

C 88 (9)

**Paddock Wood Town Council  
PAYMENTS LIST**

Voucher Code	Date	Minute	Bank	Cheque No	Description	Supplier	VAT Type	Net	VAT	Total
425 Electricity	02/10/2023		Current/Business Rese	DD	Electricity Supplies	SSE	L	31.95	1.59	33.54
425 Elm Tree - Electricity	02/10/2023		Current/Business Rese	DD	Electricity Supplies	SSE	L	88.92	4.44	93.36
425 Workshop - Electricity	02/10/2023		Current/Business Rese	DD	Electricity Supplies	SSE	L	53.07	2.65	55.72
425 Memorial - Electricity	02/10/2023		Current/Business Rese	DD	Electricity Supplies	SSE	L	16.77	0.83	17.60
425 Podmore - Electricity	02/10/2023		Current/Business Rese	DD	Electricity Supplies	SSE	L	65.13	3.25	68.38
426 Professional fees	03/10/2023		Current/Business Rese	DD	HR Services	Croner	S	181.96	36.40	218.36
426 Professional fees	03/10/2023		Current/Business Rese	DD	HR Services	Croner	Z	10.72		10.72
427 Printing and copying	06/10/2023		Current/Business Rese	DD	Photocopier Lease	Insight Systems	S	1,061.90	212.38	1,274.28
428 software/licenses	16/10/2023		Current/Business Rese	DD	Payroll ~Services	Sage Payroll	S	40.00	8.00	48.00
429 CC Utilities	17/10/2023		Current/Business Rese	DD	Phone & Broadband	British Telecommunications L	S	126.39	25.28	151.67
430 Green Lane - Water Rates	16/10/2023		Current/Business Rese	DD	Water rates - Green Lane	Castle Water	S	728.21	145.64	873.85
431 Green Lane - Water Rates	16/10/2023		Current/Business Rese	DD	Water rates - Green Lane	Castle Water	S	349.22	69.84	419.06
432 Water Rates	17/10/2023		Current/Business Rese	DD	Water Rates - Kent Close	Castle Water	S	12.64	2.53	15.17
433 Rates/Utility Fees	17/10/2023		Current/Business Rese	DD	Water rates - Cemetery	Castle Water	S	8.08	1.62	9.70
434 Podmore - Water Rates	17/10/2023		Current/Business Rese	DD	Water rates - Podmore	Castle Water	S	46.83	9.37	56.20
435 Memorial - Water Rates	17/10/2023		Current/Business Rese	DD	Water rates - Memorial	Castle Water	S	14.92	2.98	17.90
436 Vehicle Maintenance	10/10/2023		Current/Business Rese	DD	Green Flag Membership	Green Flag	S	70.00	14.00	84.00
437 Office Equipment	10/10/2023		Current/Business Rese	CREDIT CARD	laptop	Currys	S	374.17	74.83	449.00
438 Workshop - Office Equipmen	10/10/2023		Current/Business Rese	CREDIT CARD	Printer Ink	HP	S	2.49	0.50	2.99
439 Bank interest/fees	10/10/2023		Current/Business Rese	CREDIT CARD	Bank charges	HP	E	3.00		3.00
439 Bank interest/fees	10/10/2023		Current/Business Rese	CREDIT CARD	Bank charges	HP	E	3.00		3.00
440 CC Facilities Management	11/10/2023		Current/Business Rese	183	Facilities Management Contrac	Baxall	S	4,520.85	904.17	5,425.02
441 Hop Pickers Line (Reserves)	11/10/2023		Current/Business Rese	184	Hop Pickers Line Website	Wix	S	207.00	41.40	248.40
442 Hop Pickers Line (Reserves)	11/10/2023		Current/Business Rese	185	Hop Pickers Line Website	Glynn Brassley	S	793.00	158.60	951.60
443 software/licenses	11/10/2023		Current/Business Rese	186	Microsoft licences	Symcar	S	108.50	21.70	130.20
444 Security Company FHW	11/10/2023		Current/Business Rese	187	security	Prestige Guarding	S	220.50	44.10	264.60
444 Security company - Memoria	11/10/2023		Current/Business Rese	187	security	Prestige Guarding	S	220.50	44.10	264.60
444 security St Andrews	11/10/2023		Current/Business Rese	187	security	Prestige Guarding	S	220.50	44.10	264.60
445 St Andrews Hall - Maintainan	11/10/2023		Current/Business Rese	188	Replace Light Fittings	P J Electrical	S	255.28	51.06	306.34
446 St Andrews Hall - Maintainan	11/10/2023		Current/Business Rese	189	Plumbing work	Moling Services SE Ltd	S	120.00	24.00	144.00
447 Podmore Building Maintenance	11/10/2023		Current/Business Rese	190	Fire Extinguisher Service	EJP Fire Protection	S	58.24	11.66	69.90
447 Repairs and Maintenance	11/10/2023		Current/Business Rese	190	Fire Extinguisher Service	EJP Fire Protection	S	58.21	11.64	69.85
447 Workshop Maintenance	11/10/2023		Current/Business Rese	190	Fire Extinguisher Service	EJP Fire Protection	S	58.21	11.64	69.85

**Paddock Wood Town Council**  
**PAYMENTS LIST**

Voucher Code	Date	Minute	Bank	Cheque No	Description	Supplier	VAT Type	Net	VAT	Total
471 Electricity	30/10/2023		Current/Business Rese	DD	Electricity Supplies	SSE	L	42.03	2.10	44.13
471 Elm Tree - Electricity	30/10/2023		Current/Business Rese	DD	Electricity Supplies	SSE	L	85.15	4.25	89.40
471 Workshop - Electricity	30/10/2023		Current/Business Rese	DD	Electricity Supplies	SSE	L	40.75	2.03	42.78
471 Podmore - Electricity	30/10/2023		Current/Business Rese	DD	Electricity Supplies	SSE	L	56.27	2.81	59.08
471 Memorial - Electricity	30/10/2023		Current/Business Rese	DD	Electricity Supplies	SSE	L	16.72	0.83	17.55
472 Maintenance	30/10/2023		Current/Business Rese	DD	Waste collection	Veolia Environmental Service	S	100.44	20.09	120.53
472 Contractors	30/10/2023		Current/Business Rese	DD	Waste collection	Veolia Environmental Service	S	105.76	21.15	126.91
472 Podmore - Waste Collection	30/10/2023		Current/Business Rese	DD	Waste collection	Veolia Environmental Service	S	13.90	2.78	16.68
473 Telephones	31/10/2023		Current/Business Rese	DD	Mobile Phone	Active digital	S	11.54	2.31	13.85
473 WiFi	31/10/2023		Current/Business Rese	DD	Mobile Phone	Active digital	S	20.00	4.00	24.00
473 Workshop - Telephones	31/10/2023		Current/Business Rese	DD	Mobile Phone	Active digital	S	11.53	2.30	13.83
474 CC Equipment - Capital	25/10/2023		Current/Business Rese	204	CC - External Sign Installation	Baxall	S	3,066.00	613.20	3,679.20
475 Postage and Stationery	25/10/2023		Current/Business Rese	205	stationery	Viking Direct	S	44.93	8.99	53.92
476 Foal Hurst Wood (Reserves)	25/10/2023		Current/Business Rese	206	FHW - Car Park	VR Landscapes	S	6,415.00	1,263.00	7,698.00
477 Repairs	25/10/2023		Current/Business Rese	207	Repairs - street lights	Streetlights	S	350.00	70.00	420.00
478 Grants to outside bodies	25/10/2023		Current/Business Rese	208	Grant - PW Lights Up	Paddock Wood Lights Up	Z	500.00		500.00
479 Staff Training	25/10/2023		Current/Business Rese	209	Training - I Farnes	Machine Force Ltd	S	750.00	150.00	900.00
480 Elm Tree Pavilion	25/10/2023		Current/Business Rese	210	sewage services	D Body	Z	310.00		310.00
481 Staff Training	25/10/2023		Current/Business Rese	211	Training - N Reay & C Smith	Ian Benson - NFP Workshops	Z	285.00		285.00
481 Staff Training	25/10/2023		Current/Business Rese	211	Training - N Reay & C Smith	Ian Benson - NFP Workshops	Z	285.00		285.00
482 Staff Training	25/10/2023		Current/Business Rese	212	Training - E Small	ICCM	S	150.00	30.00	180.00
483 Salaries	27/10/2023		Wages Imprest	BACS	Wages	PWTC Wages Imprest Acc	Z	5,251.47		5,251.47
483 Salaries	27/10/2023		Wages Imprest	BACS	Wages	PWTC Wages Imprest Acc	Z	630.00		630.00
483 Salaries	27/10/2023		Wages Imprest	BACS	Wages	PWTC Wages Imprest Acc	Z	219.31		219.31
483 Salaries	27/10/2023		Wages Imprest	BACS	Wages	PWTC Wages Imprest Acc	Z	4,116.67		4,116.67
483 Wages - Foal Hurst Wood	27/10/2023		Wages Imprest	BACS	Wages	PWTC Wages Imprest Acc	Z	72.68		72.68
483 Wages - Watering	27/10/2023		Wages Imprest	BACS	Wages	PWTC Wages Imprest Acc	Z	975.00		975.00
483 Wages - memorial	27/10/2023		Wages Imprest	BACS	Wages	PWTC Wages Imprest Acc	Z	79.13		79.13
483 wages St Andrews	27/10/2023		Wages Imprest	BACS	Wages	PWTC Wages Imprest Acc	Z	79.13		79.13
483 CC Salaries	27/10/2023		Wages Imprest	BACS	Wages	PWTC Wages Imprest Acc	Z	1,881.32		1,881.32
483 Neighbourhood Plan (Reserv	27/10/2023		Wages Imprest	BACS	Wages	PWTC Wages Imprest Acc	Z	50.00		50.00
484 Salaries	27/10/2023		Wages Imprest	BACS - TAX NI	Tax/NI	PWTC Wages Imprest Acc	Z	1,840.88		1,840.88
484 Salaries	27/10/2023		Wages Imprest	BACS - TAX NI	Tax/NI	PWTC Wages Imprest Acc	Z	54.80		54.80
484 Salaries	27/10/2023		Wages Imprest	BACS - TAX NI	Tax/NI	PWTC Wages Imprest Acc	Z	1,951.98		1,951.98
484 CC Salaries	27/10/2023		Wages Imprest	BACS - TAX NI	Tax/NI	PWTC Wages Imprest Acc	Z	705.04		705.04
485 Salaries	27/10/2023		Wages Imprest	BACS - PENSION	Pension	PWTC Wages Imprest Acc	Z	623.01		623.01
485 Salaries	27/10/2023		Wages Imprest	BACS - PENSION	Pension	PWTC Wages Imprest Acc	Z	597.69		597.69

## Paddock Wood Town Council RECEIPTS LIST

Voucher Code	Date	Minute	Bank	Receipt No	Description	Supplier	VAT Type	Net	VAT	Total
185 Hire Charges	06/10/2023		Current/Business Res	BACS	Hire of Day Centre	TWBC	E	249.44		249.44
186 VAT Refund	09/10/2023		Current/Business Res	BACS	VAT Refund	HMRC	R	11,587.02	11,587.02	11,587.02
187 Memorial Pitches	10/10/2023		Current/Business Res	BACS	Hire of Pitches	Insulators	S	28.18	5.64	33.82
187 Memorial Pitches	10/10/2023		Current/Business Res	BACS	Hire of Pitches	Insulators	S	56.36	11.27	67.63
187 Memorial Pitches	10/10/2023		Current/Business Res	BACS	Hire of Pitches	Insulators	S	56.36	11.27	67.63
187 Memorial Pitches	10/10/2023		Current/Business Res	BACS	Hire of Pitches	Insulators	S	56.36	11.27	67.63
187 Memorial Pitches	10/10/2023		Current/Business Res	BACS	Hire of Pitches	Insulators	S	56.36	11.27	67.63
187 Putlands	10/10/2023		Current/Business Res	BACS	Hire of Pitches	Insulators	S	35.38	7.08	42.46
187 Green Lane Pitches	10/10/2023		Current/Business Res	BACS	Hire of Pitches	Insulators	S	56.36	11.27	67.63
188 Putlands	04/10/2023		Current/Business Res	BACS	Hire of Pitches	East Peckham Rugby	S	70.75	14.15	84.90
188 Putlands	04/10/2023		Current/Business Res	BACS	Hire of Pitches	East Peckham Rugby	S	70.75	14.15	84.90
189 Hire Charges	11/10/2023		Current/Business Res	BACS	Hire of Day Centre	Church of god ww Associatio	E	32.16		32.16
190 Hire Charges	31/10/2023		Current/Business Res		Hire of Day Centre	Church of god ww Associatio	E	32.16		32.16
190 Hire Charges	31/10/2023		Current/Business Res		Hire of Day Centre	Church of god ww Associatio	E	32.16		32.16
191 Hire Charges	31/10/2023		Current/Business Res		Hire of Day Centre	Sunday Spiritualists	E	26.80		26.80
191 Hire Charges	31/10/2023		Current/Business Res		Hire of Day Centre	Sunday Spiritualists	E	26.80		26.80
191 Hire Charges	31/10/2023		Current/Business Res		Hire of Day Centre	Sunday Spiritualists	E	-24.13		-24.13
<b>Total</b>								<b>862.25</b>	<b>11,684.39</b>	<b>12,546.64</b>

sources and/or by fund raising activities. (The Clerk can advise on alternative funding sources). Proposals for match funding will also be considered.

Successful Applications

Organisations receiving grants are required to advise their users/members that the grant or equipment had been received from Paddock Wood Council.

Where possible, the Council will affix an appropriate label.

Where equipment is gifted to an organisation, the Town Council requires that it be insured and maintained at the expense of the user.

Organisations will be invited to attend the next Annual Town Meeting to update residents and members, if appropriate, on how the money was spent to make the project successful.

**Grant Application Form.**

Please complete this form and attach any other relevant information and send to Paddock Wood Town Council, The Podmore Building, St Andrews Road Paddock Wood, TN12 6HT – 01892 837373 – [clerk@paddockwoodtc.co.uk](mailto:clerk@paddockwoodtc.co.uk)

Application from Title/organisation Hi Kent

Manager, Hi Kent

Aims of the Group Hi Kent is a unique charity, established since 1986, supporting people living with hearing loss. Free support and advice to the one in five (rising to one in four over the age of 50) people with severe hearing loss and/or tinnitus in Kent, including free Hearing Aid Support Community Clinics, Lipreading Classes, Wellbeing Telephone Helplines, Tinnitus Support Groups, Social Groups and Individual Technology Support.

Number of members 40

Number or Percentage of Paddock Wood residents who will benefit from this grant? All clients seen at the Hi Kent Hearing Aid Support Clinics are local residents of Paddock Wood

Amount requested: £480.00

Total cost of project: £480.00

Purpose of the Grant A grant from the Town Council would enable the Hi Kent Hearing Aid Support Community Clinics in Paddock Wood to run for another year.

Hi Kent runs very busy free monthly Hearing Aid Support Clinics for residents of Paddock Wood of all ages living with hearing loss on every first Friday from 9.30am to 11.00am, with no appointment necessary, at the Dowding Day Centre, Commercial Road, Paddock Wood TN12 6DP. The dates of the Clinics in 2023: 6 January, 3 February, 3 March, April - no clinic, 5 May, 2 June, 7 July, 4 August, 1 September, 6 October, 3 November, 1 December (dates for 2024 will be published shortly)

The Clinics are run by trained volunteers who will clean, re-tube, supply and fit replacement batteries for hearing aid users who are unable to maintain their own hearing aids. The Clinics run for one-and-a-half hours but our volunteer is always happy to extend this time to ensure that each client receives the time and attention they deserve. Home visits are provided by appointment for people who are unable to travel to the clinics due to illness or frailty.

Our volunteers also give information to clients on other free services provided by Hi Kent.

Having such a local service means that clients do not need to travel to a central audiology department which often incurs travel and parking expenses and sometimes long wait times. Our Support Clinics benefit those people living in Paddock Wood who are living with hearing loss and require expert help to look after their NHS hearing aids in order to ensure they work effectively for them. Hearing aids that are regularly maintained and work well give the wearer more confidence in their ability to cope better with everyday life and enjoy social situations secure in the knowledge that their aids help them pick up the sounds/pitches they have lost.

Have you included a copy of the last year end accounts?

Hi Kent's Annual Accounts 2021/2022 are available, and can be submitted to the Town Council, but our Annual Accounts for 2022/2023 are currently in draft form, and will be ratified by our Trustees at our AGM on 14 November. The Annual Accounts 2022/2023 can then be sent to the Town Council.

Are there any restrictions placed on who can use/access the services. YES If yes, please supply details of the restrictions.

The Hi Kent Hearing Aid Support Clinics are for local residents of all ages with hearing loss who are NHS hearing aid users

This application will not be accepted unless the organisation's Equal Opportunities Policy is attached or it agrees to abide by the Town Council's Equal Opportunities Policy. Hi Kent will abide by the Town Council's Equal Opportunities Policy.

Updated October 2022

**Statement of understanding.**

**I have read and understood the Paddock Wood Town Council Grants Policy and Procedure and agree that if a grant is awarded the organisation, I represent will abide by the conditions therein outlined. Funds should be spent within 12 months of receipt of the funds.**

Signed.....  
[Signature area with mirrored text watermark]

Date.....2 November 2023.....

**Grant Application Form.**

Please complete this form and attach any other relevant information and send to Paddock Wood Town Council, The Podmore Building, St Andrews Road Paddock Wood, TN12 6HT – [clerk@paddockwoodtc.co.uk](mailto:clerk@paddockwoodtc.co.uk)

Application from Title/organisation **PADDOCK WOOD LITTER PICKERS**

Contact details **ROS TUCKER**  
Name:

Address: **Park**  
Telephone:  
Aims of the Group

**REDUCE LITTER IN PADDOCK  
ENGAGE OTHERS AND BUSINESSES TO MAINTAIN  
IMPROVE LOCAL ENVIRONMENT**

Number of members **20-30 + ADDITIONAL IE GUIDES, CULLMINOR**

Number or Percentage of Paddock Wood residents who will benefit from this grant? **ALL**

Amount requested: **£150**

Total cost of project: **VARIABLE AS NEW EQUIPMENT NEEDED AS NUMBERS GROW.**

Purpose of the Grant **TO BUY ADDITIONAL EQUIPMENT TO SUPPORT MORE PEOPLE TO HELP.**

NO

Have you included a copy of the last year end accounts? ~~YES~~ NO

If not available please explain why. VOLUNTEER ORGANISATION

Are there any restrictions placed on who can use/access the services. YES/NO.

If yes, please supply details of the restrictions.

This application will not be accepted unless the organisation's Equal Opportunities Policy is attached or it agrees to abide by the Town Council's Equal Opportunities Policy.

**Statement of understanding.**

I have read and understood the Paddock Wood Town Council Grants Policy and Procedure and agree that if a grant is awarded the organisation, I represent will abide by the conditions therein outlined. Funds should be spent within 12 months of the award.

Signed.....

Date..... 7/10/23



## PADDOCK WOOD TOWN COUNCIL MEETING

20<sup>TH</sup> November 2023

### C91 FOAL HURST WOOD ANNIVERSARY

Foal Hurst Wood was opened in 1999 with a country fair on what is now the Orchard Field. The Estates Committee have agreed that the anniversary should be marked in some way and members are asked to consider how they would like to do that.

The Estates Committee have provisionally asked for £10,000 to be allocated for an event, however time constraints may make the organisation of large event impractical.

A request for suggestion was put in the FHW newsletter and a few suggestions were made. Ideas for celebrations are as follows:

- a) Arrange a country fair similar to that which was held in 1999. However as mentioned time constraints may make this difficult. Also, what was the original events field is now Orchard Field with fruit trees, dipping ponds and long grasses and is therefore not suitable for large events. Access is also difficult onto the field.
- b) A programme of smaller events over the summer. Suggested events are:
  - Nature Walks
  - Treasure hunts for Children
  - Bat Walks
  - Foraging trips
  - Bird box making events
  - Halloween events
  - Foraging trip
- c) Planting a tree with a time capsule
- d) Upgrading the information boards on the site with a commemorative logo. A logo competition could be held.

*Members are asked to determine what type of celebration (if any) they would to organise for the anniversary.*

## **AGENDA ITEM C89            LOCAL PLAN**

Please find below a list of ideas for the Section 106 requests for future developments. These are for discussion at a Town Council Meeting and discussion about how we will get these costed for submission to the Borough.

### Aspirations from the Neighbourhood Plan

#### Public Realm improvements in Paddock Wood Town Centre:

- Improve walking & cycling routes & connections with public transport. Make new pedestrian, cycle or bridle paths accessible with associated infrastructure and ensure these are joined with existing routes.
- maintain retail space in the town centre - create a town square/arrival space which is multifunctional allowing a market and social/recreational space
- Improve Commercial Road with tree and soft planting as well as an increase in pedestrian space
- remodelling junctions for safer pedestrian access
- improve signage with consistent design, reflect local character and be visible for all street users, including drivers, cyclists and pedestrians.
- schemes to promoting active travel with preference for pedestrians and new routes between settlements that encourage safety and good design principles and use of trim trails

#### Environment

- Projects to involve schools and young people in environmental projects - ideas for projects e.g. forest school/opportunities to get involve in environmental projects & learning about local habitats
- Undertake street greening and improve green spaces to increase biodiversity e.g. raingardens and wild flower meadows
- Remodelling of paved areas to create rain gardens and tree pits alongside carriageways
- Environmentally friendly and sustainable bus routes and improved rail services

#### Funding for local heritage assets including:

- The old cemetery
- the Hop Pickers Line
- The Wesley Centre

#### Youth Hub

- Developers of major growth areas around Paddock Wood are encouraged to work with the Town Council and others to help deliver a Youth Hub, as well as exploring arrangements for the ongoing management and maintenance of such a facility.

#### Employment space

- Remove permitted development rights for employment space in Paddock Wood

#### Improvements to existing facilities

- Improvements to the cemetery including a wall around the site
- Improvements to the Elm Tree Football site with parking and improvements to the pavilion/changing rooms
- Funding for Putlands Sports & Leisure centre to improve facilities
- Improvements to the interior of the Memorial Field Pavilion with new shower and toilet facilities and improvements to the kitchen area
- Improvements to existing playgrounds on St Andrews and Memorial Fields and addition of an outdoor gym to the Memorial Field area
- Resurfacing tennis courts at Memorial Field to make them LTA compliant.

I am sure other Councillors might come up with other ideas, but this seems like a comprehensive starting place.

Cllr Carol Williams

Chairman Planning and Environment Committee

## PADDOCK WOOD TOWN COUNCIL SCHEME OF DELEGATION

Under the Local Government Act 1972 s101, the Town Council has the power to arrange for the discharge of its functions by a committee, sub-committee, or officer of the Council.

The Scheme of Delegation sets out the types of decisions that different committees and officers can make on behalf of the Council.

### Draft Scheme of Delegation for Paddock Wood Town Council.

#### Town Clerk/ Proper Officer

The Town Clerk is the Proper Officer of the Council and as such is specifically authorised to:

- To receive declarations of acceptance of office
- To receive and record notices disclosing personal and prejudicial interests.
- To receive and retain plans and documents.
- To sign notices or other documents on behalf of the Council
- To sign summonses to attend meetings of the Council.
- To sign on behalf of the Council any document to give effect to any decision of the Council.

In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- To manage the Council's facilities, property, and assets
- Day to day administration of services
- Day-to-day supervision and management of all staff employed by the Council.
- To act on behalf of the Council as a designated officer with respect to complying with legislation
- To instigate and authorize the repair and maintenance of Town Council equipment, property, or assets within agreed budget.
- To purchase equipment and supplies to be used by Staff or contractors to repair or maintain Town Council equipment, property or assets within agreed budget.
- To dispose of Town Council equipment or assets with an estimated worth of less than £500
- Authorization of routine expenditure within the agreed budget
- Emergency expenditure up to £1,000 outside the agreed budget
- Determine the Town Council's insurance requirements on the Council's behalf.
- Make all necessary arrangements for the Council's insurances.
- Authorisation to call any extra meetings of the Council, or Committee, as necessary, having consulted with the Chairman of the Council or Committee
- Authorisation to respond immediately to any correspondence requiring or requesting information or relating to previous decisions of the Council but not correspondence requiring an opinion to be taken by the Council or Committee.
- Authorisation of routine expenditure in accordance with the Council's Financial Regulations
- Preparation and submission of Planning application consultation responses

- Handling requests for information under the Freedom of Information Act 2000 and the Data Protection Act 1988 or GDPR Regulations
- Issuing press releases and statements on the Council's known policies
- Updating and managing the content of the Council's website
- Co-ordinating the Council's newsletter articles.
- Disposal of Council records according to legal restrictions and the Council's Record Management Policy
- Take appropriate actions arising from emergencies in consultation with the Chairman/Vice Chairman of the Council as appropriate to the circumstances.
- An emergency situation is defined as a time when the Council cannot act under its normal standing orders due to circumstances outside of its control.

The following functions may not be delegated:

- To appoint the Chairman and Vice-Chairman in May each year
- To sign off the Governance Statement by 30th June each year
- To set the precept
- To appoint the Clerk
- To make byelaws
- To borrow money
- To consider any matter required by law to be considered by Council.

Delegated actions of the Town Clerk shall be in accordance with Standing Orders, Financial Regulations, and this Scheme of Delegation and with directions given by the Council from time to time. The Town Clerk may delegate to other officers as necessary.

If the Town Clerk is unavailable due to annual leave or sickness, the authority is delegated to the Deputy Clerk.

#### Responsible Financial Officer

The Responsible Financial Officer to the Council shall be responsible for the Town Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time and as such is specifically authorised to:

- Operate the Council's banking arrangements.
- Pay all accounts properly incurred.
- Pay all subscriptions to organisations to which the Council belongs.
- Make all necessary arrangements for the provision of an internal and external audit service for the Council.
- Incur expenditure on revenue items within the approved estimates and budgets.
- Enter leasing and contract hire agreements for the acquisition of vehicles machinery and equipment on such terms as are considered appropriate.
- Carry out virement of sums between cost centres in accordance with the Council's Financial Regulations
- Manage investments.
- Authorise action for the recovery of debts.
- Write-off debts up to the level set by the Council
- Maintain a Register of Assets and Inventory of Equipment

### Estates Manager

The Estates Manager will be responsible for the production, maintenance, and coordination of playing surfaces, all outdoor spaces & buildings to the highest standards. They will be specifically authorized to:

- To manage the Council's facilities, property, and assets
- To instigate and authorize the repair and maintenance of Town Council assets, within agreed budgets.
- To purchase equipment and supplies to be used by Staff or contractors to repair or maintain Town Council equipment, property, or assets within agreed budget.
- To consider and make day to day decisions on any matters affecting all sites within the known policies of the Council.
- To recommend to the Town Council Finance Committee appropriate budget provisions for the current and forthcoming financial years
- To carry out the annual Risk Assessment and bring to the attention of the Town Council any identified health and safety risks.
- Day-to-day supervision and management of all Estates staff.
- In the event of an emergency or Health and Safety risk to close council sites.

### Delegation Limitations

- The Town Council does not have the power to delegate a decision to an individual councillor.
- Committees and Sub-Committees shall, at all times, act in accordance with the Council's Standing Orders, Financial Regulations and with this scheme of delegation
- A committee may refer matters on which it has delegated authority to the Council for a final decision if it so wishes.



## DIGNITY AT WORK POLICY

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Paddock Wood Town Council believes that civility and respect are important in the working environment, and expect all councillors, officers and the public to be polite and courteous when working for, and with the council.

### Purpose

Paddock Wood Town Council is committed to creating a working environment where all council employees, councillors, contractors, and others who come into contact with us in the course of our work, are treated with dignity, respect and courtesy. We aim to create a workplace where there is zero tolerance for harassment and bullying.

In support of this objective, Paddock Wood Town Council has signed up to the Civility Pledge, as a commitment to civility and respect in our work, and politeness and courtesy in behaviour, speech, and in the written word. Further information about the Civility and Respect Pledge is available [NALC](#) & [SLCC](#)

We recognise that there is a continuum where unaddressed issues have the potential to escalate and become larger, more complex issues and this policy sets out how concerns will be managed however the emphasis of this policy is on resolution and mediation where appropriate, rather than an adversarial process.

This document:

- explains how we will respond to complaints of bullying or harassment;
- ensures that we respond sensitively and promptly; and,
- supports our employees in ensuring their behaviour does not amount to bullying and/or harassment by giving examples.

### Scope

This policy covers bullying and harassment of and by clerks and all employees engaged to work at Paddock Wood Town Council. Should agency staff, or contractors have a complaint connected to their engagement with Paddock Wood Town Council this should be raised to their nominated contact, manager, or the Chair of the Council, in the first instance. Should the complaint be about the chair of the council the complaint should be raised to the Chairman of the Council's personnel committee.

Agency staff, or contractors are equally expected to treat council colleagues, and other representatives and stakeholders with dignity and respect, and the council may terminate the contract, without notice, where there are suspicions of harassment or bullying.

Complaints about other employment matters will be managed under the council's grievance policy.

It is noted that the management of a situation may differ depending on who the allegations relate to (e.g., employees, contractor, councillor), however, the council will take appropriate action if any of its employees are bullied or harassed by employees, councillors, members of the public, suppliers or contractors.

## The position on bullying and harassment

All staff and council representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. Paddock Wood Town Council will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether harm is intended or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. You should also be aware that, if you have bullied or harassed someone (e.g., physical violence, harassment), in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

We expect all representatives of the council to treat each other with respect and uphold the values of the code of conduct, civility and respect pledge, equality opportunities policy, and all other policies and procedures set by the Council.

We expect you to demonstrate respect by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. See the grievance policy for further details regarding the process. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. While we will assume that all complaints of bullying and harassment are made in good faith, in the event that allegations are found to be malicious or vexatious the person raising the complaint may be subject to action under the council's disciplinary procedure.

### Harassment

- Where a person is subject to uninvited conduct that violates their dignity, in connection with a protected characteristic
- Behaviour that creates a hostile, humiliating, degrading or similarly offensive environment in relation to a protected characteristic

### Bullying

- Behaviour that leaves the victim feeling threatened, intimidated, humiliated, vulnerable or otherwise upset. It does not need to be connected to a protected characteristic.



## What Type of Treatment amounts to Bullying or Harassment?

'Bullying' or 'harassment' are phrases that apply to treatment from one person (or a group of people) to another that is unwanted and that has the effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.

Examples of bullying and harassment include:

- Physical conduct ranging from unwelcome touching to serious assault
- Unwelcome sexual advances
- The offer of rewards for going along with sexual advances e.g. promotion, access to training
- Threats for rejecting sexual advances
- Demeaning comments about a person's appearance
- Verbal abuse or offensive comments, including jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Unwanted nicknames, especially related to a person's age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Spreading malicious rumours or insulting someone
- Lewd or suggestive comments or gestures
- Deliberate exclusion from conversations, work activities or social activities.
- Withholding information a person needs in order to do their job
- Practical jokes, initiation ceremonies or inappropriate birthday rituals
- Physical abuse such as hitting, pushing or jostling
- Rifling through, hiding or damaging personal property
- Display of pictures or objects with sexual or racial overtones, even if not directed at any particular person
- Isolation or non-cooperation at work
- Subjecting a person to humiliation or ridicule, belittling their efforts, whether directly and / or in front of others
- The use of obscene gestures
- Abusing a position of power

Bullying and harassment can occur through verbal and face to face interactions, but can also take place through sharing inappropriate or offensive content in writing or via email and other electronic communications and social media.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable and behaviour could be harassment when the person had no intention to offend. We all have the right to determine what offends us. Some behaviour will be clear to any reasonable person that it is likely to offend – for example sexual touching. Other examples may be less clear, however, you should be aware that harassment will occur if behaviour continues after the recipient has advised you that the behaviour is unacceptable to them.

Harassment can also occur where the unwanted behaviour relates to a perceived characteristic ( such as offensive jokes or comments based on the assumption someone is gay, even if they are not) or due to their association with someone else (such as harassment related to their partner having a disability for example). See the council's equality and diversity Policy (Staff Handbook).

All employees must, therefore, treat their colleagues with respect and appropriate sensitivity and should feel able to challenge behaviour that they find offensive even if it is not directed at them.

It is important to recognise that bullying does not include appropriate criticism of an employee's behaviour or effective, robust performance management. Constructive and fair feedback about your behaviour or performance from your manager or colleagues/Councillors is not bullying. It is part of normal employment and management routines, and should not be interpreted as anything different.

### **Victimisation**

Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because they have made a complaint or giving them a heavier or more difficult workload.

Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the council will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

### **Reporting Concerns**

#### **What you should do if you feel you are being bullied or harassed by a member of the public or supplier (as opposed to a colleague)**

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with your nominated manager in the first instance or, with the clerk/or a councillor. Any such report will be taken seriously, and we will decide how best to deal with the situation, in consultation with you.

**What you should do if you feel you are being bullied or harassed by a councillor:** If you are being bullied or harassed by a councillor, please raise this with the clerk/chief officer or the chair of the council in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is described below. Formal concerns regarding potential breaches of the Councillors Code of Conduct must be investigated by the Monitoring Officer.

The council will consider reasonable measures to protect your health and safety. Such measures may include a temporary change in duties or change of work location, not attending meetings with the person about whom the complaint has been made etc.

**What you should do if you witness an incident you believe to be harassment or bullying:** If you witness such behaviour you should report the incident in confidence to the clerk/chief officer or a councillor. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

**What you should do if you are being bullied or harassed by another member of staff:** If you are being bullied or harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.

#### Informal resolution

If you are being bullied or harassed, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to the council's policy and must stop. Alternatively, you may wish to ask the clerk/chief officer, your nominated manager or a colleague to put this on your behalf or to be with you when confronting the perpetrator(s).

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own nominated manager, you should raise the issue with the chair of the council. (If your concern relates to the chair, you should raise it with the chair of the personnel/staffing committee). The chair (or another appropriate person) will discuss with you the option of trying to resolve the situation informally by telling the alleged perpetrator, without prejudicing the matter, that:

- there has been a complaint that their behaviour is having an adverse effect on a member of the council staff
- such behaviour is contrary to our policy
- for employees, the continuation of such behaviour could amount to a serious disciplinary offence

It may be possible for this conversation to take place with the alleged perpetrator without revealing your name, if this is what you want. The person dealing with it will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The chair (or another appropriate person) will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as extremely serious allegations or in cases where a problem has happened before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

#### Raising a formal complaint

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about bullying and harassment through the council's grievance procedure. You should raise your complaint to the clerk/chief officer or the chair of the council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The clerk/chief officer or the chair of the council will appoint someone to investigate your complaint in line with the grievance policy. You will need to co-operate with the investigation and provide the following details (if not already provided):

- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred,
- The names of any witnesses and
- Any action taken by you to resolve the matter informally.

The alleged perpetrator(s) would normally need to be told your name and the details of your grievance in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to make temporary adjustments to working arrangements whilst the matter is being investigated.

Where your complaint relates to potential breaches of the Councillors Code of Conduct, these will need to be investigated by the Monitoring Officer. The council will consider any adjustments to support you in your work and to manage the relationship with the councillor the allegations relate to, while the investigation proceeds.

Investigations will be carried out promptly (without unreasonable delay), sensitively and, as far as possible, confidentially. When carrying out any investigations, we will ensure that individuals' personal data is handled in accordance with the data protection policy.

The council will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to understand better your complaint (see the grievance policy for further information, and details of your right to be accompanied).

After the investigation, a panel will meet with you to consider the complaint and the findings of the investigation in accordance with the grievance procedure. At the meeting you may be accompanied by a fellow worker or a trade union official.

Following the conclusion of the hearing the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the grievance procedure.

#### **The use of the Disciplinary Procedure**

If at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. We will keep you informed of the outcome.

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

## **GUIDANCE FOR USING THE DIGNITY AT WORK POLICY**

This is an example of an employment policy designed for a 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 guidance is provided to support understanding of the policy, and its application, as well as where local adaptations may be required. The guidance is not part of the policy and should be removed from the policy adopted and shared with council employees.

The Dignity at Work Policy will replace a previous 'Bullying and Harassment' Policy, to create a policy that is focussed on encompassing behaviours beyond simply bullying and harassment, and zero tolerance with the aim of dealing with concerns before they escalate. It is important that any commitment made in the policy is applied in practice.

Wording has been suggested to demonstrate a council's commitment to promoting dignity and respect where they have signed up to the NALC, SLCC and OVW Civility and Respect Pledge. Council's that have not signed up to this are requested to consider making this pledge which is based on basic behaviours and expectations of all council representatives to create workplaces that allow people to maintain their dignity at all times. If your council has not agreed to the pledge this wording should be removed.

The policy is drafted with consideration of employment language and terminology that is reflective of a modern working environment, setting a tone that is engaging, collaborative and inclusive. A council may want to update references where relevant to reflect local terminology and structure, however should be considerate of equality, diversity and inclusion.

The examples of bullying and harassment are just that – examples. This should not be considered an exhaustive list.

### **Notes:**

#### **Protected Characteristics**

A 'protected characteristic' is defined in the Equality Act 2010 as age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is unlawful to discriminate against an individual because of any of the protected characteristics.

Discrimination includes treating people differently because of a protected characteristic. Employees can complain of harassment even if the behaviour in question is not directed at them. This is because the complainant does not actually need to possess the relevant protected characteristic. An employee can complain of unlawful harassment if they are related someone with a protected characteristic, or because a colleague believes they have a protected characteristic.

Examples of harassment related to a protected characteristic could include;

- Making assumptions about someone's ability due to their **age**, or denying development opportunities to someone based on their age. This could also include assumptions about their lifestyle or making inappropriate jokes related to age.
- Making fun or mimicking impairments related to a health condition, or using inappropriate language about disabilities. Constantly selecting social activities that make it impossible for a colleague with a **disability** to participate in.
- Refusing to treat a person as their new gender, or disclosing information about their gender identity could be harassment on the grounds of **gender reassignment**.
- **Pregnancy/Maternity** harassment could include refusing opportunities due to pregnancy or maternity leave, or inappropriate touching and invasion of personal space such as unwanted touching of a pregnant persons stomach.
- Harassment based on **race** could include derogatory nicknames, or stereotyping based on ethnicity. It could include racist comments or jokes, or assumptions about someone's lifestyle based on their ethnicity.
- **Gender** harassment could include not considering people for a job based on gender stereotyping roles, or implementing practices that disadvantage one gender over another. Rude, explicit jokes, even if not directed at an individual, or comments on individuals dress or appearance.
- Regularly arranging team meals over periods of fasting or religious occasions or failing to adjust a dress code to accommodate religious dress could be examples of harassment based on **religion/belief**.
- Excluding same sex partners from social events could be both **sexual orientation** and **marriage/civil partnership** discrimination, as could not offering the same work-related benefits.

A person does not need to be employed or have 2 years qualifying service to make a discrimination claim at a tribunal.

- Job applicants who believe they have not been appointed because of a 'protected characteristic' can make a claim.
- New or established employees who are dismissed, or treated unreasonably because of a health condition can make a discrimination claim.
- An employee subjected to harassment can make a discrimination claim at a tribunal.
- An employee asked to retire can make a discrimination claim at a tribunal

### **Legal risks**

Successful unfair dismissal claims are limited to a compensation cap, whereas those for unlawful discrimination have no cap.

A positive employment culture, and swift action if conduct falls beneath acceptable standards will help mitigate the risks. An unhealthy culture will make it difficult to defend claims.

The time to defend and the cost of defending tribunal claims can be significant, irrespective of the outcome.

## **Culture and behaviour**

We work in eclectic communities and working environments, and a positive culture within the council enables employees with different backgrounds and beliefs to share ideas and shape how the council achieves its objectives for their community.

It is important to recognise that different individuals may find different behaviours bullying or harassing so while there is not always intent to offend or cause harm, that does not mean that the effect of the behaviour has not caused harm or offence.

It can take people a period of time to decide to raise their concerns, as they worry about consequences (perhaps from peers by complaining about a colleague who is popular, or they fear victimisation from the perpetrator or others). The council should consider whether there are opportunities (such as 121s to offer opportunity to reflect on relationships/morale) to identify issues earlier and address negative behaviours. Individuals can often mention concerns they are experiencing but not want to take it further. The council should remind the complainant that it has a zero tolerance to bullying and harassment and remind them of the policy in place to address concerns. If the allegations mentioned are significant, the council may want to suggest that it will need to investigate further, even if a 'grievance' is not raised, so as to ensure that any concerns and risks are managed, and the council is meeting its responsibilities and duty of care as an employer.

Whilst both staff and councillors jointly determine the working culture, councillors are key in demonstrating what is and isn't acceptable behaviour. This is apparent from how councillors behave with each other in council meetings and also in how standards of behaviour are applied through the use of informal discussion and formal policies.

## **Scope**

All council representatives are expected to uphold the values of the Dignity at Work Policy, however this policy sets out how allegations from employees will be managed. As indicated in the policy, concerns from a contractor, agency worker etc. should be raised to the identified person, and an appropriate approach will be considered based on the situation and relationship of the complainant with the council.

Likewise, concerns raised about the behaviour of a contractor or agency worker would not generally be managed via the full process (such as the disciplinary process) but appropriate action would be considered based on the situation. To treat people (such as contractors, or a casual worker) engaged by the council the same as an employee could blur the status of the employment relationship, so consider seeking professional advice if needed.

## **Managers**

Recognising that councils are of varying sizes, where the term manager/nominated manager is used it is recognised this could be the clerk/chief officer, another employee of the council, or a councillor depending on the situation. It is good practice to have a clearly identified person who is the responsible 'line manager' or equivalent contact for an employee so that there is clarity on how the employee should report concerns to, who they notify if they are sick or to request leave etc. More often for council employees this may be the clerk/chief officer, and for the clerk/chief officer this could be the chair/deputy Chair, or possibly chair of a staffing/personnel committee.

### **Bullying and harassment & performance management**

The policy sets out that bullying and harassment does not include appropriate criticism of an employee's behaviour or effective, robust performance management. It is not uncommon for an employee, when receiving critical feedback, to claim that this is bullying and/or harassing. It is the role of the nominated manager to provide effective and constructive feedback to encourage performance at the required standard.

Even when the feedback is not positive it should be fair, communicated in a professional and reasonable manner and shared with the objective of aiding understanding and achieving an improvement to overcome the shortfalls. There is no absolute definition of when the feedback may not be appropriate. Often it will be for the person/panel hearing the dignity at work complaint/grievance to determine whether the performance management has upheld the standards expected in terms of respect and civility and any feedback has been shared in a fair and professional way.

### **Responsibilities**

All staff and representatives of the council are responsible for their own behaviour in the workplace and for taking steps to revise unacceptable behaviour and appropriately challenge that of others.

Leaders – councillors, clerks, chief officers, managers - are responsible for ensuring that these standards of treating people with civility, respect and courtesy are upheld, both through their own example, and by communicating and promoting these expectations to all employees. They are also responsible for ensuring that concerns raised are treated seriously and addressed in line with this policy in a timely manner.

### **During the investigation**

Employers have a duty of care to provide a safe place of work. If a complaint is made, discuss how to manage working relationships whilst the allegation is being investigated and until the outcome is disclosed. This is as much for the protection of the alleged perpetrator as for the aggrieved.

Consider whether a neutral person should be offered as a 'listening ear' for both parties in the investigation. This could be a councillor or nominated manager who is not involved in the investigation or allegations and can be a point of check in as raising, or being subject to allegations can be stressful.

Offer other support that may be appropriate to the situation such as signposting to support groups, time off for counselling etc. If you have suspended a staff member, your duty of care continues and it is important to consider their wellbeing and mental health.

Ensure that you communicate regularly with both parties.

The investigation and any subsequent hearing should be completed in accordance with the grievance policy which sets out a process for dealing with concerns. You should ensure that the grievance policy adopted adheres to any local policies and procedures, with consideration of any timescales and escalation routes in your locally adopted policy.

### **Confidentiality**

It may be possible for concerns to be raised with the perpetrator without disclosing the name of the complainant however in a small council it is likely that it will be clear that the accused will know where



the accusation has come from. The council representative (clerk/chief officer/councillor) speaking to the alleged perpetrator must be clear that the discussion is confidential and the individual would be at risk of formal disciplinary action if there is any sort of victimisation or retaliation for the individual raising their concern.

During any formal investigation it may be necessary to disclose the nature of the allegations and where they came from to ensure a fair and balanced investigation and process. This should be discussed with the person raising the concerns to understand any issues and how they may be mitigated. In some situations it may be appropriate to provide anonymised witness statements however this would be a last resort, and could compromise the fairness of the process. Where there is a genuine fear of consequences and this may need to be considered, it is recommended that professional advice is sought. For the same reason it can be difficult for a council to consider an anonymous complaint, however if the concerns are significant and compromise the council in their duty of care to employees, then consideration of how to deal with the matter may be required.

### **Victimisation**

All employees have the right to raise genuine concerns without the fear of reprisals. If the aggrieved (or a witness) is treated differently / less favourably because they have raised a complaint, then this is victimisation. This would include isolating someone because they have made a complaint, cancelling a planned training event, or giving them a heavier or more difficult workload. Victimisation can lead to a claim to an employment tribunal.

### **False allegations**

If an employee makes an allegation that they know to be untrue, or gives evidence that they know to be untrue, the council should consider the matter under the disciplinary procedure. Such an allegation would be potentially be gross misconduct.

### **Complaints against Councillors**

Following the Ledbury case, the law is clear that any formal complaint about a councillor regarding a breach of the code of conduct must be referred to the Monitoring Officer for investigation (either by the complainant, or the Council with agreement of the complainant). During the investigation, it is critical to ensure that where an employee of the council has made the complaint, that the council agrees reasonable measures with the employee to protect their health and safety. Such measures may include a temporary change in duties, change of work location, not attending meetings with the person about whom the complaint has been made etc.

Careful consideration is required where a grievance is raised against the council as a whole due to lack of support related to councillor behaviours. The specific allegations will need to be considered to determine whether the allegations can be addressed by the council, or require exploration of the councillors behaviour in order to respond, in which case the Monitoring Officer may be required to investigate the alleged behaviours of a/any councillors where this may relate to the code of conduct. It is a matter of fact whether the complaint is against the council and can therefore be dealt with by the council's grievance procedure or against a councillor and can only be dealt with by the Monitoring Officer.

## Recycling

We all have our various bins to recycle our waste .....



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Climate Change is undoubtedly a difficult topic and discussion often falls into a political arena or more often a “belief” arena, almost like a faith system. It seems overwhelming sometimes and we ask ourselves how one individual can do anything about it? Well, Paddock Wood Climate Change Group are coming up with some ideas, nothing earth shattering, just simple things where we can all play our part and if we

all do it then it will have an effect on the big conglomerates and governments around the world.

Ever wondered why Aldi has that long counter after the tills? Well, Germans insisted upon it! When their shopping is complete, Germans and Scandinavians stand at the counter and unpack all the unnecessary packing materials and leave them there! How often have you received a parcel and asked why on earth the sender used so much packaging? A lot of packaging is plastic and non-degradable and that is the real problem. Manufacturers know that plastics have excellent characteristics - they are strong, durable, flexible, and light weight. But almost all plastics are made from oil, which we know is a diminishing fossil fuel and in particular naphtha and ethylene and propylene oil by-products. The processes to make these plastics produce CO<sub>2</sub>, which adversely affects our climate and must be minimized., and we have the serious problem of plastic material in small particulate form entering the food chain and polluting waterways around the world, and of course entering our bodies!

So, what can we do? Here are some ideas:

1. If we all recycle packaging material, then that has to be a good thing. Currently in the UK almost half of plastic waste goes to landfill, 25% is incinerated, 17% exported to Turkey or Malaysia (where it usually burnt or dumped), and a mere 12% genuinely recycled. We must not send packaging to landfills as it doesn't degrade. We should not send our packaging materials to other countries as we are morally responsible for it. We must argue against these practices, and all do our small part. If we complained to suppliers who over-package goods, especially of non-perishable goods, then they will change their practices, that is the supermarkets, Amazon, and similar suppliers.
2. Always aim to recycle and re-use packaging materials.
3. All plastics are marked with a number - 1, 2, 4 or 5, which means that they are recyclable – they will also have the Recycling logo on them. If we all aim to use those then we are helping.
4. If we support drives for more biodegradable plastics, then manufacturers will develop them, and politicians will get on the “band wagon” as well.
5. Take your plastic bags to your local supermarket for recycling - Aldi is one.
6. What does your Local Authority do with your plastic wastes? Perhaps get up a petition for more recycling and avoiding landfill.

If we all do our small part then it becomes a huge effort by many thousands, if not millions, of people and we will affect global warming. 498 words



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Keith Sinclair

Paddock Wood U3A

## PADDOCK WOOD TOWN COUNCIL MEETING

20TH November 2023

### C94 STANDING ORDERS

The Governance Committee Reviews Standing Orders at it's April meeting and the Council then adopts them at its annual meeting in May of each year.

Standing Orders were last updated by NALC in 2018, and the updated version was reviewed and adopted by the Council at the Annual Meeting in May 2018.

Unfortunately, in April and May of this year the incorrect version of Standing Orders was submitted for adoption. The old version from 2014 was submitted in error.

Attached is the correct version and members are asked to formally adopt for 2023/24 the correct (2018) version. The Council has not breached any laws during this period as a result of the out of date version. The 2018 version recognized changes in legislation, as follows:

The Orders which have been amended are as follows:

NEW ORDER NUMBER	ORDER TITLE
3 (l) (m)	Meetings Generally
5 (xx)	Ordinary Council meetings
11	Management of Information
15(b) (ix) (xi)	Proper Officer
18(f) (g)	Financial Controls & Procurement
20	Responsibilities to Provide Information
21	Responsibilities under Data Protection Legislation

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## INTRODUCTION

These model standing orders update the National Association of Local Council (NALC) model standing orders contained in "Local Councils Explained" by Meera Tharmarajah (© 2013 NALC). This publication contains new model standing orders which reference new legislation introduced after 2013 when the last model standing orders were published.

## HOW TO USE MODEL STANDING ORDERS

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

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

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

## DRAFTING NOTES

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

For convenience, the word "councillor" is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

## RULES OF DEBATE AT MEETINGS

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

in the debate on a motion except:

- i. to speak on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and
- u shall not exceed 3 minutes without the consent of the chairman of the meeting.



## 1. DISORDERLY CONDUCT AT MEETINGS

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

## 2. 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**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 15 minutes unless

directed by the chairman of the meeting. A further 10 minutes will be allowed for reports and questions for the Borough and County Councillors

- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i The chairman 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 his comments/questions to the chairman of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- 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 Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if any).**
- p **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- 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 chairman of a meeting may give an original vote on any matter put**

- **to the vote, and in the case of an equality of votes may exercise his**
- **casting vote whether or not he gave an original vote.**

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

- **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 his 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 his 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 3 hours.

### 3. 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 ( ) days before the meeting that they are unable to attend;
  - vi. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
  - vii. 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;
  - viii. shall determine if the public may participate at a meeting of a committee;

- ix. 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;
- x. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xi. may dissolve a committee or a sub-committee.

#### **4. ORDINARY COUNCIL MEETINGS**

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

**votes.**

- j Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
- i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
  - iii. Receipt of the minutes of the last meeting of a committee;
  - iv. Consideration of the recommendations made by a committee;
  - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
  - vi. Review of the terms of reference for committees;
  - vii. Appointment of members to existing committees;
  - viii. Appointment of any new committees in accordance with standing order 4;
  - ix. 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.

5. **EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES**

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chairman of a committee may convene an extraordinary meeting of the committee at any time.
- d If the chairman of a committee does not call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the committee, any 2 members of the committee may convene an extraordinary meeting of the committee.

6. **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 5 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.

7. **VOTING ON APPOINTMENTS**

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

8. **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 10 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 7 clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.



9. **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.

10. **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.

## 11. 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 chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

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

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

committee for which the dispensation is required.

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

### **13. CODE OF CONDUCT COMPLAINTS**

- a** Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b** Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).
- c** The Council may:
  - i.** provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
  - ii.** seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d** **Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

### **14. PROPER OFFICER**

- a** The Proper Officer shall be either (i) the clerk or (ii) other staff member(s)

nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.

b The Proper Officer shall:

- i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
  - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
  - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

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

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 3 days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer;
- 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 Chairman or in his absence Vice-Chairman (if there is one) of the Planning & Environment Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning & Environment 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).

**15. 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.

**16. 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 for each quarter;
  - ii. the Council's aggregate receipts and payments 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 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 1 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.

## 17. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
  - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

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



oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

18. **HANDLING STAFF MATTERS**

- a A matter personal to a member of staff that is being considered by a meeting of the personnel committee is subject to standing order 11.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of the Council or, if he is not available, the vice-chairman (if there is one) of the Council.
- c The chairman of the Personnel committee or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Town Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Personnel 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 chairman of the Personnel committee or in his absence, the vice-chairman of Personnel Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Personnel Committee.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by Town Clerk relates to the chairman or vice-chairman of the Personnel Committee this shall be communicated to another member of the Personnel Committee, which shall be reported back and progressed by resolution of Personnel 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).

19. **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 **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

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

*See also standing order 11.*

- a **The Council shall appoint a Data Protection Officer.**
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his 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.**

21. **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.

22. **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.*

23. **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 Borough and County Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the Borough and County Council shall be sent to the ward councillor(s) representing the area of the Council.

24. **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.

25. **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 5 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 chairman of a meeting as to the application of standing orders at the meeting shall be final.