document Retention Policy	Files	Safe	
	Public rights of way	No	Property	Council function	No	Public Document	Yes	Public Document registered at Land Registry	Parks and Estates Manager	Annually	See document Retention Policy	Files	lock and key	
	Service level agreements	No	Property records	Service to Community	No	Tenancy Agreement	Yes	External Professional Advisers	Clerk	Annually	See document Retention Policy	Files	lock and key	
Memorial Benches & Street Furniture														
(TSATC)	Formal requests for Memorial Bench	Sometimes	Bench request	Service to Community	No	Contact	Yes	Plaque engraver/ Parks and Estates Manager	Admin Assistant / RFO	On receipt	indefinitely	Filing cabinet Server	lock and key password	Need to ensure records are retained/Permissions sought

	Formal request for Dog Bin, Grit Bin etc	No	Asset records	Service to Community	No	Contact	Yes	Relevant Council Committee/Parks and Estates Manager	Admin Assistant / RFO	On receipt	indefinitely	Filing cabinet Server	lock and key password	Need to ensure records are retained/Permissions sought
CCTV Imagery	Formal requests for sight of camera/image from police	Sometimes	Community Safety	Service to Community	No	Registered with the ICO	Not applicable	Police	All staff	On receipt	Not applicable	Server for 30 days only	password	
	Formal requests for sight of camera/image from insurance company/public	Any such future requests to be referred to police												
General Contacts	Email Addresses	Yes	Democracy	Contact	Yes	Privacy Notice	Not applicable	Any reasonable request	All staff	Annually	1 year	Server	password	

1. What Personal Data Do We Hold?

2. Lawful basis for holding personal data

3. Consent

4. Sharing Personal Data

5. Our internal processes

6. Action Needed



**THORPE ST ANDREW TOWN COUNCIL**

## **THORPE ST ANDREW TOWN COUNCIL**

### **FLEXIBLE WORKING AND TIME OFF IN LIEU (TOIL) POLICY**

Adopted by the Town Council at its been held on \_\_\_\_\_

## **FLEXIBLE WORKING**

### **Introduction**

The Town Council recognises the need to balance family responsibilities with paid work.

Thorpe St Andrew Town Council supports the principle that employees should enjoy a work-life balance, which recognises the needs of the service whilst at the same time allowing for a degree of flexibility in order to accommodate other commitments.

It is a fundamental requirement of any flexible working scheme that the efficiency of the Council and levels of service provided are maintained. Employees are expected to co-operate with the need to ensure minimum staffing levels are maintained during the normal working day, including the lunch period and other breaks, to facilitate contact with the public and other customers.

Once a request is made, the employer has a duty to give the request serious consideration, but the employee does not have a unilateral right to alter their working pattern.

### **Eligibility**

Anyone can ask to work flexibly. However, you have to qualify and the Town Council does not have to agree to the request.

Employees who care for someone (eg a child or adult) have the legal right to ask for flexible working this is known as a statutory application.

Employees may only make one request each year.

### **Right to request flexible working – Children Under 18**

As of April 2011 all parents with a child under 18 have the right to request flexible working. A request can be made by an employee with 26 weeks' continuous service with the Town Council.

Changes which relate to hours, times and place of work can be requested. Employers have a duty to consider requests seriously and can refuse only where one of the following business reasons apply:

- the burden of additional costs
- detrimental effect on ability to meet customer demand

inability to re-organise work among existing staff  
inability to recruit additional staff  
detrimental impact on quality  
detrimental impact on performance  
insufficiency of work during the periods the employee proposes to work □  
planned structural changes

### **Right to request flexible working – Carers**

Carers have had the right to request flexible working since 6 April 2007. A request can be made by an employee with 26 weeks' continuous service who cares or expects to care for a person who is 18 or over where the person in need of care is:

married to or the partner or civil partner of the employee, or  
a relative of the employee, or  
living at the same address as the employee

If a change is agreed, it constitutes a variation to the contract of employment and there will be no automatic right to revert to the original position. If an employee wishes to revert or make a further change, s/he will have to submit a further application following the expiration of 12 months. However, this can be waived if the Town Council supports the requested revision.

### **Making an application**

All applications must be in writing and must:

be dated

say that the employee either has responsibility as a parent or carer (or expects to have it)

say that they're making the application under the statutory right to request a flexible working pattern

give details about how they want to work flexibly and when they want to start  
explain how they think flexible working might affect the business and how this could be dealt with (eg if they're not at work on certain days)

say if and when they've made a previous application

## **Meeting to discuss the application**

Once a request has been received a meeting to discuss the application must take place within 28 days of receipt of the application.

The employee must give a reasonable explanation if they can't attend the meeting. Otherwise the application will be treated as withdrawn.

The CEO/Line Manager must make a decision within 14 days of the meeting and inform the employee in writing.

If the Council agrees to flexible working a new contract will be issued. If they don't agree the employee can appeal against the decision to the Finance and Staff Committee.

## **Bringing someone to the meeting**

Employees can bring a work colleague or trade union representative to the meeting. The trade union representative can discuss things with the employer but they can't answer questions on behalf of the employee.

If the colleague or representative can't make the meeting, it should be rearranged to take place within 7 days of the original meeting date.

## **Withdrawing an application**

If an employee decides to withdraw an application they should notify the CEO in writing as soon as possible. The application will be treated as withdrawn if the employee misses 2 meetings (without good reason).

If the employee doesn't provide the extra information that the CEO/Line Manager needs to make a decision, the application might be treated as withdrawn.

If the application is withdrawn, the employee cannot make another request for 12 months.

## **Responsibility**

The CEO will be responsible for administering any requests for flexible working, in consultation with the appropriate Line Manager.

The Line Manager will be responsible for administering and managing the efficient operation of the service.

It will be necessary for discussions to take place between individuals, teams and Line Managers to mutually agree working patterns for the team, which will facilitate satisfactory cover during standard operational hours. Whilst the Scheme does not specify those times when employees must be present, it is essential for managers/supervisors and teams to work together to plan satisfactory levels of cover in order to provide an effective service.

## **Health & Safety**

The Flexible Working Scheme will take account of the Working Time Regulations which sets out a maximum weekly working time of 48 hours including overtime, and rest breaks where the working day is longer than 6 hours.

In respect of employees aged 16 to 18, the Regulations stipulate that there must be a minimum rest break of 30 minutes where the working day is longer than 4½ hours.

The legislation enables employers to be fairly flexible in the organisation of working time, recognising that adjustments need to be made to reflect particular service needs. However, consideration will still need to be given to the general duty of care they owe to employees in addition to these Regulations.

Managers/supervisors must also take account of health and safety factors when considering working arrangements that would involve an employee working alone at the beginning or end of a shift.

## **Definitions**

Relative is defined as mother, father, adopter, guardian, special guardian, parent-in-law, step-parent, son, step-son, son-in-law, daughter, step-daughter, daughter-in-law, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, uncle, aunt or grandparent and includes adoptive relationships and relationships of the full blood or half blood - e.g. half-brother or half-sister will also be covered. In the case of an adopted person, the above relationships that would have existed but for the adoption are also covered i.e. the adopted person's natural relatives.

Partner covers men and women who are not married but are living together as husband and wife and two people of the same sex who are not civil partners but are living together as if they are civil partners.



## **TIME OFF IN LIEU**

### **Introduction**

The Council recognises that it may be necessary for employees to undertake work outside of their normal working hours. Any agreement by employees to work additional hours is either contractual or on a voluntary basis.

The purpose of this policy is to ensure that managers and employees are aware of and understand the Council's time off in lieu (TOIL) arrangements so that they are applied consistently.

### **Scope:**

This policy applies to all employees of the Council with the exception of casuals who work on an ad hoc basis.

### **Definition:**

TOIL is defined as Time Taken Off In Lieu or time taken off work by employees in recompense for additional hours worked outside of their normal working hours.

### **TOIL Rates:**

TOIL will be accrued at the following rates for time worked in addition to normal working hours:

- Monday to Friday – Time
- Saturday and Sunday – Time and a Half

### **Accruing TOIL:**

TOIL accrued will be included on the monthly timesheet for each employee, as will TOIL taken. Each timesheet is signed and authorised by the employee's manager. Individual team managers must agree any TOIL in advance.

The Council realises that it is unlikely that the Clerk will be able to seek approval in advance for TOIL accrued and therefore places trust in the Clerk to ensure that where additional hours are worked and TOIL accrued, it is done so in a way that meets the business needs of Thorpe St Andrew Town Council as well as the work life balance of the CEO.

The Clerk's monthly timesheet should show all TOIL accrued or taken, being signed and noted by the Mayor.

When attending Council events or events where the employee is invited as a Council employee, it will be down to the employee's manager or Clerk to assess whether TOIL shall be accrued. For example, helping with road closures will accrue TOIL, simply being in attendance at an event will not necessarily unless it can be evidenced that work has been undertaken.

Excessive levels of TOIL should not be accumulated (specially no more than 15 hours from one month to the next). However, in exceptional circumstances managers have discretion to agree to more.

Any suspected abuse of TOIL may be treated as a disciplinary matter.

### **Using TOIL:**

TOIL can only be taken if agreed, in advance, with the employee's manager. Any requests will be considered in line with staffing levels and operational requirements. The Clerk will be responsible for allocating the use of his/her own TOIL at times when it is deemed suitable.

TOIL should be taken as soon as possible after accrual. One example of good practice is to come in later than your normal starting time the day after attending an evening meeting to redeem any TOIL accrued.

In exceptional circumstances where due to service delivery needs TOIL cannot be accommodated within the 12 month period, the employee can request payment for the hours. This request should be made in writing to their manager.

### **Working Time Regulations:**

The Council has a duty to protect the health and safety of its employees by ensuring that they do not work excessive hours and that, where necessary for them to work additional hours, they are appropriately recompensed.

When agreeing the accrual of TOIL, the manager must ensure that the employee's working hours adhere to the requirements of the Working Time Regulations.

**Time Off**

Where time off is required for medical or dental appointments it will be by agreement with immediate Line Managers.

Where possible, such appointments should be outside normal working hours.

**Office Staff**

In an emergency or when an appointment cannot be made outside of normal working hours, then flexi time must be taken and any time lost must be made up at another time so that the employee's normal weekly hours conform to their contractual commitment.

**Works Staff**

3.1 Where appointments cannot be made outside of normal working hours, employees must produce proof of the appointment to their Line Manager prior to attending the appointment.



**THORPE ST ANDREW TOWN COUNCIL**

**THORPE ST ANDREW TOWN COUNCIL  
FREEDOM OF INFORMATION  
VEXATIOUS REQUESTS POLICY**

Adopted by the Council at its Meeting held on \_\_\_\_\_

# **Thorpe St Andrew Town Council**

## **Freedom of Information Vexatious Requests Policy**

### **1. INTRODUCTION**

1.1 Thorpe St Andrew Town Council is committed to openness and will make every effort to respond positively to a request for information made under the Freedom of Information Act 2000.

It is recognised that on occasions Thorpe St Andrew Town Council will receive requests that may be defined as repeated, vexatious or manifestly unreasonable. The relevant legislation being the Freedom of Information Act 2000 and the Data Protection Act 1998 allows for requests to be classed under these headings in order to prevent abuse of the public's right to know.

The Information Commissioner has recognised that there may be a risk that some individuals and perhaps some organisations may seek to abuse the right of access with requests. Such cases may well arise in connection with a grievance or complaint that an individual is pursuing.

In all cases that are considered possibly vexatious, repeated or manifestly unreasonable, Thorpe St Andrew Town Council will undertake an assessment to determine if it is acceptable to define the request under one of those headings.

- 1.2 This policy identifies situations where a requester, either individually or as part of a group, or a group of requesters, might be considered to be habitual or vexatious. The following clauses form the Council policy for ways of responding to these situations.
- 1.3 In this policy the term habitual means 'done repeatedly or as a habit'. The term vexatious is recognised in law and means 'denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant'. This policy intends to assist in identifying and managing persons who seek to be disruptive to the Council through pursuing an unreasonable course of conduct.
- 1.4 The term requester in this policy includes requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- 1.5 Habitual or vexatious requests can be a problem for Council staff and Members. The difficulty in handling such requests is that they are time consuming and wasteful of resources in terms of Officer and Member time. While the Council endeavours to respond with patience and sympathy to the needs of all requesters there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.
- 1.6 Raising of legitimate queries or criticisms of a complaints procedure as it progresses, for example if agreed timescales are not met, should not in itself lead to someone being regarded as a vexatious or an unreasonably persistent requester. Similarly, the fact that a complainant is unhappy with the outcome of a request and seeks to challenge it once, or more than once, should not necessarily cause him or her to be labelled vexatious or unreasonably persistent.
- 1.7 The purpose of this policy is to contribute to the overall aim of dealing with all requesters in ways which are demonstrably consistent, fair and reasonable.

In all cases the Council will strive to comply with the guidance given by the Information Commissioner's Office and should any matters arise from the implementation of the policy which are at variance with that guidance the Council will amend its policy accordingly.

## 2. HABITUAL OR VEXATIOUS REQUESTS

2.1 A request is likely to be considered as vexatious or manifestly unreasonable if it is considered to be a substantial burden on the financial and human resources of Thorpe St Andrew Town Council and it:

- clearly does not have any serious purpose or value;
- is designed to cause disruption or annoyance;
- has the effect of harassing the Council; or □□□ can otherwise fairly be characterised as obsessive or manifestly unreasonable. In all cases it is the **request** that has to be vexatious or manifestly unreasonable, not the applicant. This can sometimes be a difficult distinction to draw, but a useful test is to consider whether the information would be supplied if another person who was unknown to Thorpe St Andrew Town Council had requested it. However, the council is able to take into account previous communications with, and any known intentions of, the applicant when making this assessment.

2.2 For the purpose of this policy the following definitions of habitual or vexatious requests will be used:

*The repeated and/or obsessive pursuit of:*

*(1) unreasonable requests and/or unrealistic outcomes; and/or*

*(2) reasonable requests in an unreasonable manner.*

2.3 Prior to considering its implementation the Council will send a *summary* of this policy to the requester to give them prior notification of its possible implementation.

2.4 Where requests continue and have been identified as habitual or vexatious in accordance with the criteria set out in Section 3, the staff and Policy and Resources Committee will seek agreement to treat the request as a vexatious request for the appropriate course of action to be taken. Section 4 details the options available for dealing with habitual or vexatious requests.

2.5 The Clerk on behalf of the Town Council will notify requesters, in writing, of the reasons why their complaint has been treated as habitual or vexatious and the action that will be taken.

## 3. DEFINITIONS

3.1 Thorpe St Andrew Town Council defines unreasonably persistent and vexatious requests as those requesters who, because of the frequency or nature of their contacts with the Council, hinder the Council's consideration of their or other people's requests. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular requester.

3.2 Examples include the way in which, or frequency with which, requesters raise their requests with staff or how requesters respond when informed of the Council's decision about the request.

3.3 Features of an unreasonably persistent and/or vexatious request include the following (the list is not exhaustive, nor does one single feature on its own necessarily imply that the request will be considered as being in this category):

**An unreasonably persistent and/or vexatious requester may:**

- refuse to co-operate with the request investigation process while still wishing their request to be answered
- refuse to accept that issues are not within the power of the Council to investigate, change or influence
- insist on the complaint being dealt with in ways which are incompatible with good practice (e.g. insisting that there must not be any written record of the request)
- make what appear to be groundless complaints about the staff dealing with the request, and seek to have them dismissed or replaced
- make an unreasonable number of contacts with the Council, by any means in relation to a specific request or requests
- make persistent and unreasonable demands or expectations of staff and/or the request process after the unreasonableness has been explained to the requester (an example of this could be a complainant who insists on immediate responses to questions, frequent and/or complex letters, faxes telephone calls or e-mails)
- harass or verbally abuse or otherwise seek to intimidate staff dealing with their request, in relation to their request by use of foul or inappropriate language or by the use of offensive and racist language or publish their request in other forms of media
- introduce trivial or irrelevant new information whilst the request is being investigated and expect this to be taken into account and commented on
- deny statements he or she made at an earlier stage in the request process
- are known to have electronically recorded meetings and conversations without the prior knowledge and consent of the other person(s) involved.
- adopt a 'scattergun' approach, for instance, pursuing a request or requests not only with the Council, but at the same time with, for example, a Member of Parliament, other Councils, elected Councillors of this and other Councils, the Council's Independent Auditor, the Standards Board, the Police, other public bodies or solicitors
- make the same request repeatedly, perhaps with minor differences.
- persistently approach the Council through different routes or other persons about the same issue.
- refuse to accept documented evidence as factual

- 3.4. In all cases Thorpe St Andrew Town Council will undertake the assessment of requests that are considered to be vexatious on a case by case basis. The CEO will undertake the assessment in most cases. Complex cases may be referred to the Council's Local Government solicitor or other adviser.

If there is uncertainty as to whether a request is vexatious Thorpe St Andrew Town Council will consider one of the following actions:

- Contact the applicant and ask him or her to clarify the request.
- Comply with the request and reduce the chances of a more time-consuming grievance developing between the applicant and the Council, providing an explanation that future requests may be assessed under this policy.
- Refuse a request and provide an explanation of the reason for refusal and make reasonable endeavours to explain to the applicant what they should do differently in future to ensure their requests are not assessed as being vexatious.

#### **4. REPEATED REQUESTS**

- 4.1. Where a request for information has previously been complied with which was made by any person, there is no obligation to comply with a subsequent identical or substantially similar request from that same person unless a reasonable interval has elapsed between compliance with the previous request and the making of the current request. A repeated request does not mean similar or identical requests from different applicants, unless those applicants have been identified as working together.

Thorpe St Andrew Town Council has defined a reasonable interval as 60 working days from responding to the previous request.

On some occasions Thorpe St Andrew Town Council will process requests as standard requests that appear to repeat a previous request, for example, this may be in a situation when a repeated request is received and it is for information that is regularly updated.

#### **5. CUSTOMER EXPECTATIONS**

Applicants will be issued with a refusal notice to inform them of the decision to define their request as vexatious, repeated or manifestly unreasonable within the 20 working day deadline. They will be provided with an explanation of the factors that have led to the decision.

Repeated requesters will receive one such notice. In most cases, any repeated requests received after this notice has been issued will be acknowledged but Thorpe St Andrew Town Council will undertake no further correspondence relating to the matter, unless the applicant wishes to appeal against our decision. In some cases repeated requests may cease to be acknowledged.

#### **6. RECORD KEEPING**

- 6.1 The Clerk will retain adequate records of the details of the case and the action that has been taken. Records will be kept of:



- The name and address of each member of the public who is treated as abusive, vexatious or persistent.
- Maintenance of an evidence log to record any relevant correspondence and behaviour sufficient to support the decision should the requester complain to the Information Commissioner.
- When and how the requester and Council were advised.

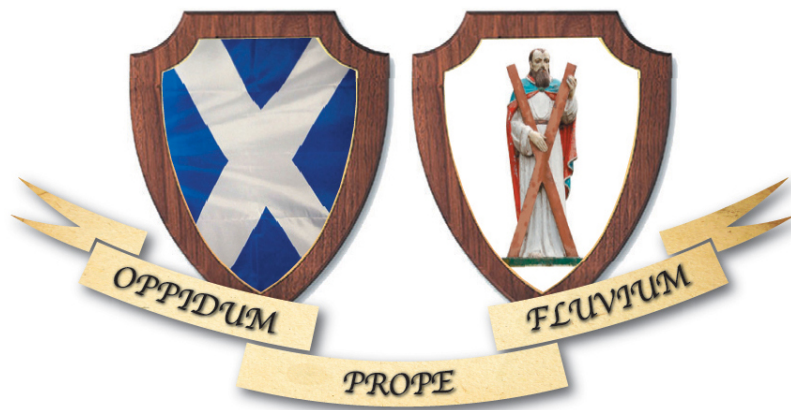
6.2 Full Council will be provided with a regular report giving information about members of the public who have been treated as vexatious/persistent as per this policy.

## **7. APPEALS**

All applicants have the right to appeal against any decision to refuse their request. In the first instance such appeals may be made under the Thorpe St Andrew Town Council Complaints Procedure and the complaint on the first occasion will be treated as a request for an internal review of a refusal.

Any person who is unhappy with the way their request has been dealt with and is not satisfied by the investigation undertaken through the Council's complaint procedure may wish to make a complaint to the Information Commissioner's Office under section 50 of the Freedom of Information Act 2000. Complaints to the ICO should be sent to:

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



**THORPE ST ANDREW TOWN COUNCIL**

# General Data Protection Regulation Policy

Adopted: February 2021

Reviewed April 2022

## **Purpose of the policy and background to the General Data Protection Regulation**

This policy explains to councillors, staff and the public about GDPR. Personal data must be processed lawfully, fairly and transparently; collected for specified, explicit and legitimate purposes; be adequate, relevant and limited to what is necessary for processing; be accurate and kept up to date; be kept only for as long as is necessary for processing and be processed in a manner that ensures its security. This policy updates any previous data protection policy and procedures to include the additional requirements of GDPR which apply in the UK from May 2018. The Government have confirmed that despite the UK leaving the EU, GDPR will still be a legal requirement. This policy explains the duties and responsibilities of the council and it identifies the means by which the council will meet its obligations.

## **Identifying the roles and minimising risk**

GDPR requires that everyone within the council must understand the implications of GDPR and that roles and duties must be assigned. The Council is the data controller and the Clerk is the Data Protection Officer (DPO). (The Deputy Clerks are data processors working under the DPO.) It is the DPO's duty to undertake an information audit and to manage the information collected by the council, the issuing of privacy statements, dealing with requests and complaints raised and also the safe disposal of information. This will be included in the Job Description of the Clerk / Deputy Clerk.

Appointing the Clerk as the DPO must avoid a conflict of interests, in that the DPO should not determine the purposes or manner of processing personal data.

GDPR requires continued care by everyone within the council, councillors and staff, in the sharing of information about individuals, whether as a hard copy or electronically. A breach of the regulations could result in the council facing a fine from the Information Commissioner's Office (ICO) for the breach itself and also to compensate the individual(s) who could be adversely affected. Therefore, the handling of information is seen as high / medium risk to the council (both financially and reputationally) and one which must be included in the Risk Management Policy of the council. Such risk can be minimised by undertaking an information audit, issuing privacy statements, maintaining privacy impact assessments (an audit of potential data protection risks with new projects), minimising who holds data protected information and the council undertaking training in data protection awareness.

## **Data breaches**

One of the duties assigned to the DPO is the investigation of any breaches. Personal data breaches should be reported to the DPO for investigation. The DPO will conduct this with the support of the Finance and Staff Committee. Investigations must be undertaken within one month of the report of a breach. Procedures are in place to detect, report and investigate a personal data breach. The ICO will be advised of a breach (within 3 days) where it is likely to result in a risk to the rights and freedoms of individuals – if, for example, it could result in discrimination, damage to reputation, financial loss, loss of confidentiality, or any other significant economic or social disadvantage. Where a breach is likely to result in a high risk

to the rights and freedoms of individuals, the DPO will also have to notify those concerned directly.

It is unacceptable for non-authorized users to access IT using employees' log-in passwords or to use equipment while logged on. It is unacceptable for employees, volunteers and members to use IT in any way that may cause problems for the Council, for example the discussion of internal council matters on social media sites could result in reputational damage for the Council and to individuals.

### **Privacy Notices**

Being transparent and providing accessible information to individuals about how the Council uses personal data is a key element of the Data Protection Act 1998 (DPA) and the EU General Data Protection Regulation (GDPR). The most common way to provide this information is in a privacy notice. This is a notice to inform individuals about what a council does with their personal information. A privacy notice will contain the name and contact details of the data controller and Data Protection Officer, the purpose for which the information is to be used and the length of time for its use. It should be written clearly and should advise the individual that they can, at any time, withdraw their agreement for the use of this information. Issuing of a privacy notice must be detailed on the Information Audit kept by the council. The council will adopt a privacy notice to use, although some changes could be needed depending on the situation, for example where children are involved. All privacy notices must be verifiable.

### **Information Audit**

The DPO must undertake an information audit which details the personal data held, where it came from, the purpose for holding that information and with whom the council will share that information. This will include information held electronically or as a hard copy. Information held could change from year to year with different activities, and so the information audit will be reviewed at least annually or when the council undertakes a new activity. The information audit review should be conducted ahead of the review of this policy and the reviews should be minuted.

### **Individuals' Rights**

GDPR gives individuals rights with some enhancements to those rights already in place:

- the right to be informed
- the right of access
- the right to rectification
- the right to erasure
- the right to restrict processing
- right to data portability
- the right to object
- the right not to be subject to automated decision-making including profiling.

The two enhancements of GDPR are that individuals now have a right to have their personal data erased (sometime known as the 'right to be forgotten') where their personal data is no

longer necessary in relation to the purpose for which it was originally collected and data portability must be done free of charge. Data portability refers to the ability to move, copy or transfer data easily between different computers.

If a request is received to delete information, then the DPO must respond to this request within a month. The DPO has the delegated authority from the Council to delete information.

If a request is considered to be manifestly unfounded then the request could be refused or a charge may apply. The charge will be as detailed in the Council's Freedom of Information Publication Scheme. The Finance and Staff Committee will be informed of such requests.

## **Children**

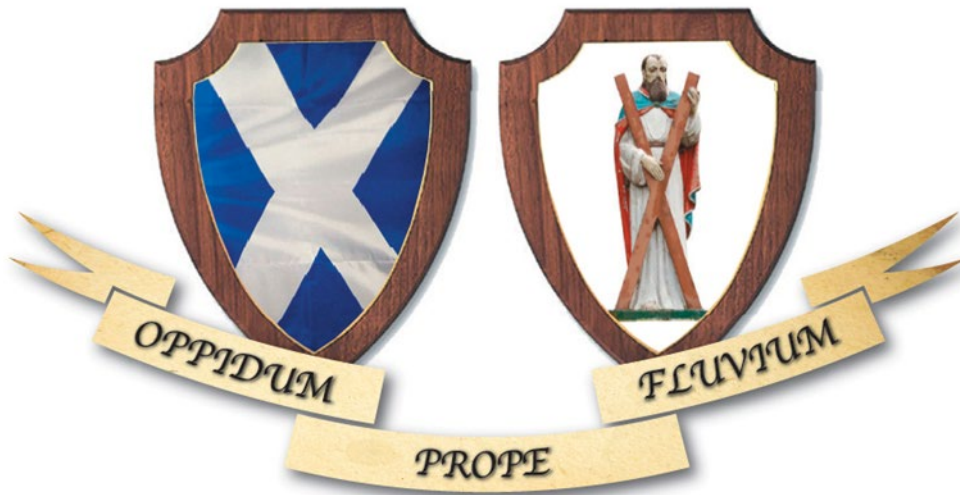
There is special protection for the personal data of a child. The age when a child can give their own consent is 13. If the council requires consent from young people under 13, the council must obtain a parent or guardian's consent in order to process the personal data lawfully. Consent forms for children age 13 plus, must be written in language that they will understand.

## **Summary**

The main actions arising from this policy are:

- The Council must be registered with the ICO.
- A copy of this policy will be available on the Council's website. The policy will be considered as a core policy for the Council.
- The Clerk's Contract and Job Description (if appointed as DPO) will be amended to include additional responsibilities relating to data protection.
- An information audit will be conducted and reviewed at least annually or when projects and services change.
- Privacy notices must be issued.
- Data Protection will be included on the Council's Risk Management Policy.
- A Committee, with Terms of Reference, will be set up to manage the process.

This policy document is written with current information and advice. It will be reviewed at least annually or when further advice is issued by the ICO. All employees, volunteers and councillors are expected to comply with this policy at all times to protect privacy, confidentiality and the interests of the Council. This Policy is supported by the Terms of Reference for the Data Protection Committee (attached).



**THORPE ST ANDREW TOWN COUNCIL**

**THORPE ST ANDREW TOWN  
COUNCIL**

**APPLICATIONS FOR  
GRANT FUNDING 2022/23**

Adopted by the Council at its meeting on \_\_\_\_\_

## APPLICATIONS FOR GRANT AID OR SPONSORSHIP

### GUIDELINES/CRITERIA AND CHECK LIST

1. The aim of the Town Council's Grants Scheme is to promote a vibrant and active community in Thorpe St Andrew. The scheme recognises and supports the valuable contribution made by the voluntary sector to the well being of the community. It provides financial support for community organisations working for the benefit of residents, with the intention of improving the range of services and activities in the town. Your project must help to meet the aims of the Town Council grant scheme.
2. Under the Local Government Act 1972 Section 137 the Council cannot approve Grant Aid for individuals.
3. The Thorpe St Andrew Town Council Vision is to develop a clear Thorpe St Andrew brand to become more powerful and enterprising, controlling our own destiny so that we can deliver relevant and sustainable local services, develop community cohesion and create a happier Thorpe St Andrew.

In support of this Vision, the Town Council has agreed the following strategy and priority headings for 2016-2019 and organisations are required to show how their application would meet one or more of these:-

- Promoting the Thorpe St Andrew Brand and Town Area
- Partnership Working and Community Engagement and Empowerment
- Take on more devolved services
- Acquiring and creating more community assets

In taking these priorities into account applicants may have regard to the following supporting actions:

- Supporting local tourism and events
- Improving the Thorpe St Andrew Town Environment
- Supporting vulnerable people within the community
- Supporting projects which create a safer Thorpe St Andrew
- Town Heritage and Regeneration projects
- Providing services and support for younger people

The Town Council will fund organisations:

- Whose activities and projects are for the benefit of Thorpe St Andrew residents
- That are not providing activities that are of a political or religious nature
- That do not hold reserves in excess of one year's operating expenses, including local branches of national or regional organisations that have reserves that could be used.
- That do not fundraise to support their head office for distribution to other areas

The Town Council will not fund organisations applying for:

- Retrospective funding - for something that has already taken place or been purchased
- Contributions to large capital programmes or generic blanket applications where what is being funded is not specifically stated

- Funding for loan payments or outstanding debt or interest
4. To ensure the safeguarding of public finance any organisation submitting a grant application will be required to demonstrate that it is able to meet all statutory requirements at the time of application, relating to employment of staff, volunteers and participants, use of premises and provision of its service, including public liabilities, insurance etc.
  5. For your application to be processed, it is essential that a set of the most up to date, signed, certified accounts, copies of current bank statements for all bank accounts, a Chairman's Report or Constitution and a copy of the Policy Statement regarding Child Protection (if applicable) be submitted with the application. **No public funds may be paid over until the accounts and report have been inspected and the Council is satisfied.** The accounts must be certified as described and should also have a signed statement from an independent person, i.e. auditor, accountant etc.
  6. Clubs or organisations involved in providing activities for children or youths will need to provide information on their adopted policy statement for child protection in relation to the Children's Act 1989 and the Rehabilitation of Offenders Act 1974 regarding the recruitment of staff, paid or voluntary. The information must make clear that procedures have been established to include prevention of abuse and clearly define roles for staff and training in relation to child protection. The Council will look for evidence that groups working with vulnerable members of society (e.g. children, people with special needs etc.) follow good practice in protecting such people.
  7. Organisations are required to submit only one application when applying for funding for different activities and projects rather than multiple applications.
  8. Applicants to provide only the information required as stated on the form.
  9. Applicants may be asked to provide additional information.
  10. Where the application is for new equipment that is over £100 in value, please supply at least two quotations.
  11. Should your grant application be successful, please note that if your funding is for a capital project, such as purchasing equipment etc, you will be required to produce evidence of this, e.g. invoices/receipts, for our records as soon as possible. It is important to also note that in the event of your organisation closing or if the project/services funded by the Council do not proceed, the grant aid must be returned to the Council.
  12. The Town Council reserves the right to reclaim the grant in the event of it not being used for the purpose specified on the application form.
  13. **Failure to comply with these guidelines by not supplying all of the required documentation will result in consideration not being given to your application. Therefore, your application will not be considered unless sufficient written explanation is provided as to the reason for absence and confirmation of when such documentation will be available. To avoid extra administrative time, this action will be taken without**



**further redress to the applicant: The onus is on the applicant to ensure all requirements are met by the due date.**

14. Applications for aid must be made on the form provided by this Council and must be sent to the Clerk at the address overleaf to arrive not later than **5.00pm on 31<sup>st</sup> October 2022**. Late applications will not be considered. Funds for all successful grant applications will be awarded during April 2023, the next financial year.

**Please complete the enclosed Check List and return with your application form**

## Check List

In order to prevent unnecessary delay, please tick and ensure that you have:

- Read the notes for applicants (overleaf).
- Answered all questions. It is not sufficient simply to attach documents in response to questions. Ensure you have entered the actual amount of grant requested.
- Enclosed your most recent certified accounts, appropriately signed. (Chairman/Treasurer/Secretary and an independent signature) followed by the current year's accounts once these become available

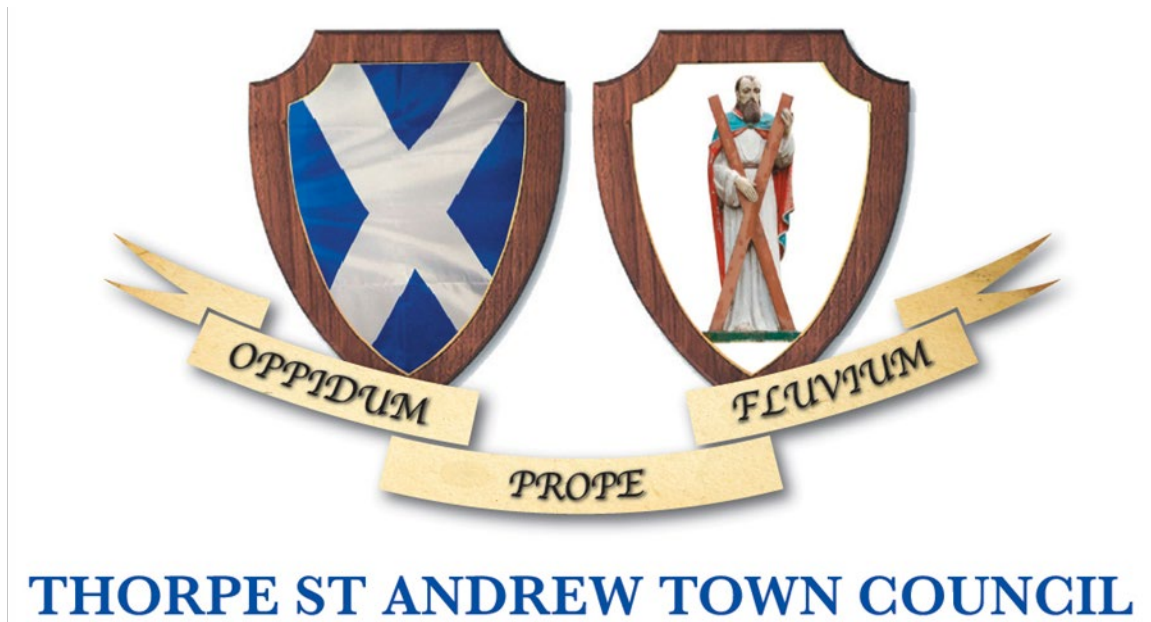
**PLEASE NOTE:** Certified Accounts are to be signed by an independent professional person not associated with your organisation

- Provided a copy of your Policy Statement regarding Child Protection, (if applicable) or reason for absence.
- Enclosed your latest Chairman's Report (or similar e.g. Constitution or Treasurer's/Secretary's Report)
- Included additional supporting material, e.g. cuttings, reviews etc. (optional)
- Enclosed copies of estimates for proposals/project
- Enclosed a copy of your most recent bank statements for all bank accounts.

**PLEASE NOTE:** Failure to comply with these guidelines by not supplying all of the required documentation will result in consideration not being given to your application.

**PLEASE NOTE:** Organisations in receipt of Grant Aid may be required to have a Town Council appointed non-voting observer as a representative to any of the organisations meetings. This appointment will be at the discretion of the Town Council and will enable them to take part in discussion and debate only and to also give input/feedback in relation to the Town Council's agreed position and policy on issues relating to the discussion. Representatives are there to represent the Town Council and not as individuals. They should not therefore under any circumstances agree anything on the Town Council's behalf that has not been approved previously by the Town Council. Town Council representatives will respect any issues of confidentiality that might arise from the outside organisation.

# THORPE ST ANDREW TOWN COUNCIL



## MEMBER-OFFICER PROTOCOL

Adopted by the Council at its Meeting held on \_\_\_\_\_

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## **Introduction**

This protocol supports and adds detail to both the Members' and Officers' codes of conduct. It is based on a model drawn up by the Association of Council Secretaries and Solicitors and tailored to suit this Council.

Councillors are democratically accountable and may have political affiliations. Officers must serve the whole Council objectively. Together they should balance a complex range of obligations and competing interests. For this to be effective, Councillors and Officers must have mutual trust and respect for each other's requirements and duties. There is also a need for a transparent consistency in everyday working relations.

## 1. Principles

- 1.1 Members and officers must at all times observe this protocol. The protocol has been approved by the Council and will be monitored along with the Codes which it supports.
- 1.2 The protocol seeks to maintain and enhance the integrity (real and perceived) of local government which demands the highest of personal conduct.
- 1.3 Members and officers must always respect the roles and duties of each other. They must show respect in all their dealings by observing reasonable standards of courtesy, and by not seeking to take unfair advantage by virtue of their position.
- 1.4 Whilst Members and officers are indispensable to one another, their responsibilities are distinct. Members are accountable to the electorate and serve only as long as their term of office lasts. Officers are accountable to the Council as a whole. Their job is to give advice to Members (individually and collectively) and to carry out the Council's work under the direction of the Council.
- 1.5 The Council has adopted codes of conduct for both Members and officers. Both represent best practice. The Members' Code is based on the general principles of public life (2013):
- 1.5.1 Selflessness - serving only the public interest.
  - 1.5.2 Integrity - avoiding placing themselves under any obligation to people or organisations and declare and resolve interests.
  - 1.5.3 Objectivity - taking decisions impartially and on merit.
  - 1.5.4 Accountability - to the public; being open to scrutiny.
  - 1.5.5 Openness - taking decisions in an open and transparent manner.
  - 1.5.6 Honesty - to be truthful.
  - 1.5.7 Leadership - exhibit these principles in their own behaviour and be willing to challenge poor behaviour.
- 1.6 These principles underpin this protocol. They may also be reflected in a new national code of conduct for employees. Until such time as a new national code appears, officers are bound by the Council's own code of conduct for staff.
- 1.7 Breaches of this protocol by a Member may result in a complaint to the Monitoring Officer of Broadland District Council. Breaches by an officer may lead to disciplinary action.

## 2. The Role of the Members

- 2.1 Members have a number of roles and need to be alert to the potential for conflicts of interest which may arise between the roles. Where such conflicts are likely, Members may wish to seek the advice of senior colleagues, the CEO and/or the Monitoring Officer.
- 2.2 Collectively, Members are the ultimate policy-makers determining the core values of the Council and approving the authority's policy framework, strategic plans and budget.
- 2.3 Members represent the community, act as community leaders and promote the social, economic and environmental well-being of the community, often in partnership with other agencies.
- 2.4 Every Elected-Member represents the interests of and is an advocate for his/her ward and individual constituents. He/she represents the Council in the ward, responds to the concerns of constituents, meets with partner agencies, and often serves on local bodies.
- 2.5 Some Members have roles relating to their position as Members of committees and sub-committees of the Council. Members who serve on committees and sub-committees collectively have delegated responsibilities.
- 2.6 Some Members may be appointed to represent the Council on local, regional or national bodies.
- 2.7 As politicians, Members may express the values and aspirations of the party-political groups to which they belong, recognising that in their role as Members they have a duty always to act in the public interest.
- 2.8 Members are not authorised to instruct officers other than:
- 2.8.1 through the formal decision-making process;
  - 2.8.2 to request the provision of consumable resources provided by the Council for Members' use;
  - 2.8.3 where staff have been specifically allocated to give support to a Member or group of Members;
- 2.9 Individual Members are not authorised to initiate or certify financial transactions, or to enter into a contract on behalf of the Council. Authorised signatories however may sign cheques.
- 2.10 Members must avoid taking actions which are unlawful, financially improper or likely to amount to maladministration. Members have an obligation under their code of conduct to have regard to any advice provided by officers when reaching decisions.
- 2.11 Members must respect the impartiality of officers and do nothing to compromise it, e.g. by insisting that an officer change his/her professional advice.
- 2.12 Members have a duty under their code of conduct:
- 2.12.1 to promote equality by not discriminating unlawfully against any person and to treat others with respect.

2.13 Under the code, a Member must not, when acting as a Member or in any other capacity bring the Council or his/her position as a Member into disrepute, or

2.13.1 use his/her position as a Member improperly to gain an advantage or disadvantage for his/herself or any other position.



### 3 The Role of the Officers

- 3.1 Officers are responsible for giving advice to Members to enable them to fulfil their roles. In doing so, officers will take into account all available relevant factors.
- 3.2 Under the direction and control of the Council, officers, led by the CEO, manage and provide the Council's services. This includes the effective management of employees and operational issues.
- 3.3 Officers have a duty to implement decisions of the Council, committees and subcommittees which are lawful, and which have been properly approved in accordance with the requirements of the law and the Council's constitution and are duly recorded in Minutes.
- 3.4 Officers have a contractual and legal duty to be impartial. They must not allow their professional judgement and advice to be influenced by their own personal views.
- 3.5 Officers must assist and advise all parts of the Council. They must always act to the best of their abilities in the best interests of the authority as expressed in the Council's formal decisions.
- 3.6 Officers must be alert to issues which are, or are likely to be, contentious or politically sensitive, and be aware of the implications for Members, the media or other sections of the public.
- 3.7 Officers have the right not to support Members in any role other than that of councillor, and not to engage in actions incompatible with this protocol. In particular; there is a statutory limitation on officers' involvement in political activities.

## 4 The Relationship Between Members and Officers: General

- 4.1 The conduct of Members and officers should be such as to instil mutual confidence and trust.
- 4.2 The key elements of this relationship are recognition of and a respect for each other's roles and responsibilities. These should be reflected in the behaviour and attitude of each to the other, both publicly and privately.
- 4.3 Informal and collaborative two-way contact between Members and officers is encouraged. But personal familiarity can damage the relationship, as might a family or business connection.
- 4.4 It is not enough to avoid impropriety. Members and officers should always be open about their relationships to avoid any reason for suspicion and any appearance of improper conduct. Where a personal relationship has been disclosed, those concerned should avoid a situation where conflict could be perceived. Specifically, a Member should not sit on a body or participate in any decision which directly affects the officer on a personal basis.
- 4.5 Officers serve the Council as a whole. They have a duty to implement the properly authorised decisions of the Council.
- 4.6 Officers work to the instructions of their senior officers, not individual Members. It follows that, whilst such officers will always seek to assist a Member, they must not be asked to exceed the bounds of authority they have been given by their managers. Except when the purpose of an enquiry is purely to seek factual information, Members should normally direct their requests and concerns to the CEO, at least in the first instance.
- 4.7 Officers will do their best to give timely responses to Members' enquiries. However, officers should not have unreasonable requests placed on them. Their work priorities are set and managed by the CEO. Members should avoid disrupting officers' work by imposing their own priorities.
- 4.8 Members will endeavour to give timely responses to enquiries from officers.
- 4.9 An officer shall not discuss with a Member personal matters concerning him/herself or another individual employee. This does not prevent an officer raising on a personal basis, and in his/her own time, a matter with his/her ward Member.
- 4.10 Members and officers should respect other's free (i.e. non-Council) time.

## 5 The Council as Employer

- 5.1 Permanent officers are employed by the Council as a whole.
- 5.2 Members' roles are limited to:
  - 5.2.1 the appointment of specified posts,
  - 5.2.2 determining human resources policies and conditions of employment.
  - 5.2.3 hearing and determining appeals etc.
- 5.3 If participating in the appointment of officers, Members should:
  - 5.3.1 remember that the sole criterion is merit
  - 5.3.2 never canvass support for a particular candidate
  - 5.3.3 not take part where one of the candidates is a close friend or relative
  - 5.3.4 not be influenced by personal preferences, and
  - 5.3.5 not favour a candidate by giving him/her information not available to the other candidates.
- 5.4 A Member should not sit on an appeal hearing if the appellant is a friend, a relative, or an officer with whom the Member has had a close working relationship.

## 5 Mayor and Officers

- 5.1 Officers will respect the position of Mayor and provide appropriate support.

## 6 Members of Other Committees or Sub-Committees and Officers

- 6.1 The appropriate senior officers will offer to arrange informal meetings with chairmen, vice-chairmen, and spokespersons of committees and sub-committees if required.
- 6.2 The CEO has the right to present reports and give advice to committees and subcommittees.
- 6.3 Members of a committee or sub-committee shall take decisions within the remit of that committee or sub-committee and will not otherwise instruct officers to act.
- 6.4 At some committee or sub-committee meetings, a resolution may be passed which authorises a named officer to take action between meetings in consultation with the chairman. In these circumstances it is the officer, not the chairman, who takes the action and is responsible for it. A chairman has no legal power to take decisions on behalf of a committee or sub-committee; neither should he/she apply inappropriate pressure on the officer.

## 7 Party Groups and Officers

7.1 The CEO may properly be asked to contribute to deliberations of matters concerning Council business by party groups.

7.2 The CEO has the right to refuse such requests but will not attend a meeting of a party group where some of those attending are not Members of the Council.

7.3 Officer support will not extend beyond providing factual information or professional advice in relation to matters of Council business. Officers must not be involved in advising on matters of party business, and therefore should not be expected to be present at meetings or parts of meetings when such matters are to be discussed.

7.4 Party group meetings are not empowered to make decisions on behalf of the Council, and conclusions reached at such meetings do not rank as formal decisions. The presence of an officer confers no formal status on such meetings in terms of Council business and must not be interpreted as doing so.

7.5 Where officers provide factual information and advice to a party group in relation to a matter of Council business, this is not a substitute for providing all necessary information and advice when the matter in question is formally considered by the relevant part of the Council.

7.6 It must not be assumed that an officer is supportive of a particular policy or view considered at a party group meeting simply because he/she has attended or provided information to the meeting.

7.7 Officers will respect the confidentiality of any party group discussions at which they are present and unless requested to do so by that party group, will not relay the content of such discussions to another party group or to any other Members.

7.8 In their dealings with party groups, officers must treat each group in a fair and even-handed manner.

7.9 Members must not do anything which compromises or is likely to compromise officers' impartiality.

7.10 The duration of an officer's attendance at a party group meeting will be at the discretion of the group, but an officer may leave at any time if he/she feels it is no longer appropriate to be there.

7.11 The CEO accepting an invitation to the meeting of one-party group shall not decline an invitation to advise another group about the same matters. He/she must give substantially the same advice to each.

7.12 An officer should be given the opportunity of verifying comments and advice attributed to him/her in any written record of a party group meeting.

7.13 No Member will refer in public or at meetings of the Council to advice or information given by officers to a party group meeting.

7.14 At party group meetings where some of those present are not Members of the Council, care must be taken not to divulge confidential information relating to Council business.

7.14.1 Persons, who are not Members, are not bound by the Members' code of conduct. They do not have the same rights to Council information as Members.

## 8 Local Members and Officers

8.1 To enable them to carry out their ward role effectively, Members need to be fully informed about matters affecting their ward. The CEO must ensure that all relevant staff are aware of the requirement to keep local Members informed, thus allowing Members to contribute to the decision-making process and develop their representative role. This requirement is particularly important:

- 8.1.1 during the formative stages of policy development, where practicable
- 8.1.2 in relation to significant or sensitive operational matters
- 8.1.3 whenever any form of public consultation exercise is undertaken

8.2 Issues may affect a single ward. Where they have a wider impact, a number of local Members will need to be kept informed.

8.3 Whenever a public meeting is organised by the Council to consider a local issue, all the Members representing the wards affected should be invited to attend the meeting as a matter of course.

8.3 If a local Member intends to arrange a public meeting on a matter concerning some aspect of the Council's work, he/she should inform the CEO. Provided the meeting has not been arranged on a party-political basis:

- 8.3.1 An officer may attend but is not obliged to do so, and
- 8.3.2 the meeting may be held in Council-owned premises.

8.4 No such meetings should be arranged or held in the immediate run-up to Council elections.

8.5 Whilst support for Members' ward work is legitimate, staff should not be asked to accompany Members to ward surgeries.

8.6 In seeking to deal with constituents' queries or concerns, Members should not seek to jump the queue but should respect the Council's procedures. Officers have many pressures on their time. They may not be able to carry out the work required by Members in the requested timetable and may need to seek instructions from their managers.

## 9 Members' Access to Documents and Information

9.1 Members may request the CEO to provide them with such information, explanation and advice as they may reasonably need to assist them to discharge their roles as Members. This may range from general information about some aspect of the Council's services to specific information on behalf of a constituent. Where information is requested on behalf of a third party, it will only be provided if:

- 9.1.1 It is in the public domain, and
- 9.1.2 It is not barred by the Data Protection Act from being given.

9.2 Every Member of a committee or sub-committee has a right to inspect documents about the business of that committee or sub-committee.

9.3 A Member who is not a Member of a specific committee or sub-committee may have access to any document of that specific part of the Council provided:

- 9.3.1 he/she can demonstrate a reasonable need to see the documents in order to carry out his/her role as a Member (the "need to know" principle), and
- 9.3.2 the documents do not contain "confidential" or "exempt" information as defined by the law.

9.4 Disputes as to the validity of a Member's request to see a document on a need to know basis will be determined by the CEO. Officers should seek his/her advice if in any doubt about the reasonableness of a Member's request.

9.5 A Member should obtain advice from the CEO in circumstances where he/she wishes to have access to documents or information:

- 9.5.1 where to do so is likely to be in breach of the Data Protection Act, or
- 9.5.1 where the subject matter is one in which he/she has an ordinary or disclosable pecuniary interest as defined in the Members' code of conduct.

9.6 Information given to a Member must only be used for the purpose for which it was requested.

9.7 Members and officers must not disclose information given to them in confidence without the consent of a person authorised to give it, or unless required by law to do so.

9.8 When requested to do so, officers will keep confidential from another Members' advice requested by a Member.

9.9 Members and officers must not prevent another person from gaining access to information to which that person is entitled by law.

## 10 Media Relations

- 10.1 All formal relations with the media must be conducted in accordance with any Council agreed procedures and the law on local authority publicity.
- 10.2 Press releases or statements made by officers must promote or give information on Council policy or services. They will be factual and consistent with Council policy. They cannot be used to promote a party group.
- 10.3 Officers will keep relevant Members informed of media interest in the Council's activities, especially regarding strategic or contentious matters.
- 10.4 Before responding to enquiries from the media, officers will ensure they are authorised to do so.
- 10.5 If a Member is contacted by, or contacts, the media on an issue, he/she should:
  - 10.5.1 indicate in what capacity he/she is speaking (e.g. as ward Member, in a personal capacity, on behalf of the Council, or on behalf of a party group);
  - 10.5.2 be sure of what he/she wants to say or not to say;
  - 10.5.3 if necessary, and always when he/she would like a press release to be issued, seek assistance  
from the CEO, except in relation to a statement which is party political in nature;
  - 10.5.4 consider the likely consequences for the Council of his/her statement (e.g. commitment to a particular course of action, image, allegations of jumping to conclusions);
  - 10.5.5 never give a commitment in relation to a matter which may be subject to claims from third parties and/or are likely to be an insurance matter;
  - 10.5.6 consider whether to consult other relevant Members; and
  - 10.5.7 take particular care in what he/she says in the run-up to local or national elections to avoid giving the impression of electioneering, unless he/she has been contacted as an election candidate or political party activist.



## 11 Correspondence

11.1 Correspondence between an individual Member and an officer should not be copied to another Member unless the author expressly intends and states that this is the case or consents. Where correspondence is copied, this should always be made explicit, i.e. there should be no “blind” copies.

11.2 Official letters written on behalf of the Council should normally be in the name of the relevant officer. The Mayor may initiate correspondence in his/her own name.

11.3 Letters which create legally enforceable obligations, or which give instructions on behalf of the Council should never be sent in the name of a Member.

11.4 When writing in an individual capacity as a ward Member, a Member must make clear that fact.

## 12 Access to Premises

12.1 Officers have the right to enter Council land and premises to carry out their work.

12.2 Members have a right of access to Council land and premises to fulfil their duties. When making visits as individual Members, Members should:

- 12.2.1 whenever practicable, notify and make advance arrangements with the appropriate manager or officer in charge;
- 12.2.2 comply with health and safety, security and other workplace rules;
- 12.2.3 not interfere with the services or activities being provided at the time of the visit;
- 12.2.4 if outside his/her own ward notify the ward Member(s) beforehand; and
- 12.2.5 take special care at schools and establishments serving vulnerable sections of society to avoid giving any impression of improper or inappropriate behaviour.

## 13. Use of Council Resources

13.1 The Council provides all Members with services such as typing, printing and photocopying, and may provide goods such as stationery and computer equipment, to assist them in discharging their roles as Members of the Council. These goods and services are paid for from the public purse. They should not be used for private purposes or in connection with party political or campaigning activities.

13.2 Members should ensure they understand and comply with the Council's own rules about the use of such resources, particularly:

- 13.2.1 where facilities are provided in Members' homes at the Council's expense;
- 13.2.2 in relation to any locally-agreed arrangements e.g. payment for private photocopying; and
- 13.2.3 regarding ICT security.

13.3 Members should not put pressure on staff to provide resources or support which officers are not permitted to give. Examples are:

- 13.3.1 business which is solely to do with a political party;
- 13.3.2 work in connection with a ward or constituency party political meeting;
- 13.3.3 electioneering;
- 13.3.4 work associated with an event attended by a Member in a capacity other than as a Member of the Council;
- 13.3.5 private personal correspondence;
- 13.3.6 work in connection with another body or organisation where a Member's involvement is other than as a Member of the Council; and
- 13.3.7 support to a Member in his/her capacity as a councillor of another local authority.

## 14 Interpretation, Complaints and Allegations of Breaches

14.1 Members or officers with questions about the implementation or interpretation of any part of this protocol should seek guidance of the CEO.

14.2 A Member who is unhappy about the actions taken by or conduct of an officer should:

14.2.1 avoid personal attacks on, or abuse of, the officer at all times,

14.2.2 ensure that any criticism is well founded and constructive,

14.2.3 never make a criticism in public, and

14.2.4 take up the concern with the officer or his/her line manager privately.

14.3 If direct discussion with the officer is inappropriate (e.g. because of the seriousness of the concern) or fails to resolve the matter, the Member should raise the issue with the CEO.

14.4 A serious breach of this protocol by an officer may lead to an investigation under the Council's disciplinary procedure.

14.5 An officer who believes a Member may have acted other than in accordance with this protocol should raise his/her concern with the CEO. He/she will consider how the complaint or allegation should be dealt with. At a minor level, this may be no more than informally speaking to the Member concerned or referring the matter to the leader of the relevant party group (if applicable). More serious complaints may involve alleged breaches of the Members' code of conduct and may be referred to the Monitoring Officer.



**THORPE ST ANDREW TOWN COUNCIL**

**THORPE ST ANDREW TOWN COUNCIL  
PROTECTION OF CHILDREN  
AND  
VULNERABLE ADULT POLICY**

Adopted by the Council at its Meeting held on \_\_\_\_\_

## **1. PROTECTION POLICY STATEMENT**

Thorpe St Andrew Town Council's duties and services do not often require supervision of children or vulnerable adults, however these groups do use its facilities and at times its staff and members may be in a position where direct assistance is given. The Council is committed to protect children and vulnerable adults from harm. Staff and Members will accept and recognise their responsibilities to develop awareness of the issues which may cause harm to children or vulnerable adults.

For the purposes of the policy, a **child** is anyone under the age of 18 years.

A **vulnerable adult** is someone who by reason of mental or other disability, age or illness is unable to take care of themselves or unable to protect themselves against significant harm or exploitation. An adult for the purposes of this policy is anyone over 18 years of age.

It is acknowledged as a sensitive and difficult issue but one which must be addressed. For this reason, the Council will ensure there is a proportionate balance between civil liberties and safeguarding vulnerable groups, including children.

### **It will endeavour to safeguard children and vulnerable adults by:**

- Stating that the welfare of children/vulnerable adults is paramount
- Adopting child protection/vulnerable adult guidelines through an operational procedure for staff and members
- Sharing information about child protection and good practice with children/vulnerable adults, and parents/guardians
- Sharing information about concerns with agencies that need to know, and involving parents/guardians and children/vulnerable adults where appropriate
- Investigating and responding to all suspicions and allegations of abuse
- Following carefully the procedures for recruitment and selection of staff and volunteers
- Providing effective management for staff throughout supervision, support and training
- Provide suitable training for relevant staff and councillors

The Council's child/vulnerable adult protection policies and guidelines are there to be acted upon to protect staff and Members as well as children and vulnerable adults. Child/vulnerable adult abuse can and does occur outside the family setting and it is important to understand what to look for and how to react.

The Council is committed to regularly reviewing its policy and good practice guidelines.

## **2. OPERATING PROCEDURES**

The Council will maintain an operating procedure which includes sections on:

- The definition of abuse, including the four main areas of abuse-emotional, neglect, physical and sexual (see section 5 of this policy for further explanation)
- Advice on how to recognise the symptoms of abuse
- Understanding the consequences of abuse
  
- How to react if a child/vulnerable adult says or indicates he/she is being abused
- How to react to suspicions or allegations
- What staff should do if they have concerns
- A nominated officer to be responsible for dealing with issues of abuse or potential abuse
- Undertaking DBS (formerly CRB) checks where appropriate. If staff, members or volunteers are to work in a regulated activity within the Council, the Council will carry out enhanced DBS (formerly CRB) checks and ensure they are not on the Barred list with the Disclosure and Barring Service
- How to keep essential records
- How the Complaints Procedure and/or Disciplinary Procedure will be used to deal with complaints against staff or Members
- How the potential to abuse children/vulnerable adults will be considered during recruitment and selection.

## **3. THORPE ST ANDREW TOWN COUNCIL'S STANDARDS**

1. All staff, including trainees, casual and work experience placements, members and volunteers must be DBS (formerly CRB) checked as appropriate and if working within a regulated activity, and ensure they are not on the Barred list with the Disclosure and Barring Service.
2. On initial appointment all volunteers must submit two references (including phone numbers) by reputable individuals (who cannot be family members), which the CEO will check.
3. If the Council becomes aware or is informed of information from a reputable source (e.g. Police, NSPCC, Social Services etc.) that an individual is not suitable to be involved with a Council project, it has the right to stop the individual from having any further involvement in any Council projects or services.
4. A copy of the Child and Vulnerable Adult Protection Policy will be available for inspection at any of the Council's premises by parents, carers, etc.
5. The CEO is appointed as the responsible officer for implementing the Council's Child and Vulnerable Adult Protection Policy.
6. The CEO will report all incidents to the Council's insurers, where the project or service is covered by the Council's insurance policy.

## **4. GOOD PRACTICE**

The Council's activities and services do not generally require the direct supervision of children/vulnerable adults; however areas which may become a regulated activity under current legislation are administration of events and possibly some concessions. The

following good practice will however be brought to the attention of all staff. Promoting good practice can reduce the possibility of potentially abusive situations and help to protect staff, councillors and volunteers. The following are more specific examples of care which should be taken when working within a Council context:

- Always be publicly open when working with children/vulnerable adults. Avoid situations where a single member of staff and an individual child/vulnerable adult are working unobserved
- If any form of physical manual support is required, there should always be a second member of staff present or another responsible adult. Care is needed, as it is difficult to maintain hand positions when the child/vulnerable adult is constantly moving. Some parents/guardians are becoming increasingly sensitive about physical manual support and their views should always be carefully considered
- Council staff should not get directly involved in supervising children/vulnerable adults except in an emergency situation. This should otherwise be left to parents, guardians or siblings or to the leaders of organisations
- As a general rule it makes sense for staff/volunteers not to spend excessive amounts of time alone with children/vulnerable adults
- Always ensure adequate first aid provision is made, particularly at outside events
- Treat all children and people with dignity and respect
- Always be observant and report any concerns to a senior manager
- Always operate within Thorpe St Andrew Town Council's Code of Conduct, principles, guidance, policies and procedures

You should never:

- Engage in rough, physical or sexually provocative games, including horseplay
- Allow or engage in any form of inappropriate touching
- Allow children/vulnerable adults to use inappropriate language
- Make sexually suggestive comments to a child/vulnerable adult, even in fun
- Allow allegations made by a child/vulnerable adult to go unchallenged, unrecorded or not acted upon
- Do things of a personal nature for children/vulnerable adults they can do for themselves

It may in the case of an emergency be necessary for staff to do things of a personal nature for children/vulnerable adults, particularly if they are young or have impairments. These tasks should only be carried out with the full consent of parents or person in charge and the children/vulnerable adults involved. You need to be responsive to the child's/vulnerable adult's reactions - if a child is fully dependent upon you, talk with him/her about what you are doing, give choices where possible, particularly, if you are involved in any dressing or undressing, or where there is physical contact or lifting or assisting a child to carry out a particular activity.

If you accidentally hurt a child/vulnerable adult; he/she seems distressed in any manner; appears to be sexually aroused by your actions; or misunderstands or misinterprets something you have done, report any such incident as soon as possible to the CEO or another colleague and make a brief written note of it. Parents/guardians or carers should be informed of the incident.

## **5. MAIN FORMS OF ABUSE**

### **a. Physical Abuse**

This may involve actions such as hitting, shaking and burning as well as the use of inappropriate restraint. Physical abuse, as well as being a deliberate act, can be caused by an omission or failure to act to protect. In the case of children, it includes the giving of alcohol, inappropriate drugs or poison to them.

### **b. Emotional Abuse**

Emotional abuse is a persistent lack of love and affection. A child may be constantly verbally abused, threatened, ignored or taunted. Other forms of emotional abuse include excessive overprotection and unrealistic pressure to succeed. In addition it may include intimidation, humiliation, verbal abuse, harassment or discriminatory harassment to adults.

### **c. Sexual Abuse**

Involves forcing or enticing a child or vulnerable adult to take part in sexual activities whether or not the child or vulnerable adult is aware of or consents to what is happening. It may also involve non-contact activities such as showing pornographic material, sexual innuendo or encouraging someone to behave in a sexually inappropriate way.

### **d. Neglect**

The persistent failure to meet a child's or vulnerable adult's basic physical and/or psychological needs. These needs include adequate food and warm clothing and also medical care, social care and educational services. Neglect may include simply being left alone or excluded.



**Please return this form to the Town Council Office.**

Nominations can be for individuals or a business.

Award Type:

CIVIC / BUSINESS

**We nominate:-**

**Address of nominee(s):-**

**Organisation and position of nominee(s):-**

**Reason for nomination: -  
(Continue overleaf if required)**

**Proposer:-**

**Seconder:-**

**Date:-**



**THORPE ST ANDREW TOWN COUNCIL**

## **Civic and Business Award Nomination Form**

**Please return to:**

**Town Hall  
Fitzmaurice Park  
Pound Lane  
NR7 0UL**

**Tel: 01603 701048**

**Nominations close: 26<sup>th</sup> June 2022**

**Reason for nomination (Continued) :-**

Dear Town or Parish Clerk

Could you please place this letter on your next council meeting agenda for consideration.

I would like to take the opportunity to remind you about how you can get involved by making suggestions for relevant subjects or issues to be added to the Broadland District Council Overview and Scrutiny Committee's work programme.

The Committee carries out important work by overviewing and scrutinising Cabinet reports/decisions, Council recommendations, policies, partnerships with bodies such as housing associations and all areas of council working. Your Council can partake by getting involved in the scrutiny process to help to achieve better outcomes for your local community by raising awareness of the issues important to your area. The Committee can overview and scrutinise issues which directly affect Broadland residents where clear and achievable outcomes are possible, within the remit of the District Council. Please note, however, the Overview and Scrutiny Committee cannot consider individual cases/complaints, minor matters, or look at individual planning or licensing applications, as these should be addressed through the appropriate service area or the local councillor.

You may recall that I contacted you last year to ask for your suggestions and as a result of this, I am pleased to report that the Committee was able to successfully produce guidance and implement a process to assist town and parish councils in effective liaison and discussion, with developers and the Planning Authority, around the issue of public open spaces.

If you would like to suggest a topic for the Committee to consider, please contact me at [Cllr.Steve.Riley@southnorfolkandbroadland.gov.uk](mailto:Cllr.Steve.Riley@southnorfolkandbroadland.gov.uk) and please ensure you copy in Sue White, Senior Governance and Deputy Monitoring Officer at [Sue.White@southnorfolkandbroadland.gov.uk](mailto:Sue.White@southnorfolkandbroadland.gov.uk)

Kind regards

Cllr Steve Riley  
Overview and Scrutiny Committee Chairman  
Broadland District Council