

ST ALBANS PARISH COUNCIL

You are hereby SUMMONED to attend the First Annual Meeting of St Albans Parish Council which will take place on Wednesday 13 May 2026 at Emmanuel Church Hall, Church View Close, Nottingham, NG5 9QP.

The meeting will commence at 6pm

If you are unable to attend the meeting, please submit your apologies to Emma McGinlay at emma.mcginlay@gedling.gov.uk

AGENDA

Page

1 Election of Chair for 2026/27

(The newly elected Chair will make a declaration of acceptance of office in the prescribed form and will assume the Chair)

2 Appointment of Vice-Chair for 2026/27

3 Apologies for absence

4 Acceptance of office

5 Style and title of council

To note the style and title of the council:
St Albans Parish Council

6 Adoption of standing orders

3 - 25

RECOMMENDATION:

That the Parish Council adopts the model standing orders as attached.

7 Localism Act 2011 - Members code of conduct

27 - 45

A proposed Code of Conduct for adoption is attached.

The code sets out the principles which govern the conduct of members and coopted members of local authorities and a draft Code of Conduct, based on these principles, which contains the requirements of a model Code of Conduct issued by the Secretary of State.

All parish councils are under a duty to pass a resolution adopting a Code of

Conduct for members containing the requirements of the Model Code.

RECOMMENDATION:

That in accordance with the requirements of the Localism Act 2011, the Parish Council adopts as its Members Code of Conduct as set out.

8 Nottinghamshire Association of Local Councils

To welcome the new Chief Executive Officer of Nottinghamshire Association of Local Councils (NALC), Pat Woodfield.

RECOMMENDATION:

To consider subscribing as a member of NALC.

9 Powers, duties and responsibilities 47 - 48

The principal powers and duties of parish councils are set out.

RECOMMENDATION:

To note the powers, duties and responsibilities of the parish council.

10 Considerations of Planning function and applications 49 - 51

One of the main areas of activity that the Parish Council will wish to become involved in is the planning function. The Council has the right to be consulted in respect of all planning applications within its area.

RECOMMENDATION:

That Gedling Borough Council is advised that the Parish Council wishes to be consulted on all planning applications affecting the area.

11 Financial arrangements

To receive an update from the Chief Finance Officer and Section 151 Officer at Gedling Borough Council regarding the precept for 2026-27 year and future years process.

12 Adoption of policies, procedures and regulations 53 - 92

The following are attached:

Complaints Policy
Disciplinary Procedure
Grievance Procedure

Media policy
Financial Regulations

RECOMMENDATION:

That the Parish Council adopts the procedures set out with a view to reviewing all procedures once the Council becomes more established.

13 Co-option of members

Section 21 of the Representation of the Peoples Act 1985 gives the Parish Council the power to fill vacancies remaining unfilled following an ordinary election.

There is 1 vacancy to fill.

RECOMMENDATIONS:

1. That the Council believes that it is in the interests of the parish that the vacancies on the Council are filled, and that this is achieved by co-option.
2. That person eligible to become co-opted be encouraged to put their names forward to the Chair.
3. That consideration is given to the process of selection at the next meeting.

Note:

Eligibility for co-option is as follows:

*a. 18 years of age, **and***

*b. **either:***

- Be a local government elector for the parish, or*
- Be an occupier (owner or tenant) of land or premises in the parish for the previous 12 months, or*
- Have a place of work in the parish for the previous 12 months, or*
- Have resided in the parish for the previous 12 months, or*
- Have resided within three miles of the parish boundary for the previous 12 months.*

14 Appointment of bank

To appoint a bank to be bankers to the Parish Council.

15 Appointment of signatories

To appoint signatories to sign cheques on behalf of the Parish Council
(*minimum of two*)

16 Appointment of clerk to the parish council

93 - 96

To consider arrangements for the appointment of a Clerk to the Parish Council.

The roles and responsibilities normally applied to Parish Clerks, as supplied by the Nottinghamshire Local Councils' Association, are attached.

RECOMMENDATION:

To consider interim arrangements until a permanent appointment is made once the Council has become more established.

17 Appointment of auditor

18 Meetings of the parish council

To fix dates and times of meetings of the Parish Council for 2026/2027.

RECOMMENDATIONS:

1. The next meeting of the Parish Council be held on (to be agreed); and
2. Future meetings for the municipal year 2026/2027 be held on the following dates (to be agreed)
3. That pending the appointment of a clerk to the Parish Council, the Chair be the proper officer for the time being for purposes of signing the summons to attend meetings.



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Acting Proper Officer
Gedling Borough Council
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ST ALBANS PARISH COUNCIL STANDING ORDERS

1. **RULES OF DEBATE AT MEETINGS**

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

the debate on a motion except:

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

2. DISORDERLY CONDUCT AT MEETINGS

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

3. MEETINGS GENERALLY

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

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

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

- **rights present and voting.**
- r **The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.**

See standing orders 5(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.

- s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

t The minutes of a meeting shall include an accurate record of the following:

- i. the time and place of the meeting;
- ii. the names of councillors who are present and the names of councillors who are absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session; and
- vii. the resolutions made.

- u **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.**

- v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.

- w **If a meeting is or becomes inquorate no business shall be transacted**
● and the meeting shall be closed. The business on the agenda for the meeting
● shall be adjourned to another meeting.
- x A meeting shall not exceed a period of two hours.

4. COMMITTEES AND SUB-COMMITTEES

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

- ix. shall determine if the public may participate at a meeting of a committee;
- x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee or a sub-committee.

5. ORDINARY COUNCIL MEETINGS

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.**
- f **The Chair of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chair of the Council, if there is one, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and**

shall give a casting vote in the case of an equality of votes.

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

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

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

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

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

7. PREVIOUS RESOLUTIONS

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

8. **VOTING ON APPOINTMENTS**

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

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

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

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

a The following motions may be moved at a meeting without written notice to the Proper Officer:

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

11. **MANAGEMENT OF INFORMATION**

See also standing order 20.

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

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

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

12. DRAFT MINUTES

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

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

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

● e **If the Council's gross annual income or expenditure (whichever is**

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

13. **CODE OF CONDUCT AND DISPENSATIONS**

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- c Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the Council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- f A dispensation request shall confirm:
- i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at

the start of the meeting for which the dispensation is required.

- h A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
 - i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - ii. granting the dispensation is in the interests of persons living in the Council's area; or**
 - iii. it is otherwise appropriate to grant a dispensation.**

14. CODE OF CONDUCT COMPLAINTS

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

15. **PROPER OFFICER**

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

See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least five days before the meeting confirming their withdrawal of it;
- iii. convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;

- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;
(see also standing order 23);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the Chair or in their absence the Vice-Chair (if there is one) of the Council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of [the Council] OR [() committee];
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(see also standing order 23).

16. **RESPONSIBLE FINANCIAL OFFICER**

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

17. **ACCOUNTS AND ACCOUNTING STATEMENTS**

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a

statement to summarise:

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

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

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

18. **FINANCIAL CONTROLS AND PROCUREMENT**

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

- v. whether contracts with an estimated value below £60,000 or due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - iv. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - v. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- d. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- e. **Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

19. **HANDLING STAFF MATTERS**

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

20. **RESPONSIBILITIES TO PROVIDE INFORMATION**

See also standing order 21.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b. *[If gross annual income or expenditure (whichever is higher) does not exceed £25,000]* **The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

OR

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

21. **RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**
(Below is not an exclusive list).

See also standing order 11.

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

22. **RELATIONS WITH THE PRESS/MEDIA**

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

23. **EXECUTION AND SEALING OF LEGAL DEEDS**

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

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

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

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

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

25. **RESTRICTIONS ON COUNCILLOR ACTIVITIES**

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

26. **STANDING ORDERS GENERALLY**

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

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Members' Code of Conduct

1. Introduction

- 1.1 All councils are required to have a local Councillor Code of Conduct. Gedling Borough Council has adopted this Code of Conduct pursuant to section 27 of the Localism Act 2011 to promote and maintain high standards of conduct by Members and Co-opted Members of the Council.
- 1.2 The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that councillors can be held accountable, and all adopt the behaviours and responsibilities associated with the role. The conduct of an individual councillor affects the reputation of the Council as a whole.
- 1.3 Councillors, represent local residents, work to develop better services and deliver local change. The public have high expectations of councillors and entrust councillors to represent the local area, taking decisions fairly, openly, and transparently. Councillors have both an individual and collective responsibility to meet public expectations by maintaining high standards, demonstrating good conduct and by challenging behaviour which falls below expectations.
- 1.4 Importantly, councillors should be able to undertake their role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.
- 1.5 This Code has been designed to protect the democratic role of councillors, encourage good conduct, and safeguard the public's trust in local government, it is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership, the Seven Principles of Public Life, also known as the Nolan Principles.

2 Definitions

- 2.1 For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who
 - a) is a member of any committee or sub-committee of the authority, or;
 - b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

3. Purpose

- 3.1 The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and

the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

4. General Principles of Councillor Conduct

- 4.1 Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.
- 4.2 Building on these principles, the following general principles have been developed specifically for the role of councillor.
- 4.3 In accordance with the public trust placed in me, on all occasions:
- I act with integrity and honesty
 - I act lawfully
 - I treat all persons fairly and with respect; and
 - I lead by example and act in a way that secures public confidence in the role of councillor.
- 4.4 In undertaking my role:
- I impartially exercise my responsibilities in the interests of the local community
 - I do not improperly seek to confer an advantage, or disadvantage, on any person
 - I avoid conflicts of interest
 - I exercise reasonable care and diligence; and
 - I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

5. Application of the Code of Conduct

- 5.1 This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.
- 5.2 This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:
- you misuse your position as a councillor
 - your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor.
- 5.3 The Code applies to all forms of communication and interaction, including:
- at face-to-face meetings

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

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

5.5 The Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from the Monitoring Officer on any matters that may relate to the Code of Conduct.

6. Standards of Councillor Conduct

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

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

7. General Conduct Rules

1. Respect

As a councillor:

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

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

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

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

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

2. Bullying, harassment, and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

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

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

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Examples of behaviour which amounts to bullying and harassment are set out in Appendix B to the Code of Conduct.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

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

3. Impartiality of officers of the council

As a councillor:

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

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

4. Confidentiality and access to information

As a councillor:

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

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

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

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

5. Disrepute

As a councillor:

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

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

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

6. Use of Position

As a councillor:

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

6.2 I behave in accordance with legal obligations and any other requirements contained within the Council's policies, protocols, and procedures.

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

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

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

- **act in accordance with the local authority's requirements; and**

- **ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

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

Examples include:

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

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

8. Complying with the Code of Conduct

As a Councillor:

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

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

8.3 I will not make trivial or malicious allegations that another Councillor has failed to comply with the Code of Conduct.

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

8.5 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

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

9. Protecting your reputation and the reputation of the local authority

Interests:

As a councillor:

9.1 I register and disclose my interests.

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

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

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

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

10. Gifts and Hospitality

As a Councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

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

Appendix A

The Seven Principles of Public Life

The principles are:

Selflessness

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

Integrity

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

Objectivity

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

Accountability

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

Openness

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

Honesty

Holders of public office should be truthful.

Leadership

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

Appendix B

Definitions and examples of behaviour which amount to bullying or harassment

Bullying may be characterised as behaviour, or an abuse or misuse of power in a way that undermines, humiliates, unfairly criticises, or injures someone.

A non-exhaustive list of behaviour which amounts to bullying includes:

- spreading malicious rumours, or insulting someone by word or behaviour
- copying correspondence that is critical about someone to others who do not need to know
- ridiculing or demeaning someone - picking on them or setting them up to fail
- exclusion - deliberately excluding someone from meetings or written correspondence in matters for which they have a responsibility or professional interest or deliberately excluding someone from events or celebrations that it would ordinarily be expected that they might legitimately attend
- victimisation - taking action detrimental to someone as a result of them raising a complaint or issue of concern in good faith through formal and correct procedure whether or not the complaint was upheld or proven
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances-touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- making threats or comments about job security without foundation
- publicly criticising the work or efficiency of someone where the issue has not been formally raised with that person through proper process and the right of explanation or appeal has not been made available
- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities

Harassment may be characterised as unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual.

A non-exhaustive list of behaviour which amounts to harassment includes:

- frequent unwanted contact, including texts, letters, phone calls, emails and communication via social media or any other electronic communication
- sending unwanted gifts
- driving past an individual's home or visiting them at work without legitimate purpose or following or watching an individual
- sharing humiliating information, lies or gossip about an individual
- making inappropriate comments, critical remarks, or offensive jokes
- threatening behaviour
- excessive demands that are impossible to deliver
- making sexual comments or jokes or inappropriate sexual gestures
- making jokes or degrading or patronising comments or teasing an individual about their race, religion, age, gender, sexual orientation, or disability. This would also amount to an offence under the Equality Act.

Appendix C – Interests

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

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

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

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

Non- participation in cases of a disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the existence and nature of that interest, whether or not it is included in you register of interests, and not participate in any discussion or vote on the matter, and must not remain in the room unless you have been granted a dispensation from the Council's Standards committee or Monitoring Officer.
5. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest.
6. Where you have a disclosable pecuniary interest in any business of the Council, you may attend a meeting (including a meeting of the overview and scrutiny committee of the Council or of a sub-committee of such a

- committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. You must leave the meeting immediately after making any such representations, answering questions, or giving evidence.
7. Where you have a disclosable pecuniary interest on a matter to be considered, or being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.
 8. Where a disclosable pecuniary interest is not included on the Council's register of interests and is not the subject of a pending notification you must notify the Monitoring officer of the interest in writing within 28 days of the date you became aware of the interest.

Disclosure of other registerable Interests

9. Where a matter arises at a meeting which relates to one of your other registerable interests, your non-pecuniary interests (Table 2). You must disclose the interest and the nature of the interest at the commencement of that consideration or when the interest becomes apparent only where you are aware or ought reasonably to be aware of the existence of the non-pecuniary interest.
10. Where you have a non-pecuniary interest, but it is considered to be a sensitive interest, you must indicate the existence of the interest but need not disclose details of the interest to the meeting.
11. Where you have a non-pecuniary interest in any business of the Council and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
12. If you have a non-pecuniary interest in any business of the Council you may participate, vote and remain in the room or chamber where a meeting considering the business is being held unless your interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

13. If you have a non-pecuniary interest in any business of the Council you may participate, vote, and remain in the room or chamber where a meeting considering the business is being held where that business relates to the functions of the Council in respect of:
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iii) an allowance, payment or indemnity given to members;
 - (iv) any ceremonial honour given to members; and
 - (v) setting council tax or a precept under the Local Government Finance Act 1992.

14. Where you have a non-pecuniary interest in any business of the Council in the circumstances set out in paragraph (12) above, you may remain in the room or chamber where a meeting considering the business is being held for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Table 1 – Disclosable Pecuniary Interests

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession, or vocation	Any employment, office, trade, profession, or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council:</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p> <p><i>For this purpose, “body in which you or they have 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.</i></p> <p><i>“Director” includes a member of the committee of management of an industrial and provident society.</i></p>
Land	<p>Any beneficial interest in land which is within the Council’s area.</p> <p><i>For this purpose “land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.</i></p>

Licences Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.

Corporate tenancies Any tenancy where (to your knowledge):

- (a) the landlord is the Council; and
- (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest

Securities Any beneficial interest in securities of a body where:

- (a) that body (to your knowledge) has a place of business or land in the Council's area; and
- (b) either:
 - i) The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - ii) If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

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

Table 2 - Interests other than Disclosable Pecuniary Interests

Non-pecuniary Interests

16. (1) You have a non-pecuniary interest in any business of the Council where either:

(a) It relates to or is likely to affect:

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;
- (ii) any body:
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union).

of which you are a member or in a position of general control or management;

- (iii) any employment, office, trade, profession or vocation carried on by you not for profit or gain;
- (iv) any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income;
- (v) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £50;

or

(b) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of:

- (i) a member of your family or any person with whom you have a close association;
- (ii) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (iii) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (iv) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision.

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LOCAL COUNCIL POWERS AND DUTIES

FUNCTION	POWERS AND DUTIES	STATUTORY PROVISIONS
Allotments	Powers to provide allotments. Duty to provide allotment gardens if demand unsatisfied and if reasonable to do so	Small Holding & Allotments Act 1908, s.23
Borrowing money	Power for councils to borrow money for their statutory functions or for the prudent management of their financial affairs	Local Government Act 2003, Schedule 1, para.2
Baths (Public)	Power to provide public swimming baths	Public Health act 1936, s.221
Burial grounds, cemeteries and crematoria	Power to acquire and maintain Power to Provide Power to agree to maintain monuments and memorials Power to contribute towards expenses of cemeteries	Open Spaces Act 1906, ss.9 and 10 Local Government Act 1972, s.214 Parish councils & Burial Authorities (Miscellaneous Provisions) Act 1970, s.1 Local Government Act 1972, s.214 (6)
Bus Shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provision) Act 1953, s.4
Byelaws	Power to make byelaws for: <ul style="list-style-type: none"> • Places of public recreation • Cycle parks • Public swimming baths • Open spaces and burial grounds • Mortuaries and post-mortem rooms 	<ul style="list-style-type: none"> • Public Health Act 1875, s.164 • Road Traffic Regulations Act 1984, s.57 (7) • Public Health Act 1936, s.223 • Open Spaces Act 1906, s.15 • Public Health Act 1936, s.198
Charities	Duties in respect of parochial charities Power to act as charity trustees	Charities Act 2011, ss. 298-303 Local Government Act 1972, s.139 (1)
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed Churchyards	Powers to maintain	Local Government Act 1972, s.215
Commons and common pastures	Powers in relation to Inclosure, regulation, management and provision of common pasture	Inclosure Act 1845; Small Holdings and Allotments Act 1908, s.34
Community centres	Power to provide & equip buildings for use of clubs having athletic, social or educational objectives Power to acquire, provide and furnish community buildings for public meetings and assemblies	Local Government (Miscellaneous Provisions) Act 1976 s.19 Local Government Act 1972, s.133
Conference facilities	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144
Crime prevention	Power to spend money on crime detection & prevention measures	Local Government and Rating Act 1997, s.31
Ditches & Ponds	Power to drain & maintain ponds & ditches to prevent harm to public health	Public Health Act 1936, s.260
Entertainment & arts	Provision of entertainment and support of the arts	Local Government Act 1972, s.145
Environment	Power to issue fixed penalty notices for litter, graffiti & offences under dog control orders	Clean Neighbourhoods and Environment Act 2005, s.19, s.30, Part 6
General Power of Competence	Power for an eligible council to do anything subject to statutory prohibitions, restrictions and limitations including those in place before or after introduction of general power of competence	Localism Act 2011, ss.1-8
Gifts	Power to accept gifts	Local Government Act 1972, s.139
Highways	Power to repair and maintain public footpaths and bridleways Power to light roads and public places Power to provide parking places for vehicles, bicycles and motor-cycles Power to enter into agreement as to dedication and widening Power to provide roadside seats and shelters Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway	Highways Act 1980, sections. 43,50 Parish councils Act 1957, s.3; Highways Act 1980, s.301 Road Traffic Regulation Act 1984, ss.57,63 Highways Act 1980, ss.30,72 Parish Councils Act 1957, s.1 Highways Act 1980, ss.47,116

Page 10 of 10

Agenda Item 9

LOCAL COUNCIL POWERS AND DUTIES

	Power to complain to district council as to protection of rights of way and roadside wastes	Highways Act 1980, s.130
	Power to provide certain traffic signs and other notices	Road Traffic Regulation Act 1984, s.72
	Power to plant trees etc. and to maintain roadside verges	Highways Act 1980, s.96
Honorary titles	Power to admit to be honorary freemen/freewomen of council's area persons of distinction and persons who have, in the opinion of the authority, rendered eminent services to that place or area	Local Government Act 1972, s.249 (5), s.249 (9)
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11
Land	Power to acquire by agreement, to appropriate, to dispose of	Local Government Act 1972, ss.124, 126, 127
	Power to accept gifts of land	Local Government Act 1972, s.139
Litter	Provision of bins	Litter Act 1983, ss.5,6
Lotteries	Powers to promote	Gambling Act 2005, s.252, 258
Markets	Power to establish or acquire by agreement markets within their area & provide a market place & market buildings	Food Act 1984, s.50
Mortuaries and post mortem rooms	Powers to provide mortuaries and post mortem rooms	Public Health Act 1936, s.198
Neighbourhood Planning	Powers to act as lead body for a neighbourhood development plan or a neighbourhood development order	Localism Act 2011, Sch. 9; Town & Country Planning Act 1990, ss.61E -61Q, Sch. 4B; Planning and Compulsory Purchase Act 2004, s.38A
Newsletters	Power to provide information relating to matters affecting local government	Local Government Act 1972, s.142
Nuisances	Power to deal with offensive ditches	Public Health Act 1936, s.260
Open spaces	Power to acquire & maintain land for public recreation	Public Health Act 1875, s.164
	Power to acquire and maintain land for open spaces	Open Spaces Act 1906, ss.9 and 10
Parish Property and documents	Powers to receive and retain	Local Government Act 1972, s.226
	Duty to deposit certain published works in specific deposit libraries	Legal Deposit Libraries Act 2003, s.1
Public buildings and village hall	Power to acquire and provide buildings for public meetings and assemblies	Local Government Act 1972, s.133
Public Conveniences	Power to provide	Public Health Act 1936, s.87
Recreation	Power to provide a wide range of recreational facilities	Local Government (Miscellaneous Provisions) Act 1976, s.19
	Provision of boating pools	Public Health Act 1961, s.54
Right to challenge services that are provided by a principal authority	The right to submit an interest in running a service provided by a district, county or unitary authority	Localism Act 2011, ss.81-86
Right to nominate and bid for assets of community value	The right to nominate assets to be added to a list of assets of community value and the right to bid to buy a listed asset when it comes up for sale	Localism Act 2011, ss.87-108
Town and County Planning	Right to be notified of planning applications if right has been requested	Town and Country Planning Act 1990, Sched.1, para.8
Tourism	Power to encourage tourism to the councils area	Local Government Act 1972, s.144
Traffic Calming	Powers to contribute financially to traffic calming schemes	Local Government and Rating Act 1997, s.30
Transport	Powers to spend money on community transport schemes	Local Government and Rating Act 1997, ss.26-29
War memorials	Power to maintain, repairs, protect and adapt war memorials	War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948, s.133
Water Supply	Power to utilise wells, springs or streams for obtaining water	Public Health Act 1936, s.125
Websites	Power for councils to have their own websites	Local Government Act 1972, s.142

Planning Applications

Parish Councils are statutory consultees in the planning application process which means that they are consulted by Gedling Borough Council, as the Local Planning Authority, on all planning applications within the Parish area. Any views expressed by the Parish Council will be taken into account by Gedling Borough Council in the consideration of the planning application, provided the matters raised are relevant to the determination of a planning application.

Decisions in respect of planning applications are made by Gedling Borough Council, not the Parish Council.

Parish Councils should only make comments on “material considerations” that are relevant to the planning application. Issues, for example, such as boundary disputes between neighbours or loss of views cannot be considered.

Consultation process

- Upon receipt of a planning application, Gedling Borough Council will notify the relevant Parish Council and invite them to review the application and provide comments.
- Parish Councils may convene meetings or committees to discuss planning applications and formulate their response. They may also seek input from local residents, businesses, and other stakeholders.
- Parish Councils submit their comments, objections, or recommendations to the local planning authority within the specified consultation period. These submissions are considered as part of the planning decision-making process.

Impact on decision-making

- While the views of Parish Councils are considered by the Local Planning Authority, they are among many factors in the decision-making process. However, the local knowledge of Parish Councils can provide valuable insight into potential issues arising from proposed development.
- The local planning authority assesses planning applications based on relevant planning policies, material considerations and the overall public interest, in addition to input from Parish Councils and other stakeholders.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) system allows local authorities to raise funds from developers undertaking new building projects in their area. These funds are then used to support infrastructure needs arising from development, such as roads, schools, community facilities and public transport.

Gedling Borough Council as the Charging Authority is required to pass 15% of CIL receipts directly to those parish councils where the chargeable development has taken place. This increases to 25% where there is a neighbourhood development plan in place or where permission has been granted for a neighbourhood development order.

The 15% figure is capped to £100 per existing council tax dwelling (multiplied by an index figure) which can be passed on to a Parish Council to be spent on “local priorities” each year.

The Neighbourhood Portion must be spent on;

- the provision, improvement, replacement, operation or maintenance of infrastructure; or
- anything else that is concerned with addressing the demands that development places on an area.

The CIL system offers several benefits for local authorities (including Parish Councils):

Funding for infrastructure — One of CIL's primary benefits is that it provides a dedicated source of funding for infrastructure projects in areas experiencing development. These can include road improvements, schools, parks, and other essential facilities.

Support for growth — CIL helps ensure that new development contributes to the cost of necessary infrastructure, supporting sustainable growth without placing undue financial burdens on existing residents and taxpayers.

Local control — Parish Councils can have a say in how CIL funds are spent within their area. This can allow for greater local control over infrastructure priorities and ensure that investments align with residents' needs and preferences.

Transparency and accountability — The CIL process typically involves public consultation and transparency in decision-making, helping to ensure that funding decisions are made fairly and accountable.

Flexibility — CIL funds can address various infrastructure needs, allowing local authorities (including Parish Councils) to respond to changing community priorities over time.

Long-term planning — By establishing a dedicated revenue stream for infrastructure investment, CIL encourages long-term planning and investment in essential facilities to support sustainable development.

Reduced dependency on grants — CIL reduces the reliance on government grants or borrowing to fund infrastructure projects, allowing local authorities (including Parish Councils) to maintain greater financial independence.

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ST ALBANS PARISH COUNCIL'S GRIEVANCE POLICY

Introduction

1. This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/index.aspx?articleid=2174>).
2. It also takes account of the ACAS guide on discipline and grievances at work. (https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf).
3. It also takes into account relevant law affecting Councils.
4. It aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
5. Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.
6. This policy confirms:
 - employees have the right to be accompanied or represented at a grievance meeting or appeal by a companion who can be a workplace colleague, a trade union representative or a trade union official. This includes any meeting held with them to hear about, gather facts about, discuss, consider or resolve their grievance. The companion will be permitted to address the grievance/appeal meetings, to present the employee's case for their grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining their case.
 - the Council will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date unless it is unreasonable not to propose a later date
 - any changes to specified time limits must be agreed by the employee and the Council
 - an employee has the right to appeal against the decision about their grievance. The appeal decision is final
 - information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance records will be held by the Council in accordance with the General Data Protection Regulation (GDPR)

- audio or video recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- if an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure
- if a grievance is not upheld, no disciplinary action will be taken against an employee if they raised the grievance in good faith
- the Council may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the consent of affected parties
- Employees can only use all stages of the grievance procedure if the complaint is not a code of conduct complaint about a councillor. Employees can use the informal stage of the council's grievance procedure (paragraph 4) to deal with all grievance issues, including a complaint about a councillor. Employees cannot use the formal stages of the council's grievance procedure for a code of conduct complaint about a councillor. If the complaint about the councillor is not resolved at the informal stage, the employee can contact the monitoring officer of [[] council] who will inform the employee whether or not the complaint can be dealt with under the code of conduct. If it does not concern the code of conduct, the employee can make a formal complaint under the council's grievance procedure (see paragraph 5)
- the Council may engage external investigators, grievance or appeal panels for the purposes of the process.
- If the grievance is a code of conduct complaint against a councillor, the employee cannot proceed with it beyond the informal stage of the council's grievance procedure. However, whatever the complaint, the council has a duty of care to its employees. It must take all reasonable steps to ensure employees have a safe working environment, for example by undertaking risk assessments, by ensuring staff and councillors are properly trained and by protecting staff from bullying, harassment and all forms of discrimination
- If an employee considers that the grievance concerns their safety within the working environment, whether or not it also concerns a complaint against a councillor, the employee should raise these safety concerns with their line manager at the informal stage of the grievance procedure. The council will consider whether it should take further action in this matter in accordance with any of its employment policies (for example its health and safety policy or its dignity at work policy) and in accordance with the code of conduct regime

Informal grievance procedure

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

appropriate to involve that councillor at the informal stage. This will require both the employee's and the councillor's consent.

Formal grievance procedure

8. If it is not possible to resolve the grievance informally and the employee's complaint is not one that should be dealt with as a code of conduct complaint (see above), the employee may submit a formal grievance. It should be submitted in writing to the Chairman of the staffing committee.
9. The staffing committee will appoint a sub-committee of 3 members to hear the grievance in the event that the grievance is raised by or relates to the Clerk. Where the grievance is not raised by or relates to the Clerk, the staffing committee may appoint the Clerk to hear the Grievance. The sub-committee will appoint a Chairman from one of its members. No councillor with direct involvement in the matter shall be appointed to the sub-committee.

Investigation

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

Notification

12. Within 14 calendar days of the Council receiving the employee's grievance (this may be longer if there is an investigation), the employee will normally be asked, in writing, to attend a grievance meeting. The written notification will include the following:
 - the names of its Chairman and other members
 - the date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will normally be within 35 calendar days of when the Council received the grievance
 - the employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official
 - a copy of the Council's grievance policy
 - confirmation that, if necessary, witnesses may attend (or submit witness statements) on the employee's behalf and that the employee should provide the names of their witnesses as soon as possible before the meeting
 - confirmation that the employee will provide the Council with any supporting evidence in advance of the meeting, usually with at least two days' notice
 - findings of the investigation if there has been an investigation
 - an invitation for the employee to request any adjustments to be made for the hearing (for example where a person has a health condition).

The grievance meeting

13. At the grievance meeting:
 - the Chairman will introduce the members of the sub-committee to the employee
 - the employee (or companion) will set out the grievance and present the evidence
 - the Chairman will ask the employee questions about the information presented and will want to understand what action does they wants the Council to take
 - any member of the sub-committee and the employee (or the companion) may question any witness
 - the employee (or companion) will have the opportunity to sum up the case
 - a grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the sub-committee.
14. The Chairman will provide the employee with the sub-committee's decision, in writing, usually within 7 calendar days of the meeting though may be longer e.g. where further investigations are required. The letter will notify the employee of the action, if any, that the Council will take and of the employee's right to appeal.

The appeal

15. If an employee decides that their grievance has not been satisfactorily resolved by the sub-committee, they may submit a written appeal to the staffing committee. An appeal must be received by the Council within 7 calendar days of the employee receiving the sub-committee's decision and must specify the grounds of appeal.
16. Appeals may be raised on a number of grounds, e.g.:
 - a failure by the Council to follow its grievance policy
 - the decision was not supported by the evidence
 - the action proposed by the sub-committee was inadequate/inappropriate
 - new evidence has come to light since the grievance meeting.
17. The appeal will be heard by a panel of 3 members of the staffing committee who have not previously been involved in the case. There may be insufficient members of the staffing committee who have not previously been involved. If so, the appeal panel will be a committee of three Council members who may include members of the staffing committee. The Council may engage external parties if there are insufficient councillors to form the panel. The appeal panel will appoint a Chairman from one of its members.
18. The employee will be notified, in writing, usually within 14 calendar days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will normally take place within 35 calendar days of the Council's receipt of the appeal. The employee will be advised that they may be accompanied by a workplace colleague, a trade union representative or a trade union official.
19. At the appeal meeting, the Chairman will:
 - introduce the panel members to the employee

- explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the staffing sub-committee
 - explain the action that the appeal panel may take.
20. The employee (or companion) will be asked to explain the grounds of appeal.
 21. The Chairman will inform the employee that they will receive the decision and the panel's reasons, in writing, and when they are likely to receive the letter. This may be within 14 calendar days of the appeal meeting however will be longer where further investigations are required.
 22. The appeal panel may decide to uphold the decision of the staffing committee or substitute its own decision.
 23. The decision of the appeal panel is final.

Date of policy: May 2026

Approving committee: Full Council

Date of committee meeting: 13 May 2026

Policy effective from: May 2026

Date for next review: May 2027

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ST ALBANS PARISH COUNCIL'S DISCIPLINARY POLICY

Introduction

1. This policy is based on and complies with the 2015 ACAS Code of Practice.
2. It also takes into account the ACAS guide on discipline and grievances at work.
3. The policy is designed to help council employees improve unsatisfactory conduct and performance in their jobs. Wherever possible, the council will try to resolve its concerns about employees' behaviour informally, without starting the formal procedure set out below.
4. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
5. This policy confirms:
 - Informal coaching and supervision will be considered, where appropriate, to improve conduct and/or attendance.
 - The council will fully investigate the facts of each case.
 - The council recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy will also apply to work performance issues to ensure that all alleged instances of employees' underperformance are dealt with fairly and in a way that is consistent with required standards. However, the disciplinary policy will only be used when performance management proves ineffective. For more information, see ACAS Performance Management.
 - Employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case.
 - Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary hearing.
 - Employees may be accompanied or represented by a companion – a workplace colleague, a trade union representative or a trade union official - at any investigatory, disciplinary or appeal meeting. The companion is permitted to address such meetings, to put the employee's case and confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining their case.
 - The council will give employees reasonable notice of any meetings in this procedure. Employee must make all reasonable efforts to attend. Failure to attend any meeting may result in it going ahead and a decision being taken. An employee who does not attend a meeting will be given the opportunity to be represented and to make written submissions.
 - If the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within seven calendar days of the original meeting date, unless it is unreasonable not to propose a later date.
 - Any changes to specified time limits in the council's procedure must be agreed to by the employee and the council.

- Information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the council is confidential to the employee. The employee's disciplinary records will be held by the Council in accordance with the General Data Protection Regulation (GDPR).
- Audio or video recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition.
- Employees have the right to appeal against any disciplinary decision. The appeal decision is final.
- If an employee who is already subject to the council's disciplinary procedure raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure.
- Disciplinary action taken by the council can include a written warning, a final written warning or dismissal.
- This procedure may be implemented at any stage if the employee's alleged misconduct warrants this.
- Except for gross misconduct, when an employee may be dismissed without notice, the council will not dismiss an employee on the first occasion that it decides there has been misconduct.
- If an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The council will write to the employee to confirm any period of suspension and the reasons for it.
- The council may consider mediation at any stage of the disciplinary procedure where appropriate (for example, where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process that requires the consent of affected parties.

Examples of misconduct

6. Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct (the list is not exhaustive):
 - Unauthorised absence.
 - Poor timekeeping.
 - Misuse of the council's resources and facilities, including telephone, email and internet.
 - Inappropriate behaviour.
 - Refusal to follow reasonable instructions.
 - Breach of health and safety rules.

Examples of gross misconduct

7. Gross misconduct is misconduct that is so serious that it is likely to lead to dismissal without notice. The following list contains some examples of gross misconduct (the list is not exhaustive):

- Bullying, discrimination and harassment.
- Incapacity at work because of alcohol or drugs.
- Violent behaviour.
- Fraud or theft.
- Gross negligence.
- Gross insubordination.
- Serious breaches of council policies and procedures, e.g. the Health and Safety Policy, Equality and Diversity Policy, Data Protection Policy and any policies regarding the use of information technology.
- Serious and deliberate damage to property.
- Use of the internet or email to access pornographic, obscene or offensive material.
- Disclosure of confidential information.

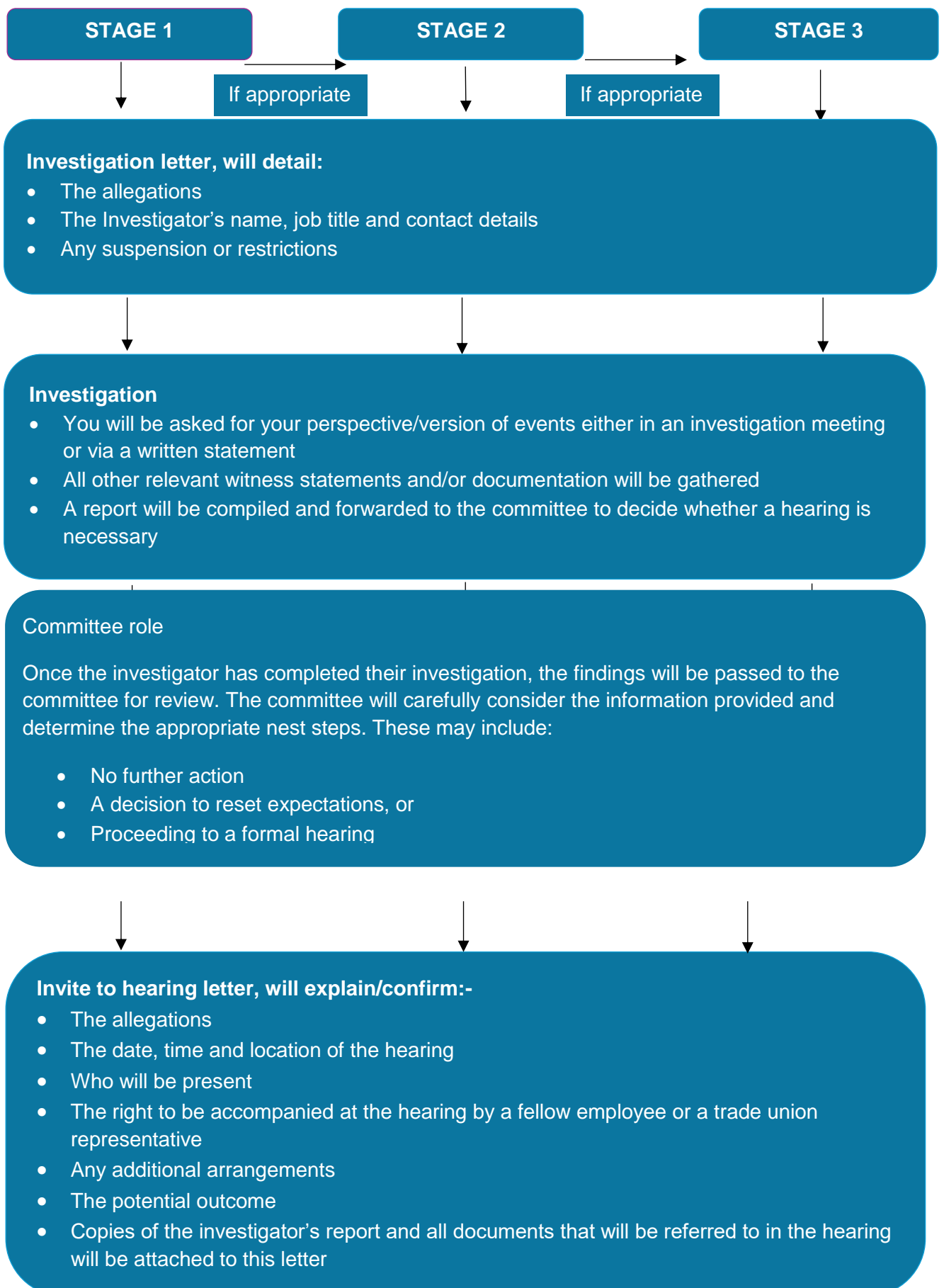
Suspension

8. If allegations of gross misconduct or serious misconduct are made, the council may suspend the employee while further investigations are carried out. Suspension will be on full pay. Suspension does not imply any determination of guilt or innocence, as it is merely a measure to enable further investigation.
9. While on suspension, the employee is required to be available during normal hours of work in the event that the council needs to make contact. The employee must not contact or attempt to contact or influence anyone connected with the investigation in any way or discuss this matter with any other employee or councillor.
10. The employee must not attend work. The council will make arrangements for the employee to access any information or documents required to respond to any allegations.

Examples of unsatisfactory work performance

11. The following list contains some examples of unsatisfactory work performance (the list is not exhaustive):
 - Inadequate application of management instructions/office procedures.
 - Inadequate IT skills.
 - Unsatisfactory management of staff.
 - Unsatisfactory communication skills.

The procedure



The Hearing

- An appropriate level of management will conduct the disciplinary hearing ('the Chair'), and there may also be a note-taker present. In some cases, a Human Resources Partner will also be present
- The Chair will explain the role of all those in attendance, the allegations and go through the evidence that has been gathered
- You will be given the opportunity to respond in full. This will include time to ask questions and present evidence. If you intend to call any witnesses, you must give us advance written notice that you intend to do this
- The Chair will adjourn at the end to consider their decision
- Where possible, the outcome will be given the same day. Where this is not possible, because for example, the Chair requires further time to consider their decision or complete further investigation, you will be informed
- You will be informed of the outcome verbally (either in person or by phone) and then in writing

**Potential outcome:
First Written
warning**

**Potential outcome:
Final Written
warning**

**Potential outcome:
Dismissal (with or
without notice/pay
in lieu of notice)**

Outcome letter will advise:

- The nature of the misconduct that has led to the outcome (including any prior warnings that have been taken into account, if appropriate)
- The action or improvement required
- The timescale for implementing such action (if relevant)
- That this is a first/final written warning and that the next stage may be final written warning/dismissal if there is no sustained improvement or change
- That the warning will remain live for 12 months
- That whilst the warning will not remain active after this time in relation to future disciplinary matters, a record of what has occurred will be kept and may be referred to if relevant
- The right of appeal

Outcome letter will advise:

- The reasons for dismissal
- Any prior warnings that have been taken into account, if appropriate
- The date on which employment will end
- The right of appeal

12. Preliminary enquiries_ The council may make preliminary enquiries to establish the basic facts of what has happened in order to understand whether there may be a case to answer under the disciplinary procedure.
13. If the employee's manager believes there may be a disciplinary case to answer, the council may initiate a more detailed investigation undertaken to establish the facts of a situation or to establish the perspective of others who may have witnessed misconduct.
14. Informal Procedures. Where minor concerns about conduct become apparent, it is the manager's responsibility to raise this with the employee and clarify the improvements required. A file note will be made and kept by the manager. The informal discussions are not part of the formal disciplinary procedure. If the conduct fails to improve, or if further matters of conduct become apparent, the manager may decide to formalise the discussions and invite the employee to a first stage disciplinary hearing.

Disciplinary investigation

15. A formal disciplinary investigation may sometimes be required to establish the facts and whether there is a disciplinary case to answer.
16. If a formal disciplinary investigation is required, the Council's staffing committee will appoint an Investigator who will be responsible for undertaking a fact-finding exercise to collect all relevant information. The Investigator will be independent and will normally be a councillor. If the staffing committee considers that there are no councillors who are independent (for example, because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the Council. The Investigator will be appointed as soon as possible after the allegations have been made. The staffing committee will inform the Investigator of the terms of reference of the investigation. The terms of reference should specify:
 - The allegations or events that the investigation is required to examine.
 - Whether a recommendation is required
 - How the findings should be presented. For example, an investigator will often be required to present the findings in the form of a written report.
 - Who the findings should be reported to and who to contact for further direction if unexpected issues arise or advice is needed.
17. The Investigator will be asked to submit their findings, usually within 35 Calendar days of appointment, where possible. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an investigator may not be necessary and the Council may decide to commence disciplinary proceedings at the next stage - the disciplinary meeting (see paragraph 22).
18. The Staffing Committee will notify the employee in writing of the alleged misconduct and details of the person undertaking the investigation. The employee may be asked to meet an investigator as part of the disciplinary investigation. The employee will be given sufficient notice of the meeting with the Investigator so that they have a reasonable time to prepare for it. The letter will explain the investigatory process and that the meeting is part of that process. The employee will be provided with a copy of

the council's disciplinary procedure. The council will also inform the employee that when they meet with the Investigator, they will have the opportunity to comment on the allegations of misconduct.

19. Employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at any investigatory meeting.
20. If there are other persons (e.g. employees, councillors, members of the public or the council's contractors) who can provide relevant information, the Investigator should try to obtain it from them in advance of the meeting with the employee.
21. The Investigator has no authority to take disciplinary action. Their role is to establish the facts of the case as quickly as possible and prepare a report that recommends to the Staffing Committee whether or not disciplinary action should be considered under the policy.
22. The Investigator's report will contain their recommendations and the findings on which they were based. They will recommend either:
 - The employee has no case to answer, and there should be no further action under the council's disciplinary procedure.
 - The matter is not serious enough to justify further use of the disciplinary procedure and can be dealt with informally.
 - The employee has a case to answer, and a formal hearing should be convened under the council's disciplinary procedure.
23. The Investigator will submit the report to the staffing committee, which will decide whether there is no case to answer; the matter should be considered informally, or a formal Disciplinary Hearing should be convened. If the Investigator is a member of the Committee making the decision, they should recuse themselves from any formal votes or decision-making regarding their findings as to whether there is a case to answer at a Disciplinary Hearing.
24. If the council decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

The disciplinary meeting

25. If the Staffing Committee decides that there is a case to answer, it will appoint a staffing sub-committee of three councillors to formally hear the allegations. The staffing sub-committee will appoint a Chair from one of its members. The Investigator shall not sit on the sub-committee. The staffing sub-committee will be given the delegated authority to make a decision in relation to the Disciplinary.
26. No councillor with direct involvement in the matter shall be appointed to the sub-committee. The employee will be invited, in writing, to attend a disciplinary meeting. The sub-committee's letter will confirm the following:
 - The names of its chair and the other two members.
 - Details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the meeting.

- A copy of the information provided to the sub-committee, which may include the investigation report, supporting evidence and a copy of the Council's disciplinary procedure.
- The time and place for the meeting. The employee will be given reasonable notice of the hearing so that they have sufficient time to prepare for it.
- Whether witnesses may attend on the employee's and the council's behalf, and if they may, both parties should inform each other of their witnesses' names at least two working days before the meeting.
- The employee may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.

27. The purpose of the disciplinary meeting hearing is for the allegations to be put to the employee and then for the employee to give their perspective. It will be conducted as follows:

- The chair will introduce the members of the sub-committee to the employee and explain the arrangements for the hearing.
- The chair will set out the allegations and invite the Investigator to present the findings of the investigation report (if there has been a previous investigation).
- The chair will invite the employee to present their account.
- The employee (or the companion) will set out their case and present evidence (including any witnesses and/or witness statements).
- Any member of the sub-committee and the employee (or the companion) may question the Investigator and any witness.
- The employee (or companion) will have the opportunity to sum up.

28. The chair will provide the employee with the sub-committee's decision with reasons, in writing, within 7 calendar days of the meeting. The chair will also notify the employee of the right to appeal the decision in the event that formal action is taken.

29. The disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be further investigated by the sub-committee.

Disciplinary action

30. If the sub-committee decides that there should be disciplinary action, it may be any of the following:

First written warning:

31. If the employee's conduct has fallen below acceptable standards, a first written warning will be issued. A first written warning will set out:

- The reason for the written warning, the improvement required (if appropriate) and the time period for improvement.
- That further misconduct/failure to improve will result in more serious disciplinary action.
- The employee's right of appeal.
- That a note confirming the written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Final written warning:

32. If the offence is sufficiently serious, or if there is further misconduct or a failure to improve sufficiently during the currency of a prior warning, the employee will be given a final written warning. A final written warning will set out:

- The reason for the final written warning, the improvement required (if appropriate) and the time period for improvement.
- That further misconduct/failure to improve will result in more serious disciplinary action up to and including dismissal.
- The employee's right of appeal.
- That a note confirming the final written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Dismissal:

33. The council may dismiss:

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

34. The council will consider very carefully a decision to dismiss. If an employee is dismissed, they will receive a written statement of the reasons for their dismissal, the date on which the employment will end and details of their right of appeal. If the sub-committee decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action taken as a result of the disciplinary meeting will remain in force unless it is modified as a result of an appeal.

The appeal:

35. An employee who is the subject of disciplinary action will be notified of the right of appeal. Their written notice of appeal must be received by the council within seven calendar days of the employee receiving written notice of the disciplinary action and must specify the grounds for appeal.

36. The grounds for appeal include:

- A failure by the council to follow its disciplinary policy.
- The sub-committee did not support the sub-committee's disciplinary decision.
- The disciplinary action was too severe in the circumstances of the case.
- New evidence has come to light since the disciplinary meeting.

37. Where possible, the appeal will be heard by a panel of 3 members of the staffing committee who have not previously been involved in the case. This includes the Investigator. There may be insufficient members of the staffing committee who have not previously been involved. If so, the appeal panel will be a committee of 3

members of the council who may include members of the staff committee. The appeal panel will appoint a chair from one of its members.

38. The employee will be notified, in writing, within 14 calendar days of receipt of the notice of appeal of the time, date and place of the appeal meeting. The employee will be advised that they may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.
39. At the appeal meeting, the chair will:
 - Introduce the panel members to the employee.
 - Explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the disciplinary decision.
 - Explain the action that the appeal panel may take.
40. The employee (or companion) will be asked to explain the grounds for appeal.
41. The chair will inform the employee that they will receive the decision and the panel's reasons, in writing, usually within five working days of the appeal hearing.
42. The appeal panel may decide to uphold the disciplinary decision of the staffing committee, substitute a less serious sanction or decide that no disciplinary action is necessary. If it decides to take no disciplinary action, no record of the matter will be retained in the employee's personnel file.
43. If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of dismissal and continuity of service will be preserved.
44. The appeal panel's decision is final.

Important notice

This is an example of an employment policy designed for a small council, adhering to statutory minimum requirements, and does not constitute legal advice. As with all policies, it should be consistent with your terms and conditions of employment.

This document was commissioned by the National Association of Local Councils (NALC) for the purpose of its members. Every effort has been made to ensure that the contents of this document are correct at the time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.

Date of policy: May 2026
Approving committee: Full Council
Date of committee meeting: 13 May 2026
Policy effective from: May 2026
Date for next review: May 2027

COMPLAINTS POLICY AND PROCEDURE

AIM OF THE POLICY

The aim of this Policy is to explain the procedure by which complaints will be dealt with by St Albans Parish Council. It should be noted that this does not affect an elector's statutory right to object to the Parish Council's audit of accounts pursuant to section 16 of the Audit Commission Act 1998. Nor will it apply to criminal activity (which should be reported to the police), conduct of councillors (which should be submitted in accordance with procedures within the Code of Conduct) or employee conduct which will be dealt with under the Parish Council's Disciplinary Procedure.

1. The complainant should raise the complaint informally with the Clerk or Chairman.
2. If the complaint is not resolved satisfactorily then the complainant should put the complaint in writing to the Clerk or Chairman.
3. The Clerk or Chairman will acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the Parish Council. The complainant will be advised whether the complaint will be treated as confidential or not. Complaints naming councillors, staff, or other residents will be treated as confidential.
4. The complaint will be discussed by the Chairman, Clerk and any named Councillor and, if possible, resolution offered. This will be communicated in writing.
5. If not resolved, the complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
6. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The Parish Council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

At the Meeting

- The meeting will be in private.
- The Chairman will introduce everyone and explain the procedure.
- The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by members at the meeting
- The Clerk or Chairman will have an opportunity to explain the Parish Council's position and questions may be asked by (i) the complainant and (ii) members.

- The Clerk or Chairman and then the complainant should be offered the opportunity to summarise their position.
- The complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.
- The complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them

After the Meeting

- The decision should be confirmed in writing within seven working days together with details of any action to be taken.
- The resulting decision will be made public by notices and on the website.

Unreasonably persistent or vexatious complaints.

On occasions certain complaints can be difficult to resolve and can cause anxiety and distress to both complainants and employees of the Parish Council. Whilst the aim of the Parish Council is always to try to find a way to resolve matters, on occasions complainants are encountered who become unreasonably persistent or vexatious in their actions to obtain the outcome that they want.

The Parish Council wants to ensure that in using the complaints procedure complainants who are unreasonable or vexatious are dealt with fairly but also that the Parish Council's resources are used as effectively as possible and that other service users or Parish Council employees do not suffer any detriment as a result of their behaviour.

Unreasonably persistent or vexatious complaints will be viewed under a separate policy.

ST ALBANS PARISH COUNCIL

Media Policy

Adopted Date: May 2026

Reviewed May 2026

Next Review due: May 2027

1. Introduction

St Albans Parish Council's relationship with the community is vital to its work and the decisions it takes. An open and constructive dialogue is a key requirement for influencing and developing services, identifying attitudes and measuring satisfaction.

Effective media relations are an important factor in establishing a good relationship between the Parish Council and the community. Since members of the public generally rely on the media for local information and news, it is important for the Parish Council to present information about its activities and aspirations in a consistent way.

St Albans Parish Council recognises that the internet provides a unique opportunity to participate in interactive discussions and share information using a wide variety of social media, such as Facebook, X (Twitter), and Instagram. Employees and councillors are likely to use social media in a private capacity outside of work and they may/will also be required to use it in a business capacity as part of their role at the Parish Council.

Employees' and councillors' use of social media in both a personal and business capacity can present risks to our confidential information and reputation and can jeopardise our compliance with legal obligations. To minimise these risks, we expect employees and councillors to adhere to this policy.

2. Scope

This policy applies to all employees and councillors of the Parish Council.

This policy applies to the process of contacting the media and informing the public about the Parish Council's activities, the decisions it takes and the services it provides. It also reviews use of social media for both business and personal purposes whether during office hours or otherwise. It also applies whether the social media is accessed using Council IT facilities, or equipment belonging to employees or councillors.

3. Definitions

The term 'media' encompasses many different means of communicating a message to a wider audience, and includes broadcast media, the Internet, and a wide range of printed media, including local newspapers, magazines, local broadcasters and posters.

Social media is a type of interactive online media that allows parties to communicate instantly with each other, or to share data in a public forum. This includes online social forums such as X, Twitter, Facebook, Instagram, Linked-In, internet newsgroups and chat rooms. Social media also covers blogs and video and image sharing websites such as YouTube and Flickr.

There are many more examples of social media than can be listed here and this is a constantly changing area. This policy refers to the examples listed and any new social media which is developed in the future.

4. Principles of media engagement

The general principle is that the Parish Council Office will act as the Press Office. Any official contact with the media concerning the Parish Council's policies, decisions and services is to be initiated through this office.

Press releases and statements will be prepared by the clerk in consultation with the chair and other members as required and will normally be restricted to matters that have been debated and agreed by the Parish Council.

Members who are approached by the media should refer to the Council Office to ensure consistency. Members can, as long as they make it clear that it is a personal opinion, state their view on a matter. However, members should take care not to misrepresent and/or bring the Parish Council into disrepute and must bear in mind their responsibilities under the Local Government Code of Conduct. The requirement of the General Data Protection Regulations must be adhered to at all times.

The Local Government Act 1972 requires that agendas, reports and minutes are sent to the media on request and the media are encouraged to attend council meetings and the council should make appropriate space available. The Openness of LG Bodies Regulation 2014 became law on 6 August 2014, allowing filming, photography and/or recording of council proceedings by the public or press. The chairman of the meeting should ask if any person intends to do any of these so that councillors are aware. This should be a constant agenda item on all council or committee meetings. No oral report or running verbal commentary is permitted during the meeting.

5. Using social media sites in the name of St Albans Parish Council.

All posts on behalf of the Parish Council must go via agreed councillors seeking advice from the Clerk as necessary.

Councillors' authority to post will be withdrawn during a defined period before local council elections in order to comply with legislation (Pre-election period).

Councillors should also be aware that the Electoral Commission requires that candidates provide a return of expenditure on any form of advertising or campaign literature which includes web advertising on their personal social media accounts. Full guidance for candidates can be found at www.electoralcommission.org.uk.

6. Personal Safety and Privacy

Employees and councillors need to be aware that the information they post on their personal social media profile can make them identifiable to residents and service users, as well as people they know in a private capacity.

Online sites such as Facebook are in the public domain, and personal profile details can be seen by anyone, even if users have their privacy settings on the highest level, if a user's profile is linked to other sites, any changes to their profile will be updated there too.

Employees and councillors who have set their privacy level to the maximum can have their privacy compromised by 'friends' who may not have set their security to the same standard.

7. Key Principles

Employees and councillors must not:

- use the Cllr or Councillor title on personal social media
- present personal opinions as that of the Parish Council
- bring the Parish Council into disrepute or cause embarrassment, including through content posted in a personal capacity
- post content that is contrary to the democratic decisions of the Parish Council
- disclose commercially sensitive, personal private or confidential information. If you are unsure whether the information you wish to share falls within one of these categories, you should discuss this with the Clerk

- post comments on employees or councillors without their prior approval
- upload, post or forward any content belonging to a third party unless you have that third party's consent. This includes use of an individual's name without written permission to do so; publishing photographs or videos of minors without parental permission
- post any information that infringes copyright of others including any link to a third-party website without checking that any terms and conditions of that website permit you to link to it.
- post, forward or link to controversial or potentially inflammatory remarks, engage in personal attacks, online fights and hostile communications as this may constitute bullying or harassment and will bring the Parish Council into disrepute.
- conduct any online activity that is against regulation or law e.g., may be deemed libellous or that constitutes a criminal offence.

Examples of good practice:

- Be honest and open but be mindful of the impact your contribution might make to people's perceptions of the Parish Council.
- Don't escalate heated discussions, try to be conciliatory, respectful and quote facts to lower the temperature and correct misrepresentations.
- Consider others' privacy and avoid discussing topics that may be inflammatory e.g., politics and religion.
- Offer routes to enable resolution of concerns and complaints e.g., how to report to Gedling Borough Council and other statutory bodies

The above examples are not a definitive list but are examples to illustrate what misuse and good practice may look like.

Councillors must avoid posting views in advance of a decision to be debated by the Council or a Committee meeting, that may constitute predetermination or bias. The Localism Act 2011 states that councillors must not have "had or appeared to have had a closed mind (to any extent) when making the decision".

8. Addressing allegations of misuse

Any employee or councillor who feels that they have been harassed or bullied or are offended by material posted or uploaded by a staff member or councillor onto a social media website should inform the Clerk or Chairperson of the Parish Council who should ensure that all complaints are dealt with consistently and fairly.

For councillors, complaints will be dealt with following the Council's Complaints Policy, with complaints concerning the councillor's conduct being referred to the Gedling Borough Council Monitoring Officer.

For employees, complaints will be dealt with following the Parish Council's Disciplinary Procedure.

ST ALBANS PARISH COUNCIL FINANCIAL REGULATIONS

Contents

1. General.....	2
2. Risk management and internal control.....	3
3. Accounts and audit.....	4
4. Budget and precept.....	5
5. Procurement.....	6
6. Banking and payments.....	8
7. Electronic payments.....	9
8. Cheque payments.....	10
9. Payment cards.....	11
10. Petty Cash.....	11
11. Payment of salaries and allowances.....	11
12. Loans and investments.....	12
13. Income.....	12
14. Payments under contracts for building or other construction works.....	13
15. Stores and equipment.....	13
16. Assets, properties and estates.....	13
17. Insurance.....	14
18. Suspension and revision of Financial Regulations.....	14
Appendix 1 - Tender process.....	16

These Financial Regulations were adopted by the council at its meeting held on 13 May 2026.

1. General

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

- **setting the final budget or the precept (council tax requirement);**
- **the outcome of a review of the effectiveness of its internal controls**
- **approving accounting statements;**
- **approving an annual governance statement;**
- **borrowing;**
- **declaring eligibility for the General Power of Competence; and**
- **addressing recommendations from the internal or external auditors**

1.7. In addition, the council shall:

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

2. Risk management and internal control

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

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

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

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

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

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

2.6. At least once in each quarter, and at each financial year end, a member other than the Chair or a cheque signatory shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign and date the reconciliations and the original bank statements (or similar document) as evidence of this. This activity, including any exceptions, shall be reported to and noted by the council or finance committee.

2.7. Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall

put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.

3. Accounts and audit

- 3.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.
- 3.2. **The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:**
 - **day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;**
 - **a record of the assets and liabilities of the council;**
- 3.3. The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual Governance and Accountability Return.
- 3.4. The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual Governance and Accountability Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the council, within the timescales required by the Accounts and Audit Regulations.
- 3.5. **The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**
- 3.6. **Any officer or member of the council must make available such documents and records as the internal or external auditor consider necessary for the purpose of the audit** and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary.
- 3.7. The internal auditor shall be appointed by [the council] and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.
- 3.8. The council shall ensure that the internal auditor:
 - is competent and independent of the financial operations of the council;
 - reports to council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
 - can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - has no involvement in the management or control of the council

3.9. Internal or external auditors may not under any circumstances:

- perform any operational duties for the council;
- initiate or approve accounting transactions;
- provide financial, legal or other advice including in relation to any future transactions; or
- direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

3.10. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.

3.11. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

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

4. Budget and precept

4.1. **Before setting a precept, the council must calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.**

4.2. Budgets for salaries and wages, including employer contributions shall be reviewed by the council or finance committee at least annually in October for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the Clerk and the Chair of the Council or relevant committee. The RFO will inform committees of any salary implications before they consider their draft budgets.

4.3. No later than [month] each year, the RFO shall prepare a draft budget with detailed estimates of all [receipts and payments/income and expenditure] for the following financial year {along with a forecast for the following [three financial years]}, taking account of the lifespan of assets and cost implications of repair or replacement.

4.4. Unspent budgets for completed projects shall not be carried forward to a subsequent year. {Unspent funds for partially completed projects may only be carried forward (by placing them in an earmarked reserve) with the formal approval of the full council.}

4.5. Each committee (if any) shall review its draft budget and submit any proposed amendments to the council {finance committee} not later than the end of [November] each year.

- 4.6. The draft budget {with any committee proposals and [three-year]} forecast, including any recommendations for the use or accumulation of reserves, shall be considered by the {finance committee and a recommendation made to the} council.
- 4.7. Having considered the proposed budget and [three-year] forecast, the council shall determine its council tax requirement by setting a budget. The council shall set a precept for this amount no later than [the end of January] for the ensuing financial year.
- 4.8. **Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must disclose at the start of the meeting that Section 106 applies to them.**
- 4.9. The RFO shall **issue the precept to the billing authority no later than the end of February** and supply each member with a copy of the agreed annual budget.
- 4.10. The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.
- 4.11. Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the council or relevant committee.

5. Procurement

- 5.1. **Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.
- 5.2. The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.
- 5.3. Every contract shall comply with the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.
- 5.4. **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Procurement Act 2023 and The Procurement Regulations 2024 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award and notification of that contract.**
- 5.5. Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:
- 5.6. For contracts estimated to exceed £60,000 including VAT, the Clerk shall {seek formal tenders from at least [three] suppliers agreed by [the council]}. Tenders shall be invited in accordance with Appendix 1.
- 5.7. **For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation regarding the publication of invitations and notices.**

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

VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair as soon as possible and to [the council] as soon as practicable thereafter.

- 5.19. No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless [the council] is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.
- 5.20. An official order or letter shall be issued for all work, goods and services {above [£250] excluding VAT} unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.
- 5.21. Any ordering system can be misused and access to them shall be controlled by the RFO.

6. Banking and payments

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

- 6.7. {A copy of this schedule of regular payments shall be signed by two members on each and every occasion when payment is made - to reduce the risk of duplicate payments.}
- 6.8. {A list of such payments shall be reported to the next appropriate meeting of the council or Finance Committee} for information only.
- 6.9. The Clerk shall have delegated authority to authorise payments only in the following circumstances:
- i. {any payments of up to [£500] excluding VAT, within an agreed budget}.
 - ii. payments of up to [£2,000] excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.
 - iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 {or to comply with contractual terms}, where the due date for payment is before the next scheduled meeting of [the council], where the [Clerk and RFO] certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council {or finance committee}.
 - iv. Fund transfers within the councils banking arrangements up to the sum of [£10,000], provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee].
- 6.10. The RFO shall present a schedule of payments requiring authorisation, forming part of the agenda for the meeting, together with the relevant invoices, to the council {or finance committee}. The council {or committee} shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution. The authorised schedule shall be initialled immediately below the last item by the person chairing the meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting.

7. Electronic payments

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

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

8. Cheque payments

- 8.1. Cheques or orders for payment in accordance with a resolution or delegated decision shall be signed by two members and countersigned by the Clerk.
- 8.2. A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.

- 8.3. To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil and invoice.
- 8.4. {Cheques or orders for payment shall not normally be presented for signature other than at, or immediately before or after a council {or committee} meeting}. Any signatures obtained away from council meetings shall be reported to the council or Finance Committee at the next convenient meeting.

9. Payment cards

- 9.1. Any Debit Card issued for use will be specifically restricted to the Clerk and will also be restricted to a single transaction maximum value of [£500] unless authorised by council or finance committee in writing before any order is placed.
- 9.2. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by [the council]. Transactions and purchases made will be reported to [the council] and authority for topping-up shall be at the discretion of [the council].
- 9.3. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk and any balance shall be paid in full each month.
- 9.4. Personal credit or debit cards of members or staff shall not be used under any circumstances.

10. Petty Cash

- 10.1. The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the Clerk [or RFO] (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.)
 - a) Vouchers for payments made from petty cash shall be kept, along with receipts to substantiate every payment.
 - b) Cash income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
 - c) Payments to maintain the petty cash float shall be shown separately on any schedule of payments presented for approval.)

11. Payment of salaries and allowances

- 11.1. **As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.**
- 11.2. **Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**
- 11.3. Salary rates shall be agreed by the council, or a duly delegated committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the council or relevant committee.
- 11.4. Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.

- 11.5. Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.
- 11.6. Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record, with the total of such payments each calendar month reported in the cashbook. Payroll reports will be reviewed by [the finance committee] to ensure that the correct payments have been made.
- 11.7. Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council.
- 11.8. Before employing interim staff, the council must consider a full business case.

12. Loans and investments

- 12.1. Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.
- 12.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the full council, following a written report on the value for money of the proposed transaction.
- 12.3. The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 12.4. All investment of money under the control of the council shall be in the name of the council.
- 12.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 12.6. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

13. Income

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

- 13.3. Any sums found to be irrecoverable, and any bad debts shall be reported to the council by the RFO and shall be written off in the year. The council's approval shall be shown in the accounting records.
- 13.4. All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.
- 13.5. Personal cheques shall not be cashed out of money held on behalf of the council.
- 13.6. {The RFO shall ensure that VAT is correctly recorded in the council's accounting software and that any VAT Return required is submitted from the software by the due date}. OR {Any repayment claim under section 33 of the VAT Act 1994 shall be made {quarterly where the claim exceeds [£100] and} at least annually at the end of the financial year.}
- 13.7. {Where significant sums of cash are regularly received by the council, the RFO shall ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control record such as ticket issues, and that appropriate care is taken for the security and safety of individuals banking such cash.}
- 13.8. {Any income that is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting.}

14. Payments under contracts for building or other construction works

- 14.1. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.
- 14.2. Any variation of, addition to or omission from a contract must be authorised by the Clerk to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

15. Stores and equipment

- 15.1. The clerk shall be responsible for the care and custody of stores and equipment.
- 15.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 15.3. Stocks shall be kept at the minimum levels consistent with operational requirements.
- 15.4. {The RFO shall be responsible for periodic checks of stocks and stores, at least annually.}

16. Assets, properties and estates

- 16.1. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held, in accordance with Accounts and Audit Regulations.
- 16.2. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.
- 16.3. No interest in land shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a written report shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate where required by law).
- 16.4. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, except where the estimated value of any one item does not exceed [£500]. In each case a written report shall be provided to council with a full business case.

17. Insurance

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

18. Suspension and revision of Financial Regulations

- 18.1. The council shall review these Financial Regulations [annually] and following any change of clerk or RFO. The Clerk shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.
- 18.2. The council may, by resolution duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations, provided that reasons for the suspension are recorded and that an assessment of the risks arising has been presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.

18.3. The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

Appendix 1 - Tender process

- 1) Any invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases.
- 2) The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post, unless an electronic tendering process has been agreed by the council.
- 3) Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- 4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- 5) Any invitation to tender issued under this regulation shall be subject to Standing Order [insert reference of the council's relevant standing order] and shall refer to the terms of the Bribery Act 2010.
- 6) Where the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

Job Description

Role - Parish Clerk and Responsible Financial Officer (RFO)

Salary - In accordance with the NALC pay scales, dependent on qualifications and experience

Section 1: Role Overview

The Clerk of the Parish Council will be solely responsible for the administration of the Council's business. The range of responsibilities of the Clerk and RFO to fulfil the needs and best interests of the Parish Council are set out as follows:

- Act as a Proper Officer and Responsible Financial Officer for St Albans Parish Council
- Fulfil the role of the Council and Committee Secretary
- Purchase goods and services on behalf of the council
- Liaise with other authorities and bodies
- Manage the day to day business of the Parish Office and staff
- Manage the Council's IT systems and website
- Actively manage the Council's land and property assets to optimise revenue and value to the community
- Manage projects that deliver the objectives of any Neighbourhood Plan

Section 2: Duties

- i) Ensuring compliance with legal duties
 - Proactively keep up to date with relevant changes in legislation affecting local councils.
 - Ensure that all statutory and other provisions governing or affecting the running of the council are observed.
 - Ensure that the Standing Orders, Financial Regulations, Code of Conduct and Data Protection policy are reviewed at least annually or when the law changes, and that other policies are reviewed as appropriate. Make sure that the Council as a whole, councillors and staff are aware of our policies and procedures.
 - Respond to requests made under freedom of information legislation and rights exercisable under data protection legislation.

- ii) Managing Parish Council, Committee and Parish meetings

- Prepare informative agendas for meetings of the Council, in consultation with appropriate councillors, taking account of the Council's Standing Orders and the committee Terms of Reference.
 - Attend all meetings of the full council, take formal minutes of the meeting and create an action log. Ensure that these actions are taken in advance of the following meeting. Distribute minutes of meetings promptly afterwards.
 - Issue notices and agendas for the Parish Council's statutory annual meeting.
- iii) Delivering Council's Strategic purpose
- Remain informed about relevant current legislation and other issues which affect the Council and the community
 - Update the Council's strategic plan and monitor the progress of schemes.
 - Advise on the impact of Council proposals and planned activities and suggest specific courses of action which might be taken.
 - Receive correspondence and documents on behalf of the Council, following known policy of the Council and in liaison with the appropriate councillors, respond on behalf of the Council. Prepare a monthly summary of all significant incoming and outgoing correspondence for council meetings.
- iv) Parish Administration
- Establish and maintain effective paper and electronic filing systems to record the business of the Parish Council in a recoverable format.
 - Manage councillor vacancies including co-option and elections. Hold acceptance of office forms and a copy of every councillor's register of interest.
 - Ensure adequate links are maintained with partner organisations to enable community contact to be established and to report problems and seek information.
 - Place and manage orders for the purchase and supply of goods and services
 - Maintain the Council's asset register and ensure that the contracts, leases and licences are in place for all the buildings and land that the Council owns or manages.
 - Manage the Council's response to planning applications making sure that the Council's response is sent to the planning authority on time.
 - Refer any planning applications which need consideration before the next Council meeting to the Chair of the Planning and Licensing Committee to facilitate an extraordinary meeting.

- v) Health and safety, risk and matters of insurance
- Ensure the council's statutory obligations for the proper management of all health and safety matters are met, including the review of the Council's Health and Safety Policy
 - Arrange appropriate inspections and risk assessments where necessary, for the safe management of council business and activities.
 - Present the results of risk assessments to the council and ensure that any actions identified in risk assessments are completed as directed by the Council.
 - Ensure insurance cover is in place as is required or mandatory and keep proper insurance records.
- vi) Financial management
- Meet the Council's obligations for internal and external audit. As soon as possible after 31 March, present a statement summarising the
 - Council's receipts and payments for the year along with the accounting statement to the Council for approval.
 - Manage and record receipts and payments accurately in the cashbook, making sure we pay promptly and that we are paid.
 - Present financial reports as required, to include monthly bank reconciliations, receipts and payments, and a quarterly report on our expenditure against budget, highlighting any potential overspends.
 - Prepare estimates of expenditure for approval by the Council for input to the annual budget and submit the cash value of the precept, once approved by the Council, to the principal authority by the correct date.
 - Maintain appropriate records, make proper returns and reclaims relating to VAT.
 - Manage banking arrangements, cash flow, investments and bank transfers.
 - Research and bring forward opportunities to apply for grants to support programme aspirations.
- vii) Staff Management
- Pay staff wages, ensuring prompt and proper payment of deductions for income tax, national insurance and pension contributions and ensure that any legislative changes or statutory requirements are implemented promptly.
 - Maintain records of staff hours, leave etc. for approval of the Staffing Committee
 - Work with the Staffing Committee to effectively manage your own workload. Ensure all contracts and job descriptions are in place and up to

date. Contribute positively to appraisals, set and monitor appropriate objectives and ensure appropriate training plans are in place.

viii) General

- Manage the Parish Council's website and update the social media account to ensure it is accurate and up to date.
- Be able to give objective, unbiased advice to councillors and to maintain professional detachment from the views of councillors and the community.
- Balance the demands of the councillors and support the whole of the Council as a Corporate body.
- Attend, if required, regional/national conferences of representative bodies likely to have agenda items of interest affecting the future development of the Parish Council and report back to the council on relevant issues.

Subject to workload, the Clerk can be expected to be involved in other activities to support the Council, such as undertaking research and assisting the Council in communicating with the public through regular newsletters, information published on social media, and in the local press.