



THORPE ST ANDREW TOWN COUNCIL

**FINANCE AND STAFF COMMITTEE MEETING TO BE HELD ON:
23RD MAY 2022
7.30pm at ROXLEY HALL, YARMOUTH ROAD, NR7 0QF**

AGENDA

1. Election of Chairman and Vice-Chairman
2. Attendance and Apologies for Absence
3. Declarations of Interest
4. Minutes of the Meeting 28th March 2022
5. Public session – limited to 3 minutes per speaker
6. Policy Documents Review – Report attached
7. Roxley Hall Hire Arrangements – Verbal Report
8. Finance
 - a. Annual Review of Risk Assessments
 - b. Annual Review of the Effectiveness of Internal Control
 - c. Annual Review of the Effectiveness of Internal Audit
 - d. Review of RFO Job Description

Future agenda items (Not for discussion)

Issued 18th May 2022

Locum Chief Executive Officer – Thomas Foreman

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

Tel: 01603 701048 Email: thomas.foreman@thorpestandrew-tc.gov.uk

Website: www.thorpestandrew-tc.gov.uk

VAT No. 107 2921 90

MINUTES OF FINANCE AND STAFFING COMMITTEE MEETING HELD ON 28TH MARCH 2022

1. PRESENT:

| | |
|----------------------|--------------|
| Mrs J Fisher (Chair) | Mr P. Berry |
| Mr J. Ward | Miss S. Lawn |
| Mr J. Emsell | Mr J. Fisher |

IN ATTENDANCE: Dr T Foreman (Locum CEO, Remotely)
Mrs R McCarthy (OM/RFO)

APOLOGIES FOR ABSENCE

Mr L. Reeves, Mr S. Snelling, Mr F. Bowe (due to a lack of disabled carparking available on the evening), Ms M Friend

2. **DECLARATIONS OF INTEREST**

None

3. **MINUTES OF MEETING HELD ON 22ND NOVEMBER 2021**

Minutes of the meeting held on 22nd November 2021 were approved and signed as a true record.

4. **PUBLIC SESSION – LIMITED TO 3 MINUTES PER SPEAKER**

None

5. **CORPORATE PLAN**

Dr T Foreman introduced the draft Corporate Plan which was presented following feedback from Councillors in late 2021. The Committee considered the report in detail, praising the vision it set for the next 5 years. It was proposed by Miss S Lawn, seconded by Mrs J Fisher and on a show of hands with all in favour **RESOLVED** to recommend adoption of the Corporate Plan to the Town Council, with the addition of the Town Mayor's twinning duties.

6. **FORWARD PLAN**

Dr T Foreman provided an overview of the Forward Plan which had been prepared by the Locum CEO, along with the Town Mayor and Deputy Town Mayor. It was explained that following the decision not to appoint a Chief Executive Officer at the March 2022 Town Council meeting, it was felt a Forward Plan for officers would assist with setting out the work programme for the next 12 months. There was considerable discussion regarding the forward plan, and the Committee felt it was an important document to help inform upcoming appraisals. It was proposed by Mrs J Fisher, seconded by Mr J Ward and on a show of hands with all in favour **RESOLVED** to recommend adoption of the Forward Plan at the next Town Council meeting.

7. 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 102 DUE TO THE DISCLOSURE OF PERSONAL AND COMMERCIAL INFORMATION

It was proposed by Mrs J Fisher and seconded by Miss S Lawn and on a show of hands with all in favour **RESOLVED** to exclude press and public. Due to the nature of the next agenda item, Mrs R McCarthy left the meeting.

8. STAFF SALARIES REVISION REPORT

Mrs J Fisher provided a detailed introduction into the report of the Responsible Financial Officer regarding staff salaries. The Committee discussed the matter at length and there was wide-ranging support of the terms outlined within the report. It was proposed by Mrs J Fisher, seconded by Miss S Lawn and on a show of hands with all in favour **RESOLVED** to approve the revision of staff salaries at a cost not to exceed £5,125 and to delegate power to the Chair of Finance and Staff and Locum CEO to manage the administration of this revision.

9. PLAY EQUIPMENT TENDER CONTRACTOR SELECTION

The Committee received tender documents related to the provision of play equipment at the Sir George Morse Park. Following the Town Council decision in August 2021 to approve a spend of £64,092.83 + VAT for play equipment, the decision on a supplier was delegated to the Finance and Staff Committee. The Committee considered the tender documents in detail, along with the scoring matrix upon which the decision would be made. Having completed the scoring matrix, it was proposed by Mrs J Fisher, seconded by Mr P Berry and on a show of hands with all in favour **RESOLVED** to appoint Contractor B at a cost of £64,080 + VAT.

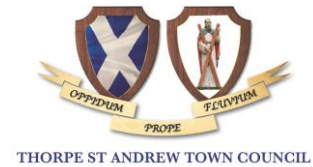
With no other business the meeting closed at 21.30hrs

Date of next meeting to be confirmed

Chairman_____

Date_____

Thorpe St Andrew Town Council



Finance and Staff Committee : 23rd May 2022

Policy Documents Review

Agenda Item: 6

Reason for this Report

This report is to consider changes to policies following best practice review.

Result

The Committee is requested to review the following policies

- Equality, Diversity and Inclusion Policy
- Complaints Policy
- Unreasonably persistent complaints policy
- Allotment Rules

Advice

The Committee is requested to review the Equality, Diversity and Inclusion Policy; Complaints Policy; and Unreasonably Persistent Complaints Policy and commend the policies with any changes to the next Town Council meeting.

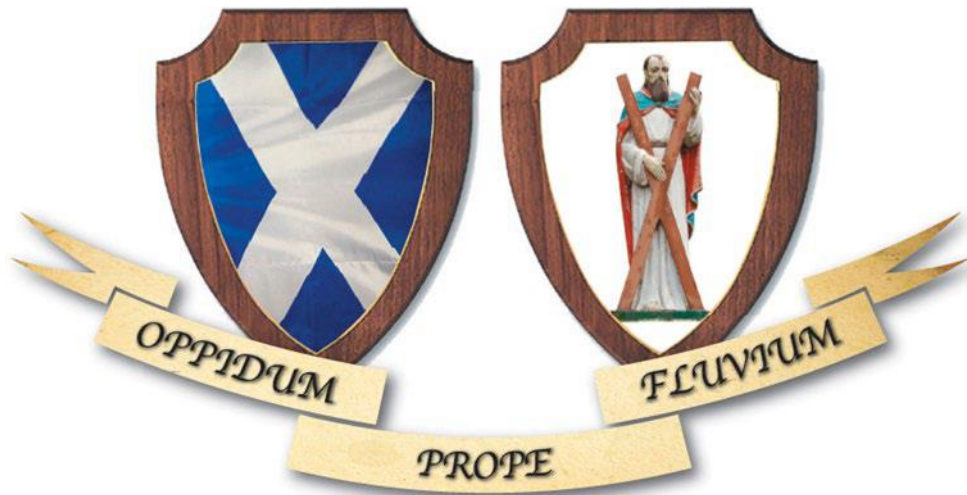
The Committee is requested to review the Allotment Rules and consider a 6-week consultation of the rules with allotment holders, to be launched following any changes made to reflect legal advice.

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 some financial implications arising from this report.



THORPE ST ANDREW TOWN COUNCIL

**Thorpe St Andrew Town
Council
Equality, Diversity and
Inclusion Policy**

Adopted by the Council at its Meeting held

1. The Council's Equality Statement

The Council is committed to promoting equality of opportunity for the people and communities of Thorpe St Andrew. We respect and value difference in our Town and across our workforce, and we want everyone to feel included and able to play their part in making Thorpe St Andrew a great place to live, learn, work and visit.

This Policy recognises the Council's duties under the Equality Act 2010; this means that we will:

- Promote equality of opportunity between people who share a protected characteristicⁱ and people who do not share it.
- Take steps to remove barriers or inequalities that may already exist for people with protected characteristics or people who are recognised by law to experience disadvantageⁱⁱ.
- Never treat anyone less favourably than any other, except when such treatment is within the law and determined by lawful requirements.
- Never tolerate prejudice or unlawful discrimination, harassment, victimisation or bullying on any grounds, and take action to eradicate it if ever it occurs in service delivery, employment or the community as a whole.
- Promote understanding and foster positive relations between different communities.
- Engage with our different local communities fairly and proportionately.
- Promote a workforce culture that values and respects difference.
- Encourage people who share a protected characteristic to participate in public life or in any other activity in which participation is disproportionately low.

In implementing this policy we will have regard to our legal obligations under relevant legislation, including the [Equality Act 2010](#), the Public Sector Equality Duty and the [Public Sector Bodies \(Websites and Mobile Applications\) \(No. 2\) Accessibility Regulations 2018](#).

2. Discharging our responsibilities under the Public Sector Equality Duty

When exercising our public functions, we will have due regard to the [Public Sector Equality Duty](#)ⁱⁱⁱ and we will comply with the specific duties, by:

- Publishing information each year by the 31 January to demonstrate our compliance with the Public Sector Equality Duty
- Publishing relevant and proportionate equality objectives at least every four years, to deliver the aims of this policy.

This policy affects:

Elected members and all workers (including employees, consultants, temporary workers, agency staff and other third parties working on behalf of Thorpe St Andrew Town Council) are required to comply with this policy.

Suppliers, sub-contractors and agencies in our supply chain are also required to comply.

We expect all staff to take responsibility for familiarising themselves with this policy and conducting themselves in an appropriate manner.

This policy applies to the following public functions:

The policy applies to (but is not limited to) the planning, design, operation, construction and delivery of services, the provision of goods, facilities and services, exercising of public functions, recruitment and selection, conditions of service, benefits, facilities and pay, training and development, opportunities for promotion, conduct at work, employment policy, procedures and guidance, and termination of employment.

This policy applies to staff and elected members in the following ways:

The Council is an equal opportunities employer and will recruit, reward, develop and promote employees on the basis of the skills, relevant qualifications, experience, aptitude and ability they bring to the role.

Council staff responsible for recruitment / managing employees must ensure that:

- all job opportunities are advertised in accordance with the Council's Personnel Policies.
- all applicants and staff are made aware of the Council policy on recruitment.

All aspects of the recruitment and selection process will be monitored by the Chief Executive Officer to ensure the Council meets its obligations.

Where councillors are to be elected, the Council will make information available as widely as possible about the election and help people who are interested in standing for election, with the objective of reflecting the diversity of the town.

When the Council seeks a co-opted member, it will advertise widely and will ensure that every applicant has an equal opportunity.

The Council will always promote democracy, encourage all people to engage with it and vote at elections.

Training and Development

The Council provides induction training for all new staff, which includes an introduction to equality, diversity and inclusion. Continuing professional development is also available.

Accessibility

We are committed to delivering and commissioning public services and a workforce environment that can be accessed, understood and used to the greatest extent possible by all people regardless of their ability or disability.

When reviewing or redesigning our public services or workforce environment (or any building, product or service in that environment, such as premises, technology, information, communication and culture) we will be guided by the following:

- Provide the same means of use to enable access for all users: identical whenever possible; equivalent when not
- Avoid segregating or stigmatising any users
- Provisions for privacy, security and safety shall be equally available to all users
- Ensure dignity in use for all users.

Reasonable adjustments for disabled people

Where something the Council does places a disabled person^{iv} at a substantial disadvantage compared to a non-disabled person, we will take all reasonable steps to try to avoid that disadvantage or make reasonable adjustments wherever appropriate. This may mean changing the way we work, providing extra equipment or removing physical or other barriers.

The Council will periodically undertake an audit of its premises and operations to assess as far as possible, what customers may need in order to access our services. We will base this on good practice guidance and where appropriate talk to individual customers about any particular problems they encounter. As necessary, we will seek expert advice on finding solutions.

3. Communication

This policy will be made available via the Council's website.

4. Review

We will keep this policy and any associated codes of practice under annual review.

5. Complaints

We regard any breach of this policy as a serious matter to be dealt with through agreed procedures and this may result in disciplinary action. We encourage anyone who has a complaint concerning a breach of this policy to bring this to our attention immediately:

- The Complaints procedure can be found on the governance section of our website or contact the Town Hall on 01603 701048.

6. Further Information

For further information please contact the Town Hall on 01603 701048 or email office@thorpestandrew-tc.gov.uk

7. Related Thorpe St Andrew Town Council policies

The following documents should be considered in conjunction to this policy:

- Bullying, Harassment and Grievance Policies
- Council's Personnel Policies

ⁱ The protected characteristics are set out in the Equality Act 2010:

| Characteristic | Who and what this covers |
|------------------------------------|--|
| Age | Adults and children, or specific/different age groups |
| Disability | <p>A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.</p> <p>This may include but is not limited to:</p> <ul style="list-style-type: none">• People with mobility issues (e.g. wheelchair or cane users; people of short stature; people who do not have mobility in a limb etc)• Blind and partially sighted people• People who are D/deaf or hearing impaired• People with learning disabilities• People who have mental health issues• People who identify as neurodiverse (this refers to neurological differences including, for example, dyspraxia, dyslexia, Attention Deficit Hyperactivity Disorder, the autistic spectrum and others).• People with some long-term health conditions which meet the criteria of a disability. |
| Gender reassignment | <p>People who identify as transgender (defined as someone who is proposing to undergo, is undergoing or has undergone a process or part of a process to reassign their sex. It is not necessary for the person to be under medical supervision or undergoing surgery).</p> <p>You should also consider the needs of people who identify as non-binary (a spectrum of gender identities that are not exclusively masculine or feminine).</p> |
| Marriage/civil partnerships | People who are married or in a civil partnership. They may be of the opposite or same sex. |
| Pregnancy & Maternity | Maternity refers to the period after birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably |

| | |
|---------------------------|---|
| | because she is breastfeeding. |
| Race | Race refers to a group of people defined by their race, colour, or nationality (including citizenship) ethnic or national origins. A racial group can be made up of two or more distinct racial groups, for example a person may identify as Black British, British Asian, British Sikh, British Jew, Romany Gypsy or Irish Traveller. |
| Religion/belief | Belief means any religious or philosophical belief or no belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects within a religion can be considered a protected religion or religious belief. |
| Sex | This covers men and women. You should also consider the needs of people who identify as intersex (people who have variations in sex characteristics) and people who identify as non-binary (a spectrum of gender identities that are not exclusively masculine or feminine). |
| Sexual orientation | People who identify as straight/heterosexual, lesbian, gay, or bisexual. |

ii Other characteristics

In addition to the protected characteristics set out in the Equality Act 2010, UK law recognises that people with other characteristics may also experience disadvantage or reduced access to services, by reason of their circumstances, such as members of the armed forces community.

iii The Public Sector Equality Duty

Under the Equality Act 2010, public bodies like Thorpe St Andrew Town Council must in the exercise of their public functions have due regard to:

- Eliminating discrimination, harassment, victimisation
- Advancing equality of opportunity between people who share a ‘protected characteristic’ and people who do not share it;
- Fostering good relations between people who share a protected characteristic and people who do not share it.

This is called the ‘**public sector equality duty**’. In essence, the duty simply requires the Council to thoroughly consider the equality issues of every proposal, action or decision before going ahead with it.

A ‘proposal’, ‘action’ or ‘decision’ means anything that is a public function – in other words, something that impacts on people who live, work, learn in or visit – such as planning, changing or commissioning services; policies, strategies and procedures; buying equipment; projects; recruitment/workforce management and budget decisions.

The Council has discretion about how it implements the duty. However, it must be able to provide evidence that due regard was genuinely given to equality prior to decisions being made.

Many public bodies summarise their efforts to give ‘due regard to equality’ in a document called an ‘**equality impact assessment**’ (EqIA) – because this is an easy way to analyse and evidence the different ways a proposal, action or decision might impact on people with protected characteristics.

However, an EqIA is not the only way of giving due regard to equality. For example, the minutes of a meeting could demonstrate that full consideration has been given to equality issues.

Who is responsible for giving due regard to equality – or undertaking equality impact assessments?

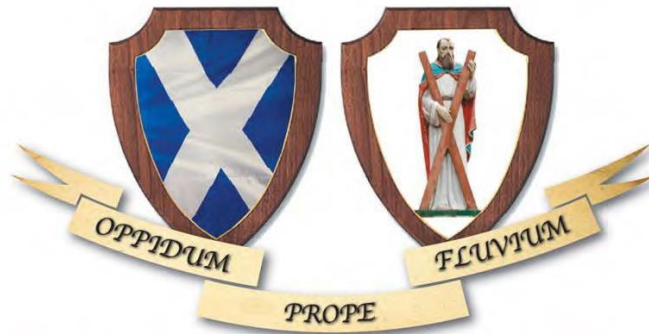
The officer responsible for the proposal, action or decision should ensure that the duty is implemented and is brought to the attention of the relevant decision-maker/s (whether elected members or officers with delegated responsibility).

Elected members must give due regard to equality on every decision they make. If the duty is not properly discharged, the decision may be subject to legal challenge or judicial review.

Elected Members can and should challenge officers if they believe that adequate information has not been provided about the potential equality issues of a proposal or recommendation.

^{iv} The definition of disability

The definition of disability is set out in the Equality Act 2010, Part 6: 'A physical or mental impairment which has a substantial and long-term effect on a person's ability to carry out normal day to day activities'. A person must meet all elements of this definition in order to satisfy the requirements of the Equality Act 2010 and trigger the duty to make reasonable adjustments.



THORPE ST ANDREW TOWN COUNCIL

Complaints Policy

Thorpe St Andrew
Town Council
[Date]

1. Introduction

This policy applies to all our services.

The objectives of our Complaints Policy are to:

1. Provide a framework which is simple for customers to use and is equally accessible to all.
2. Deal with problems as close to their source and as quickly as possible.
3. Give customers confidence that their comments are listened to and their complaints are being dealt with effectively.
4. Ensure action is taken to solve problems and generate a positive attitude to feedback.
5. Learn from feedback and prevent the recurrence of problems.
6. Generate a consistent approach to compliments and complaints throughout the Council.
7. Protect the reputation and resources of the Council.

Overall responsibility for this policy lies with the Chief Executive Officer.

2. How to make a complaint

The Council's aim is to resolve most complaints as close to their source as possible, preferably before they are accepted into the formal complaints process.

As a first step, please contact us for an informal discussion about your complaint by calling 01603 701048.

If we are unable to resolve your complaint it will need to be escalated to our formal complaints process by completing our complaints form and either emailing it to complaints@thorpestandrew-tc.gov.uk or posting it to Town Hall, Pound Lane, Thorpe St Andrew, NR7 0UL.

Our complaint form can be obtained by visiting our website or contacting us by phone on 01603 701048.

If you require assistance in completing the form please call 01603 701048 and we will organise for an officer to support you. If this is not possible, you may be signposted to an organisation which can assist you.

Final responses to complaints will be in writing (letter or email), unless this format is not appropriate for the complainant.

We will ask you to state your preferred way of us communicating with you as part of the complaints process.

3. What you can expect from us when you make a complaint

Once we receive your complaint, we will do all that we can to work with you to find a solution by:

- Acknowledging your complaint within 5 working days of the date we

received it.

- Aiming to resolve your complaint within 20 working days.

Where resolution requires longer, we will inform you as soon as possible of a revised date.

4. Confidentiality

Complaints made to the Council will be treated in confidence.

Details of the complaint will only be provided to the Council staff members and partner organisations who need to know in order to investigate it.

Confidentiality cannot be guaranteed where a vulnerable person is considered to be at risk and safeguarding procedures apply. In these circumstances, the Council may have to share the information with Norfolk County Council whose statutory responsibility it is.

Customers who make their complaints public in the media may forfeit their right to anonymity and the right to confidentiality.

To read our privacy notice as to how your personal information will be dealt with go to our website or contact us on 01603 701048.

5. Outcome

Following investigation, we will let you know what we have found using your preferred form of communication.

6. Right to appeal

If you are unhappy with the outcome of your complaint, an appeal can be made in writing to the Town Mayor. A panel of Councillors will consider your appeal and notify you of the outcome using your preferred form of communication. The decision of this panel is final.

7. What we expect from you

The following people are eligible to complain:

- Any individual or group receiving or seeking a service from the Council.
- Anyone acting for an individual or group unable to complain personally.

People do not have to be a Norfolk resident to make a complaint.

A complaint should normally be made within one year of the service being received. This time limit may be extended at the discretion of the Chief Executive Officer if the complainant has good reasons for not making the complaint within the time limit; and notwithstanding the delay, it is still possible to investigate the complaint effectively and fairly.

The Council will not consider, or further consider complaints/representations under this policy where:

- Complainants have stated either orally or in writing to the Council that they are taking, or intend to take proceedings in any court or tribunal in

regard to any issue connected with the complaint.

- The Council has been notified that any person is conducting an investigation in contemplation of criminal proceedings in regard to any issue connected with the complaint.
- The Council has been informed that criminal proceedings are pending in regard to any issue connected with the complaint.
- The complainant is an employee who wishes to raise issues in relation to their employment.

However, the Council will consider complaints from members of the public who are seeking employment with the Council. In these circumstances, where the Council decides that consideration or further consideration of the complaint / representation would prejudice the conduct of any proceedings or investigation, the Chief Executive Officer or designated officer will give notice in writing to the complainant explaining the reasons for the decision and specify how the matter could be dealt with in the future, if appropriate.

The Council's policy on 'Unreasonably Persistent Complaints' will apply when appropriate. Copies of this policy can be found on our website or a copy can be provided by calling us on 01603 701048.

The Council reserve the right not to consider complaints that:

- Are malicious (that is, they are instituted without sufficient grounds and serving only to cause annoyance)
- Use obscenities, racist or homophobic language
- Contain personally offensive remarks about members of our staff
- Are repeatedly submitted with only minor differences after we have fully addressed the complaint

8. The Local Government Ombudsman

Complaints received from members of the public about the administration or procedures of the Council are not subject to the jurisdiction of the Local Government Ombudsman.

1. Unreasonably persistent complaints policy

We welcome feedback from service users and will always try to resolve complaints as quickly as possible.

The majority of complaints are dealt with through the complaints procedures without difficulty, however, complainants may be pursuing complaints in unreasonable ways. The Unreasonably Persistent Complaints Policy should only be applied where absolutely necessary and describes how the Council may deal with complaints effectively where the complainant is unreasonably persistent in pursuing complaints or otherwise acts unreasonably.

An Unreasonably Persistent Complaints Policy helps staff and complainants to understand clearly what is expected of them, what options for action are available, and who can authorise these actions. It also assists staff to manage the expectations and behaviour of complainants while their complaint is addressed.

This policy should be read in conjunction with any other relevant Council policies relating to exclusion of services and employee health and safety.

2. Objectives

Most complaints are dealt with through the complaints procedures without difficulty.

Having a policy on how to deal with unreasonably persistent complainants or other unreasonable behaviour by complainants, together with guidance for staff on the complaints procedure, should help the Council deal with complainants in ways which are demonstrably consistent and fair.

The policy covers behaviour which is unreasonable, which may include one or two isolated incidents, as well as unreasonably persistent behaviour, which is usually an accumulation of incidents or behaviour over a longer period.

The objectives of the policy are to:

- Ensure all staff understand the objectives and requirements of the Unreasonably Persistent Complaints Policy
- Promote problem solving and to avoid apportioning blame. The emphasis should be on finding a solution
- Satisfy those who complain or comment that they have been dealt with promptly, fairly, openly and honestly
- Resolve complaints quickly and as close to the point of service delivery as acceptable and appropriate
- To protect staff from abusive and unacceptable behaviour from customers
- Protect employees from unreasonable, aggressive or violent behaviour by complainants

3. Definition of unreasonably persistent complaints and unreasonable behaviour

Unreasonably persistent complainants are those complainants who, because of the frequency, or nature, of their contacts with the Council, hinder the Council's consideration of the complainant's, or other people's complaints.

Almost all complainants see themselves as pursuing justified complaints.

Unreasonably persistent complainants may have legitimate complaints but be pursuing them in inappropriate ways, or they may be intent on pursuing complaints which appear to have no substance or which have already been investigated and determined. Their contacts with the Council may be very emotionally charged and distressing for all involved, or they may be agreeable but still place very heavy demands on staff time.

Sometimes the situation between the Council and a complainant can escalate and the behaviour moves to behaviour which is unacceptable and unreasonable, for example, abusive, offensive or threatening behaviour. Such complainants are in a very small minority, but sometimes the Council finds itself in the position of having to instigate action under this policy.

In extreme situations, the Council may resort to involving the Police or taking legal action to address such behaviour.

Raising 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 an unreasonably persistent complainant.

Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, should not necessarily cause them to be considered unreasonably persistent /vexatious.

These are some of the actions and behaviours of unreasonably persistent complainants which the Council often find problematic. It is by no means an exhaustive list, but they are examples that frequently come to our attention:

- Refusing to specify the grounds of a complaint, despite offers of assistance
- Refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- Refusing to accept that certain issues are not within the scope of a complaints procedure
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or within good practice
- Making what appear to be groundless complaints about the staff dealing with the complaints, and seeking to have them replaced
- Changing the basis of the complaint as the investigation proceeds and/or denying statements they have made at an earlier stage. At the same time, we acknowledge that a complainant has a right to challenge our recollection/recording and to clarify how this could be resolved before we categorise the complainant's behaviour as denying the matter
- Introducing new information, at a late stage, which the complainant expects to be taken into account and commented on, or raising large numbers of detailed, but unimportant, questions and insisting they are all fully answered
- Covertly recording meetings and conversations
- Submitting falsified documents from themselves or others
- Bringing complaints designed to cause disruption or annoyance or lacking any serious purpose or value
- Adopting a 'scattergun' approach: pursuing parallel complaints on the same issue with the Council and/or other organisations

- Making excessive demands on the time and resources of staff and members with lengthy and/or repeated telephone calls, emails to numerous Council officers, or detailed letters every few days and expecting immediate responses
- Behaviour that appears to be deliberately targeted over a significant period of time at one or more members of Council staff, without good cause
- Submitting repeat complaints, with minor additions/variations, so the complainant insists they are 'new' complaints which should be put through the full complaints procedure
- Refusing to accept the outcome decision of a complaint – repeatedly arguing the point and complaining about the decision, with no new evidence
- Insisting on pursuing unjustified complaints and/or unrealistic outcomes to legitimate complaints. Taking actions that are out of proportion to the nature of the complaint, even when the complaints procedure has been exhausted
- Behaviour which has a significant and disproportionate adverse effect on the Council's resources and other residents
- Inappropriate behaviour towards Council staff investigating or involved in the complaint such as inappropriate use of language, aggression or violence
- Combinations of some or all of the above

4. The approach and procedure

It is vital that all attempts are made to maintain effective communication and relationships with complainants. Prior to taking action under this policy, the complaints case manager should ensure that:

- Every reasonable effort has been made to investigate the complaint
- Every reasonable effort has been made to communicate with the complainant
- The complainant is not now providing any significant new information that might affect the organisation's view of the complaint

Prior warning

When the Council considers that the complainant is unreasonably persistent in pursuing complaints or otherwise is acting unreasonably a risk assessment will be completed in line with health and safety policies and, if it is concluded that the behaviour is unacceptable/unreasonable, the complaints case manager will write to tell the complainant why they find the complainant's behaviour unreasonable and/or unacceptable and ask them to change the behaviour.

Decision to restrict or terminate contact with the Council

The following actions will be taken before a decision is taken to restrict or terminate a complainant's contact with the Council:

- Decisions to restrict or terminate contact will be taken following a risk assessment which may involve an on the spot decision to restrict access or terminate contact in the short term prior to a more detailed assessment being undertaken where there is a risk to staff and / or services.
- Designate a key officer to co-ordinate the organisation's actions under this policy. Complainants will be offered, if appropriate, a meeting with a designated officer of appropriate seniority to explain what steps are being taken to resolve their complaint and why their current behaviour is seen as unreasonable. Such meetings should be undertaken in an environment that protects the safety of the designated officer.

During this meeting, the designated officer will:

- Explain to the complainant the damaging effect their contact is having on the processing of their complaint and/or other complaints, and that, if this continues, the Council may need to limit/deny their access to the Complaints Case Manager and/or other staff
- Share the policy with the complainant and be warned that restrictive actions may need to be applied if their behaviour continues
- Provide or offer consideration of the complaints issue through another procedure (for example, an appeals process, mediation etc.) if appropriate
- Offer to assist the complainant to find a suitable independent advocate if appropriate

When making decisions on how to manage the unreasonably persistent complainant or unreasonable behaviour of a complainant, all relevant factors should be taken into account to ensure that action taken is appropriate and proportionate to the nature and frequency of the complainant's contacts with the authority at that time.

Due consideration should be given to the complainant's health, including any related illnesses or disabilities that may be impacting on behaviour (for example, dementia, learning disability, mental illnesses, autism etc).

If the complainant has not responded appropriately to the prior warning letter and/or the agreements during the meeting with the complainant, a decision may be made to restrict contact with the Council. The complainant will be notified in writing (or alternative formats appropriate to the individual) why it is believed their behaviour falls into the category of unreasonably persistent and/or unreasonable behaviour. The complainant will be notified what action will be taken and the duration of that action, as well as what the complainant can do to have the decision reviewed.

The following list is a 'menu' of possible options for managing a complainant's involvement with the Council from which one or more might be chosen and applied, if warranted. Any action taken should be appropriate and proportionate. It is not an exhaustive list and often the specific circumstances of the individual case will be relevant in deciding what might be appropriate action:

- Placing limits on the number and duration of contacts with staff per week or month
- Limiting the complainant to one medium of contact (telephone, letter, email etc) and/or requiring the complainant to communicate only with one named member of staff
- Refuse to register further complaints about the same matter and only acknowledge further correspondence
- Only meet with the complainant in the presence of a witness
- Where a complainant's behaviour is unreasonable and threatens the safety and/or welfare of staff, the Council may decide to terminate contact with the complainant
- Other action may be taken, for example reporting the matter to the police or taking legal action. Where such action is necessary the Council may not give prior warning
- Only meet the complainant at Council Offices and by appointment only

Where following restriction of access being implemented a complainant continues to behave in a way that is unacceptable or where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, the Council may:

- Terminate contact
- Temporarily or permanently restrict/not allow access to Council offices
- Report the matter to the police
- Take legal action

Reviewing the decision to restrict contact

When imposing this policy and placing a restriction on contact, the Council will specify a review date, usually 6 months from the initial decision.

The review should be carried out by the Chief Executive Officer to consider whether the restrictions can be lifted or modified, or should continue. The complainant will be notified of the outcome of the review.

Restrictions should be lifted and relationships returned to normal unless there are grounds to continue with the restrictions. If the restrictions are to continue, the Council will explain the reasons to the complainant and state when the restrictions will next be reviewed.

5. Appeals against decisions

Complainants must be informed in writing of the Council's decision resulting from application of this policy and procedure.

They should also be given information on how to appeal any decision.

An appeal will be heard by a review panel made up of a member of staff outside of the service area complained about, as well as the Town Mayor.

The panel will write to the complainant with their decision which will be final.

6. New complaints

New complaints from people who have been subject to this policy will be dealt with on their merits. It is recognised that any new complaint may represent a genuine service failure and therefore needs to be reviewed objectively regardless of who is bringing the complaint.

Once the complaint has been considered, a risk assessment will also be carried out based on past and current knowledge of the complainant's behaviour and the likelihood of re-occurrence of any unacceptable behaviour.

7. Recording actions and contacts with the complainant

Any decision to apply this policy must be notified to the Chief Executive Officer and recorded.

The Chief Executive Officer will keep adequate records to show:

- When a decision is taken not to apply the policy when a member of staff asks for this to be done. The member of staff will be informed of the decision
- When a decision is taken to make an exception to the policy

- When a decision is taken not to put a further complaint from such a complainant through the complaints procedure for any reason
- When a decision is taken not to respond to further correspondence, the Chief Executive Officer will make sure that any further letters or emails from the complainant are checked to ensure that any significant new information is picked up and addressed
- Any future contacts with the complainant must be recorded

8. Confidentiality

Complaints made to the Council will be treated in confidence.

The Chief Executive Officer will only pass the details of unreasonably persistent complainants and/ or unreasonable complainant behaviour to those Council staff members and partner organisations who need to know in order to implement the policy or for reasons of protecting staff safety.

Confidentiality cannot, however, be guaranteed where a vulnerable person is considered to be at risk and safeguarding procedures apply. In these circumstances, the Council may have to share the information with Norfolk County Council or other external agencies.

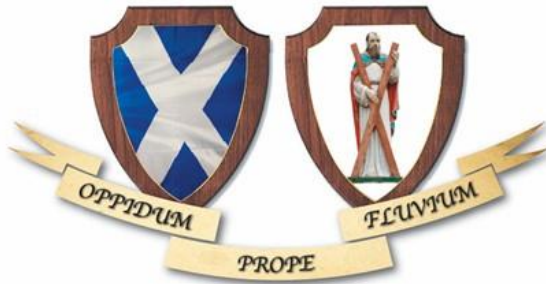
Customers who make their complaints public in the media may forfeit their right to anonymity and the right to confidentiality.

9. Responsibility for the procedures

Overall responsibility for the Unreasonably Persistent Complainants Policy will lie with Chief Executive Officer.

The Policy and Committee Officer will take responsibility for the application of all aspects of the procedures at departmental and organisational level.

The Operational Manager and Responsible Financial Officer will act as overall coordinator for unreasonably persistent complaints handling.



THORPE ST ANDREW TOWN COUNCIL

Allotment Rules

Draft 2022

Definition of Terms

The Council means Thorpe St Andrew Town Council including any committee of the Council or any Officer appointed by the Council under the Allotments Act 1908 –1950.

Allotment Officer means the duly authorised employee of the Council whose role it is to manage or undertake work on the allotment sites on behalf of the Council.

Rules means the rules defined within this document which replaces any previous versions.

Allotment Plot means the area of land used primarily for the cultivation of fruit and vegetables which is let to the tenant.

Tenant means a person who holds a tenancy of an allotment plot.

Tenancy means the act of letting an allotment plot to an individual in exchange for rent.

Site means the entire area of land owned or leased by the Council comprising allotment plots, roadways and buildings.

Tenancy Agreement means the document in the form approved by the Council, confirming the letting of an allotment plot to a Tenant.

Rent means the annual rent payable for the Tenancy of an allotment plot and all amenities including water (which is a variable charge) provided with it.

1. Application

- 1.1. These rules are made in accordance with Section 28 of the Small Holdings and Allotments Act 1908 and apply to all allotment plots including any let before these rules came into force.
- 1.2. Rules come into force on the date on which they are sealed and replace any version which came before. It is therefore advised that any Tenant or person who wishes to apply for tenancy familiarise themselves with the latest version available from the Town Hall or Town Council website.
- 1.3. Tenants must comply with all directions given by any appointed officer of the Council in relation to the discharge of these rules.

2. Tenancies and Vacant Allotments

- 2.1. All Tenants must complete and sign a Tenancy Agreement prior to undertaking any activity on the plot.
- 2.2. Each plot will be in the name of one tenant only. Joint or shared tenancies are not permitted.
- 2.3. Groups or organisations must submit a pre-tenancy application for approval by the Council. Such tenancies will be in the name of one person known as the Principal Tenant.
- 2.4. Vacant allotment plots must be offered by the Council to applicants on the waiting list for that site, except where the plot falls vacant due to the death of a tenant. In such circumstances, any member of the tenant's immediate family may be offered the plot first. If more than one family member wishes to take over the tenancy, the Council will select the individual based upon their ability to maintain upkeep of the plot.
- 2.5. The tenancy year commences on 1 October and ends on 30

September.

3. Assignment

- 3.1. Tenancy of an allotment plot represents an agreement between the Council and the named tenant. Tenants are not legally empowered to assign, sub-let or part with possession of all or part of their allotment plot. If a tenant wishes to terminate their tenancy, they should refer to section 15 of these rules.

4. Rent

- 4.1. Rent is due at the commencement of the tenancy and annually on 1 October thereafter (unless otherwise stated in the Tenancy Agreement).
- 4.2. Rent may be increased at any time provided the Council takes reasonable steps to give all tenants 12 months-notice in writing. An accidental failure to give notice to an individual tenant will not invalidate that tenant's rent increase.

5. Cultivation and use of allotment plots

- 5.1. The Allotments Act 1922, prevents any "trade or business" being conducted on the allotment plot or any part thereof and must by definition, "be wholly or mainly cultivated for the production of vegetable or fruit crops for consumption by the occupier or their family".
- 5.2. Allotment plots must be kept clean, as free from weeds as possible, and in a good state of cultivation and fertility.
- 5.3. Where a tenant fails to maintain a good standard of cultivation, the Council will serve a warning letter giving a specific period of time for improvement. Failure to improve the Plot may lead to termination of the Tenancy following a notice

issued by the Council.

- 5.4. If the plot is left in a poor state of cultivation or requires the removal of materials, property or rubbish, then the vacating tenant may be required to re-imburse the Council for reasonable costs.
- 5.5. Allotment plots must not be used to grow any crops for which compensation may be payable at the end of the Tenancy.
- 5.6. Tenants must not cut or prune any trees adjoining their allotment plot but should undertake regular, routine pruning of their own trees and hedges.
- 5.7. A maximum of 6 dwarf fruit trees are allowed per plot, which must be kept in good condition. No other trees may be planted.
- 5.8. Tenants must leave a minimum gap of 2' (0.6m) between the rear of their plot and any adjoining boundary fence to allow access for maintenance.
- 5.9. Tenants are not to cause damage to other tenants' property or crops, nor to the infrastructure of the site e.g. roadways, paths, fences, gates etc.
- 5.10. The tenant must not deposit any matter in the hedges, ditches or water course situated within the site. The tenant is expected to compost all waste plant material except for pernicious weeds (e.g. Japanese Knotweed, plants infected with fungal disease such as Club Root, Downey Mildew or White Rot) which should be burnt, when dry during permitted periods (Rule 6.3), or taken to an approved disposal facility.

6. Hoses, Bonfires and Other Restrictions

- 6.1. Hoses or sprinklers are not allowed. In filling a container tenants must have consideration for others who wish to use water. Hosepipes or siphoning devices are not to be used to

remove water from any water trough, except with written permission from the Town Council. Tenants must take every precaution to prevent contamination of water supplies. Water may only be extracted from a water course with the approval of the Council and subject to the appropriate licence.

- 6.2. Where 1200l water containers are used, they can only be used for water harvesting, and must not be filled via hosepipes except with written permission from the Town Council.
- 6.3. Bonfires are only permitted during the months of March and November for the burning of diseased plant material. Fires must not be allowed to cause a nuisance to neighboring residents and under no circumstances should be left unattended. Where local circumstances necessitate, bonfires may not be permitted at any time.
- 6.4. Tenants must not:
 - bring or use corrugated or sheeted iron (or similar metal objects) or barbed wire (or similar material) on the allotment plot.
 - use any carpet and underlay on the site.
 - deposit rubbish refuse or decaying matter (except for a reasonable amount of manure or compost required for cultivation) on the allotment plot or instruct anyone else to do so.
 - Remove any mineral, gravel, sand, earth or clay from the site unless they have written permission to do so from the Council.
 - cause or allow any nuisance or annoyance to the Tenant of any other allotment plot (see also Rules 14.1 – 14.4)
 - use the allotment for any illegal or immoral purpose and must observe all relevant legislation or Codes of Practice

relating to activities they carry out on the allotment.

- park a vehicle anywhere on the site other than within defined parking areas. Loading and unloading vehicles is allowed, but vehicles must be returned to the main parking areas as quickly as possible. No vehicle, trailer, caravan or similar equipment is to be left on the site overnight.
- bring or use any weapons (e.g. air rifles) on to the site.
- access any other plot than their own unless invited to do so by the tenant of that plot

6.5. Tenants must ensure that:

- any manure on the site that has not been dug in or spread on to the allotment plot is covered.
- tools and other personal equipment are kept safe and secure when not in use. The Council accepts no responsibility for the loss of or damage to such items nor does the Council accept any responsibility for any injury caused by such items.
- where the Council's title to a site requires certain conditions to be observed, that these are followed.
- when using any sprays or fertilizers,
 - take all reasonable care to ensure that adjoining hedges, trees and crops are not adversely affected, and must make good or replant as necessary should any damage occur, and
 - so far as possible select and use chemicals, whether for spraying, seed dressing or for any other purpose whatsoever, that will cause the least harm to members of the public, game birds and other wildlife, and

- comply at all times with current regulations as notified by the Council.
- 6.6. No toxic or hazardous substances or contaminated waste or tyres should be stored or brought onto the site.
- 6.7. Any pesticides must comply with current legislation regarding their use and storage. The storing of materials other than for direct and prompt use on the Plot is prohibited. All such materials must be stored in a safe manner and must not be allowed to become a hazard or nuisance to others.

7. Dogs, Animals and Bees

- 7.1. Any dog (including Guide Dogs) brought onto the Site must be kept on a lead at all times.
- 7.2. Animals or livestock (except hens or rabbits) must not be kept on allotment plots. Cockerels are not permitted.
- 7.3. Hens or rabbits must not be kept in such a place or in such a manner as to be prejudicial to health or a nuisance. Tenants must obtain prior permission from the Council and must comply with any husbandry conditions laid down by (and obtainable from) the Council. A current contact phone number must be displayed on the plot.
- 7.4. Any part of the allotment plot used for keeping hens or rabbits must be securely and adequately fenced to the satisfaction of the Council.
- 7.5. Beehives are not allowed on the allotment plot except with the prior agreement of the appropriate Officer of the Council. Tenants must have valid insurance cover preferably through membership or affiliation of the British Bee Keeping Association. A copy must be filed with the Council. Any recommendations made by an appropriate Council Officer must be implemented by the tenant.

8. Non-tenants and Children (under 16)

- 8.1. Only the tenant, or a person authorised or accompanied by the tenant is allowed on the site. Access is not permitted to any plot(s) other than that let to the tenant.
- 8.2. The Council may order any person wrongly allowed onto the site in breach of these rules to leave immediately.
- 8.3. The Council may take action for breach of their Tenancy Agreement against any tenant who the Council reasonably believes was responsible for allowing an unauthorised person to be on the site.
- 8.4. Tenants are responsible for the safety and conduct of any visitors that they allow onto the site.
- 8.5. Children (under age 16) must be supervised at all times by the tenant and / or a responsible adult.

9. Paths

- 9.1. Paths provided by tenants must be within the boundaries of their own allotment plot and kept reasonably free from weeds.
- 9.2. Paths between two allotment plots must be a minimum of 600mm (2') in width where possible and must be kept reasonably free from weeds up to the nearest half width by each adjoining tenant.
- 9.3. Paths must be kept clear of obstructions at all times except for paths provided by tenants only for use on their own allotment plot.
- 9.4. The tenant must not leave any tools or other equipment unattended on common pathways or other such areas of the site nor in any other way that may cause accident or injury and must ensure that such tools and other equipment are used carefully and with due regard to the safety of others.

10. Sheds, Buildings and Structures

- 10.1. No buildings, walls or permanent structures may be put up on the allotment plot by tenants. Sheds, greenhouses or polytunnels must comply with the Council's specifications and conditions and any planning conditions. No more than 25% of the plot should be assigned for structures.
- 10.2. Any shed, greenhouse or polytunnel erected on the allotment plot must be maintained in a good state of repair and condition to the satisfaction of the Council and if the Council is not satisfied with the state of repair it may order the tenant to remove the structure.
- 10.3. A tenant may only have one shed and either a greenhouse or polytunnel. The maximum dimensions of a shed (or greenhouse) are 8' x 6' and a height of 8'6" (2.6m). Sheds and greenhouses may be erected without the need for prior consent from the Council. Such structures must have guttering connected to a water container (e.g. butt, barrel).
- 10.4. In the absence of any other suitable structure, a lean to structure not exceeding 8' x 6' may be erected to harvest rainwater.
- 10.5. A polytunnel may not be erected without the prior permission of the Council.
- 10.6. Structures should be sited at the rear of the plot or as directed by the Council. No permanent footings or bases may be constructed.
- 10.7. Tenants may not plant hedges or erect fencing or other barriers on or around their plot. Tenants whose allotment plot contains, or is bounded by, an existing hedge, fence or gate permitted by the Council are responsible for maintenance. Ditches within the boundary of the allotment plot must be properly cleared and maintained

- 10.8. Temporary structures and compost containers must be kept in a good and safe condition.
- 10.9. No toxic or hazardous materials or contaminated waste or tyres should be stored or brought onto the Site. Any pesticides must comply with current legislation regarding their use and storage. The storing of materials other than for direct and prompt use on the plot is prohibited. All such materials must be stored in a safe manner and must not be allowed to become a hazard or nuisance to others.
- 10.10. No fixed play equipment may be installed anywhere on a plot or on the site.
- 10.11. From 1 July 2007 smoking is not permitted in any communal building on the site.
- 10.12. The sale of alcohol is not permitted in any Council building or allotment site unless it is licensed for such use.

11. Notice Board and Advertisements

- 11.1. All Tenants must clearly display the number of the allotment plot and maintain it in good condition.
- 11.2. Only notices issued or approved by the Council may be posted on the site. Tenants may not display any personal or commercial advertising.

12. Inspection

- 12.1. The allotment plot (and any structure on it) may be entered and inspected by an appropriate Officer of the Council, including members of the Council's Allotment Committee, at any time, and therefore plots must be accessible.

13. Disputes

- 13.1. Any disputes are to be referred to the Council.
- 13.2. All disputes are subject to right of appeal with the Council. They will be dealt with in accordance with the Council Complaint Procedure. The decision of the Council will be made in writing and will be binding on all the Tenants involved in the dispute.

14. Hate Crime

- 14.1. Thorpe St Andrew Town Council has a commitment to eliminating unlawful or unfair discrimination and to achieving an environment free from harassment for both tenants of our allotment plots and members of staff.
- 14.2. All tenants and members of staff should be aware of the Council's Equality Policy and Complaints Policy (see Town Council website or contact the Town Hall for information) which provide direction on what is and what is not acceptable behaviour.
- 14.3. A hate incident/crime is any incident or crime that is motivated by hostility, prejudice or hate on the grounds of race, religion, sexual orientation, disability or transgender identity. Tenants may also wish to familiarise themselves with Stop Hate in Norfolk [Stop Hate in Norfolk \(SHiN\) | Norfolk Constabulary](#), which aims to create a common standard for tackling hate crime across the county. Any tenant who has experienced hate crime should contact the Police in the first instance using the link above.

15. Termination

- 15.1. The Council may terminate Allotment Garden Tenancies in any of the following ways:
 - twelve months written Notice to Quit expiring at any time

between 29 September to 6 April inclusive;

- or three months written Notice to Quit:
 - if the Council requires the allotment plot for building, mining or any other industrial purpose, or for roads or sewers necessary in connection with building, mining or an industrial purpose; or
 - where the Council acquired the allotment plot for a purpose other than letting as allotments or has appropriated them to another purpose, or
- one months written Notice To Quit if:
 - Rent is in arrears for 40 days or more (whether formally demanded or not); or
 - the Tenant is in breach of these rules, or
 - the Tenant has become bankrupt or compounded with his or her creditors, or
- automatically on 30 September following the death of the Tenant.

15.2. Tenants may terminate allotment plot tenancies by giving the Council one month's written notice.

15.3. To yield up the allotment plot at the termination of the tenancy in such a condition that complies with these Allotment Rules and the Council may dispose of any building structure or other item(s) left by the Tenant on the allotment plot after 28 days from the date of termination.

16. Change of Address and Notices

16.1. Tenants must immediately inform the Council in writing of changes of address.

16.2. Notices to be served by the Council on the Tenant may be:

- Left on the allotment plot, or
 - Sent to the Tenant's address in the Tenancy Agreement (or notified to the Council under these rules) by post, registered letter, recorded delivery or hand delivered, or
 - Served on the Tenant personally.
- 16.3. Notices served under sub-paragraph 2 above will be treated as properly served even if not received.
- 16.4. Notices to be given to the Council should be sent to the Town Hall, Pound Lane, Thorpe St Andrew, NR7 0UL or such other address as the Council notifies in writing to the Tenant.

17. Interpretation and Repeal

- 17.1. The headings of these rules are not to affect their interpretation.
- 17.2. The Allotment Rules made in September 2013 (as amended) are repealed.
- 17.3. The Common Seal of
- 17.4. Thorpe St Andrew Town Council
- 17.5. was hereunto affixed to these Allotment Rules in 2022

Email office@thorpestandrew-tc.gov.uk

THORPE ST ANDREW TOWN COUNCIL

RISK ASSESSMENT OF BUILDINGS, STREET FURNITURE OR OTHER FIXED ASSETS

| RISK | CONSEQUENCE OF RISK | INTERNAL CONTROL MEASURES | RISK LEVEL |
|--------------------------------|--|--|-------------------|
| Loss of property | | Up to date register of assets maintained | |
| | | Revaluation of premise by professional services (when instructed by Insurance) | |
| | | Log book left on premise for users to list problem/concerns requiring action | |
| | | All legal documents/leases held in safe | |
| | | | |
| Loss or damage by fire | Potential loss of income | Fire equipment serviced annually | L |
| | | PAT annually and findings recorded | |
| | | Fire exit signs displayed | |
| | | Fire assessments undertaken and findings recorded | |
| | | No smoking signs in all buildings | |
| | | Hazardous substances kept to a minimum, labelled as such and locked in secure areas | |
| | | Wheeled bins locked and secured into position | |
| | | | |
| Loss or damage by wind/weather | Potential loss of income | All buildings and property assessed each week. | M |
| | | Open spaced sites visited during working hours | |
| | | | |
| Loss or damage by vandalism | Cost of repairs and potential loss of income | Buildings, gates and barriers locked at night. Access can be gained to fields at night on foot | H |
| | | CCTV installed at the Morse Pavilion, Roxley Hall, Town Hall and River Green | |
| | | Security alarms fitted in the Morse office and Pavilion Roxley Hall and the Town Hall | |
| | | List of key holders supplied to police | |
| | | Bus shelters inspected monthly by cleaning contractor | |
| General wear and tear | Hirers sourcing another premise or seeking reduction in fees | Regular inspection and maintenance programme | L |

THORPE ST ANDREW TOWN COUNCIL

RISK ASSESSMENT OF BUILDINGS, STREET FURNITURE OR OTHER FIXED ASSETS - CONTINUED

| | | | |
|---|-----------------------------------|--|---|
| Risk to third party, property or individuals | Insurance claim - higher premiums | Insurance in place. Open spaces checked regularly and records retained. Trees investigated when damage reported. Risk assessments of individual events are carried out. | M |
| Legal liability as consequence of asset ownership i.e. playgrounds. | Insurance claim - higher premiums | Insurance in place. Checks of playgrounds undertaken during working week and written records kept. External inspection carried out by Zurich Municipal. | H |
| | | EXTERNAL CONTROL MEASURES | |
| | | Hire agreements signed in advance of letting with details of fire exit and emergency information | |
| | | New hirers taken to premise and instructed on access and locking arrangements | |
| | | Buildings and contents insured for loss, destruction or unauthorised entry resulting in theft or damage of contents and all building and contents valuations adjusted annually | |
| | | Insurance policy checked by internal audit | |

Reviewed 29/3/21

Signed

THORPE ST ANDREW TOWN COUNCIL
RISK ASSESSMENT OF BANKING AND INVESTMENT ARRANGEMENTS AND CONTROLS

| RISK | CONSEQUENCE OF RISK | INTERNAL CONTROL MEASURES | RISK LEVEL |
|---|---|---|-------------------|
| Loss of interest | Loss of income | All banking arrangements and changes to banking arrangements approved by Town Council and recorded in minutes | L |
| | | Investment of any year-end funds in interest account authorised by Town Council and recorded in minutes | |
| | | | |
| Theft or inappropriate use of funds | Inability to provide essential services | Cheque list compiled once a month by RFO and approved by Town Council and signed/dated by Town Mayor | L |
| | Damage to reputation | Cheques require 2 Town Councillors signatures and either Town Clerk or RFO cheque stubs initialled by Town Councillors. Online payments approval via email by 2 councillors and Town Clerk. | |
| | Not safeguarding public money and resources in its charge | Transfers between deposit and current account by RFO | |
| | Misuse of funds | Bank reconciliations carried out on a monthly basis by RFO, checked and countersigned by Town Clerk and presented to the councillors at the Town Council meeting | |
| | | | |
| Non compliance with restrictions on borrowing | Additional charges. Damage to reputation loss of face . | All loans will be negotiated by the RFO on behalf of the Council and shall be for a set period of them in accordance with council policy. Changes to loans are reported to the Town Council at the earliest opportunity | L |
| | | | |
| | | EXTERNAL CONTROL MEASURES | |
| | | Sample checks on account movement balances and bank reconciliation carried out by Internal Audit | |
| | | Lloyds TSB instructed to comply with mandate at all times and instruct if bank accounts become overdrawn | |
| | | | |

Reviewed 29/3/21

Signed

RISK ASSESSMENT OF PROCEDURES AND DOCUMENTATION

| RISK | CONSEQUENCE OF RISK | INTERNAL CONTROL MEASURES | RISK LEVEL |
|----------------------------------|---|---|------------|
| Document controls not adhered to | Inaccurate reporting of council business matters | Minutes numbered and paginated with master copy. Ratification of minutes at following meeting. | L |
| | Inability to respond to electors rights of inspection | Procedures to deal with enquiries from public. Accessibility of documents - coherent filing system. | |
| | Timescales not adhered to | Procedures for document receipt, circulation, response, handling and filing | |
| | No document control | Procedures in place for recording and monitoring Members interest | |
| | | Adoption of codes of conducts for members and employees | |
| Information Governance | Failure to comply with the statutory requirements of the General Data Protection Regulations (GDPR) | GDPR training for all Finance and Staff Committee members and all member of Town Council staff. GDPR policy written and understood. | |
| | | | |
| | | EXTERNAL CONTROL MEASURES | |
| | | Internal audit reviews internal controls and documentation in place. Reviews minutes to ensure legal powers in place, recorded and correctly applied. | |
| | | | |
| | | | |

Reviewed 29/3/21

Signed

Thorpe St Andrew Town Council

Annual Review of the Effectiveness of Internal Control

The Accounts and Audit Regulations 2011:

1) The relevant body shall be responsible for ensuring that the financial management of the body is adequate and effective and that the body has a sound system of internal control which facilitates the effective exercise of that body's functions and which includes arrangements for the management of risk.

(2) The relevant body must conduct a review at least once in a year of the effectiveness of its system of internal control.

Internal Control:

The system of internal control is designed to reduce the financial risk of the Town Council to an acceptable level.

Financial Management:

The Town Council has approved a set of financial regulations which set out the way that Council's finances are to be managed. These are reviewed and approved once a year.

Two councillors, out of three named signatories, must sign all cheques or online payment list and other financial documents. The Responsible Financial Officer and Town Clerk may not authorise payments, but may carry out transfers within the Town Council's bank accounts.

The cheque signatory shall check the supporting document at the time of signing, to ensure that the cheque agrees with the amount of the invoice and the payee named on the invoice. The cheque stub should also be initialled to record that the name on the cheque stub is the same as that on the cheque.

At the year-end, the Town Council shall ensure that the cash book totals are reconciled to the year-end bank statement and shall sign as evidence of this check.

The Responsible Financial Officer is responsible for the day-to-day financial management of the Council. The duties of the Responsible Financial Officer are reviewed and approved once a year. The RFO shall report all payments to the Council.

In November, the Town Council shall review the budget in detail and shall make a recommendation for the precept for the forthcoming year.

Internal audit:

The Council has appointed an independent and competent internal auditor and carries out a review of the effectiveness of the internal audit once a year. The auditor reports his findings to the full Council and completes Section 4 of the Annual Return.

External audit:

The Council's external auditors complete Section 3 of the Annual Return; their comments and recommendations are reported to the full Council.

Review:

This review shall be carried out once a year and recorded in the Council's minutes.

Signed.....

Town Mayor

Signed.....

Responsible Financial Officer

Dated.....

Dated.....

Thorpe St Andrew Town Council

Annual Review of the Effectiveness of Internal Audit

The Accounts and Audit Regulations 2011 -

“Internal audit

..... A relevant body must maintain an adequate and effective system of internal audit of its accounting records and of its system of internal control in accordance with the proper practices in relation to internal audit.

Scope:

The purpose of internal audit is to review whether the systems of financial and other control are effective; neither the internal nor the external auditor can be expected to look for fraud. The internal auditor does not give an opinion on the accounts, but is required to review controls and give recommendations.

The internal auditor is required to review the completeness and accuracy of the council's accounts for the year, and to carry out a sample testing from the accounts to supporting documentation. The auditor shall also review payroll and VAT for reasonableness.

The internal auditor will discuss their findings with the Town Clerk and Responsible Financial Officer and will then write a report on their findings to the Town Council. In the case of a serious problem the auditor will report directly to the Town Mayor. Recommendations from the report will be recorded in the minutes and any action taken will be noted.

Independence:

The auditor shall not have any other role or employment within the council and the council confirms that this is the case.

The auditor will report under their own name and will address their report to the council.

Competence:

The internal auditor shall be competent to carry out the work. They should have an understanding of the accounting process, an understanding of the role of internal audit in reviewing systems, an awareness of risk management issues and an understanding of the accounting requirements, legal framework and powers of local councils.

Internal controls:

The Council shall carry out an annual review of its system of internal control and of its financial risk management.

The review of internal audit shall be approved by the full council and by the Responsible Financial Officer.

Signed.....

Signed

Dated.....

Dated

Town Mayor

Responsible Financial Officer

THORPE ST ANDREW TOWN COUNCIL
OPERATIONAL MANAGER AND RESPONSIBLE FINANCIAL OFFICER
JOB DESCRIPTION

Main Duties and Responsibilities

1. To prepare financial reports and information for the Town Council.
2. To monitor and balance the councils accounts and prepare records for internal and external audit
3. Prepare vouchers and cheques and enter cheque list into computer. Send out cheques.
4. To submit quarterly VAT return.
5. To verify salary details and record details in accounts book for end of year returns. Submit HMRC returns on line.
6. To receive and sort money from the Parks and Estates Manager, Town Hall, Morse Pavilion and Roxley Hall. To issue invoices and receipts on a monthly basis and bank all money regularly.
7. To maintain a petty cash account together with a cash float.
8. To prepare risk assessments, financial regulations, pension policies and seek approval of the appointment of the internal auditor annually via the Town Council.
9. To annually review asset register, property and risks covered. Verify to insurance renewal details.
10. In the absence of the Chief Executive Officer (CEO) to carry out his duties.
11. To prepare, when necessary, in consultation with appropriate members, agendas, etc., for meetings of the Council and its committees; to attend such meetings and prepare minutes for approval. To send relevant papers to County and District Councillors, police and the press.
12. To receive, when necessary, correspondence and documents on behalf of the Council and to deal with the correspondence or documents or bring such items to the attention of the Council. To issue correspondence as a result of the instructions of, or the known policy of the Council.
13. To supervise, in the absence of the CEO, any other members of staff in keeping with the policies of the Council. Liaise with Parks and Estates Manager and contractors.
14. To deal with enquiries from telephone callers and visitors in the absence of the CEO.

15. To keep allotment register up to date. Update waiting list. Send annual invoices, reminders and collect rent as required.
16. To help organise Town Mayor's Reception and any other special meetings.
17. To help organise the running of the office.
18. Undertake any such duties as may be required, commensurate with post.