

# **Middleton Parish Council Policies and Procedures**

**Adopted at minute 3752/18 (c)**

# Policies

## List of Policies

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Each new Policy or Procedure is to be incorporated into this document upon its adoption by the Parish Council.

Policies and Procedures are to be reviewed and approved for use at each Annual Meeting of the Parish Council.

## **Policies: Code of Conduct**

As a member or co-opted member of Middleton by Wirksworth Parish Council I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

### **Selflessness**

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

### **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

### **Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

### **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

### **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### **Bullying and Harassment**

Holders of public office must treat others with respect and must not pursue a course of conduct which amounts to bullying or harassment of another.

### **Leadership**

Holders of public office should promote and support these principles by leadership and example.

The Act further provides for registration and disclosure of interests and in Middleton Parish Council this will be done as follows:

### **Registration of Member's Interests**

Subject to section 2(1), you must within 28 days of:-

- This Code being adopted by or applied to your authority; or
- Your election or appointment to office (where that is later),

register in your authority's Register of Members' Interests (maintained under section 81 (1) of the Local Government Act 2000) details of your personal interests by providing written notification to your authority's Monitoring Officer.

Subject to section 2(1), you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph 1 register details of that new personal interest or change by providing written notification to your authority's Monitoring Officer.

### **Sensitive Information**

Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's Monitoring Officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under section 1.

You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under section 2(1) is no longer sensitive information, notify your authority's Monitoring Officer asking that the information be included in your authority's Register of Member's Interests.

In this Code "sensitive information" means information whose availability for inspection by the public creates or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

As a Member of Middleton Parish Council, my conduct will in particular address the statutory principles of the code of conduct by:

Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me – and putting their interests first.

Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.

Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the Parish of Middleton by Wirksworth or the good governance of the authority in a proper manner.

Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of this authority.

Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.

Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.

Contributing to making this authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account but restricting access to information when the wider public interest or the law requires it.

Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the Authority's resources.

Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.

Always treating people with respect, including the organisations and public I engage with and those I work alongside.

Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

## Policies: Co-option

Reference: NALC Legal Briefing L15-08 Co-option

Where a vacancy exists, the Clerk will notify DDDC immediately and request a copy of the current procedure for advertising co-option.

Co-option will be advertised in accordance with the procedure received from DDDC.

Candidates are to certify in writing that they:

Meet the criteria for eligibility set out in s.79 of the Local Government Act 1972  
are not disqualified, pursuant to s.80 of the Local Government Act 1972

Co-option will take the form of a short interview. Candidates will be provided a copy of this procedure when invited to the meeting.

An extraordinary meeting will be convened for the purpose of co-option (this may be immediately prior to an Ordinary meeting). In accordance with guidance in NALC Legal Briefing L15-08, other than in exceptional circumstances, the public will not be excluded.

At the meeting

The Chair will explain to candidates that they will be seen individually, in alphabetic order by surname, and that the interview will take the form of a short question and answer session which should last approximately 5 minutes. Candidates will have the opportunity to ask the council any questions they wish.

Chair to invite first candidate to remain others are asked to leave.

Questions to all candidates

- (a) Are you willing to sign a declaration to abide by the code of conduct expected of members and to register relevant interests?
- (b) What experience do you have of meetings and committees?
- (c) What experience do you have of the working of local government?
- (d) Are you involved in any groups in the village? If so describe your role and experience.
- (e) How do you see your role as a Parish Councillor?
- (f) Are you willing to attend occasional training courses and meetings outside those of the Parish Council? These are generally, but not always, in the evening.
- (g) How would you like to see the village develop?
- (h) High profile issues in the village can bring certain pressures. How well do you feel you react under pressure?

The candidate should then be asked if he or she has any questions for the Parish Council

Candidate leaves. next candidate invited to come in.

After final candidate has been seen the public will be asked to leave to allow discussion of candidates to take place.

The public and candidates will then be invited back into the meeting room and a vote, by show of hands, will take place.

The appointment of a co-optee must be by an absolute majority. (i.e. he or she receive a greater number of votes than the aggregate of the votes for other candidates).

Members will be invited to vote for 1 candidate for each vacancy, one seat at a time.

Votes will be counted and if the candidate with the most votes does not have an absolute majority a second vote will be taken after eliminating the candidate with the fewest votes, this will continue until an absolute majority is reached. Chair has casting vote if two candidates are tied on votes.

Successful candidate(s) will be invited to join the Council

Successful candidates will be asked to complete a Declaration of Acceptance of Office and be given a Registration of Disclosable Pecuniary Interests form.

# Policies: Dignity at Work; Bullying and Harassment

## Introduction

The Equality Act 2010 took effect on 1 October 2010 and replaces the previous antidiscrimination legislation. It simplifies the law removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in order to help tackle discrimination and inequality.

This Policy sets out Middleton Parish Council's aim to be an environment where everyone is treated with dignity and respect, equality is promoted, and diversity is valued. The policy also outlines the rights and responsibilities associated with this commitment.

A positive working and learning environment which supports dignity at work is vital to the success of the Council. Dignity and respect should underpin our day to day behaviours, and everyone has rights and responsibilities under this policy. All Council employees and Members have a right to:

- Be treated with dignity and respect.
- Work and learn in an environment free from discrimination, bullying and harassment.
- Be valued for their skills, abilities and contribution.
- All employees and Members of the Council have a responsibility to:
- Behave in an appropriate manner, and in ways that are not derogatory to others.
- Play their part in ensuring we create a positive working environment that is tolerant and supportive through treating each other with dignity and respect.
- Tactfully challenge inappropriate behaviour with confidence.
- Adherence to this policy is essential so that these rights and responsibilities are mainstreamed into the core of Council business.
- The following are features of a respectful working environment:
- All employees and Members are respected and treated politely and with courtesy.
- Actively seeking employees and Members views where appropriate in order to contribute to the development and / or improvement of Services.
- A collaborative atmosphere and systems / forums which help to promote ongoing participation of staff in all levels of service business.
- An ethos of 'distributed', or shared leadership which enables people to feel safe to:
  - Take on roles and responsibilities.
  - Develop their skills.
  - Support colleagues.
  - Take forward initiatives.
- Positive outcomes from the above features would be that employees and Members:
  - Can actively contribute and see that their efforts make a difference.
  - Feel a sense of engagement; people are motivated and they have a sense of belonging to and a pride in Middleton Parish Council.

- Feel they are trusted to take responsibility to act independently within their remit.
- There is a sense of having a meaningful role within the organisation.

## **Bullying and Harassment**

In Support of our value to respect others, Middleton Parish Council will not tolerate bullying or harassment by, or of, any of their employees, officials, Members, contractors, visitors to the Council, or members of the public from the community which we serve.

## **Parish Council Commitment**

Middleton Parish Council is committed to the elimination of any form of intimidation in the workplace. This Policy reflects the spirit in which the Council intends to undertake all of its business and outlines the specific procedures available to all employees in order to protect them from bullying and harassment. (It should be read in conjunction with the Council's \*Policies on Grievance and Disciplinary handling.) The Council will issue this Policy to all employees as part of their induction and to all Members as part of their Welcome Pack. The Council may also wish to share this Policy with contractors, visitors and members of the public.

## **Legal Position**

### **Bullying**

"Bullying may be characterised as a pattern of offensive, intimidating malicious, insulting or humiliating behaviour; an abuse of this use of power or authority which tends to undermine an individual or a group of individuals, gradually eroding their confidence and capability, which may cause them to suffer stress." As quoted by ACAS.

### **Harassment**

ACAS states: "Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment."

This Policy covers ,but is not limited to, harassment on the grounds of:

- Sex
- Marriage & civil partnership
- Sexual orientation
- Race
- Colour
- Nationality
- Ethnic origin
- Religion
- Belief
- Disability
- Age

These definitions are derived from the ACAS guidance on the topic. Both bullying and harassment are behaviours which are unwanted by the recipient. Bullying and harassment in the workplace can lead to poor morale, low productivity and poor performance, sickness absence, lack of respect for others, damage to the Council's

reputation and ultimately, an Employment Tribunal, or other court cases, and payment of unlimited compensation.

Examples of Unacceptable Behaviour

(This list is not exhaustive)

- Spreading malicious rumours
- Insulting someone
- Ridiculing or demeaning someone
- Exclusion or victimisation
- Unfair treatment
- Overbearing supervision, or other misuse of position or power,
- Unwelcome sexual advances
- Making threats about job security
- Deliberately undermining a competent worker by overloading work and/or constant criticism
- Preventing an individual's promotion or training opportunities

### **Examples of where Bullying and Harassment may occur:**

Face-to-face, in meetings, through written communication, including: e-mail and telephone, or through automatic supervision methods. It may occur on or off work premises, during work hours, or non-work time.

### **Consequences of Bullying and Harassment**

Bullying and harassment are considered examples of Serious Misconduct which will be dealt with through the Disciplinary Procedure at "Gross Misconduct level" and may result in Summary Dismissal from the Council for employees, or through referral to the Standards Board of England as a contravention of the Member's Code of Conduct which may result in penalties against the member. In extreme cases, harassment can constitute a criminal offence and the Council should take appropriate legal advice, sometimes available from the Council's insurer, if such a matter arises.

### **Duty of Care**

Middleton Parish Council has a duty of care towards all their workers and liability under Common Law arising out of the Employment Rights Act 1996 (updated 2008 (ch24)) and the Health and Safety at Work Act 1974 (updated 2005 part 4 s27)).

Under the following laws bullying or harassment may be considered Unlawful Discrimination:

- Sex Discrimination Act 1975 (Amended 1986)
- Race Relations Act 1976 (Amended 2000) Now encompassed in Equality Act 2010
- Disability Discrimination Act 1995
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sex Discrimination) 2005
- Employment Equality (Age) Regulations 2006
- Equality Act 2010 – which fundamentally replaces the anti-discrimination legislation.

In addition, the Criminal Justice and Public Order Act 1994 and Protection from Harassment Act 1997 created a criminal offence of harassment with a fine and/or prison sentence as a penalty and a right to damages for the victim. Furthermore, a harasser may be personally liable to pay damages if a victim complains to an Employment Tribunal for sexual, racial, disability or age discrimination.

## **Implementing the Policy – Process for Dealing with Complaints of Bullying and Harassment**

Middleton Parish Council will adhere to the following Informal Approach.

Anyone, be it an employee, contractor, member or visitor, who feels he or she is being bullied or harassed should try to resolve the problem informally in the first instance. It may be sufficient to explain to the person(s) involved in the unwanted behaviour, that their conduct is unacceptable, offensive or causing discomfort.

Middleton Parish Council will adhere to the following Formal Approach;

For Employees:

Where the employee feels unable to resolve the matter informally any complaint about harassment or bullying can be raised confidentially and informally (initially) with the line manager and/or with the Chairman of the Parish Council, or another Councillor if more necessary. It may be appropriate for the complaint to be put in writing after the initial discussion with the Chairman, as this will enable the formal Grievance Procedure to be invoked.

For Others

(i) Any other party to the council, other than an employee, who feels he or she is being bullied or harassed, should raise their complaint with a Councillor where possible, or the Monitoring Officer, if an informal notification to a member has been unsuccessful at eliminating the problem, or where a member is directly involved in the bullying or harassment. The complaint should then be investigated and a hearing held to discuss the facts and recommend the way forward.

(ii) A member of the public who feels s/he has been bullied or harassed by any members or officers of the Council should use the Middleton Parish Council Complaints Procedure.

## **Grievance (Employees only)**

A meeting to discuss the complaint with the complainant will normally be arranged within five working days of a written complaint being received, and will be held under the provisions of Middleton Parish Council's Grievance Procedure. This meeting will be to discuss the issues raised and a way forward for the member(s) of staff involved. Employees have a right to be accompanied by a work colleague or a trade union representative at this meeting. A full investigation of the complaint will be held by an Officer as appointed by the Chairman/Councillor who is handling the process. It may be appropriate for an external investigator to be involved in order to maintain objectivity and impartiality. The Hearing Panel will publish its recommendations following deliberation of the facts. An action plan should be made available to the complainant to demonstrate how the problem is to be resolved. It may be decided that mediation is required and If so, Middleton Parish Council should contact NALC,

an employer's body or ACAS to this effect. The employee will have a right of appeal as established by the Employment Act 2002.

At all times the confidentiality of the grievance will be of paramount importance in order to maintain trust in the process, hence details of the full grievance will not be shared with the full Council without prior approval by the complainant. Middleton Parish Council will commit not to victimise the complainant for raising the complaint once the appropriate grievance/disciplinary process has been concluded.

### **Disciplinary Action**

Following a grievance hearing or investigation into allegations of bullying, or harassment, a full report will be made to all parties and this may result in disciplinary action being taken against the perpetrator of the alleged action/behaviour.

For an Employee found to have been bullying/harassing others, Middleton Parish Council's Disciplinary Procedure will be followed, under the Employment Act 2002 provisions and will be treated as Gross Misconduct.

For Members, whom Middleton Parish Council reasonably believe have been bullying or harassing another person(s) whilst undertaking Council activities, the action taken must be reasonable and in some cases counselling or training in appropriate skill areas e.g.: interpersonal communication, assertiveness, chairmanship etc may be more appropriate than a penalty.

The range of Disciplinary Sanctions available to the Council, where a Member has been involved in bullying/harassment include:

- Admonishment and an undertaking not to repeat the process
- Removal of opportunities to further harass/bully
- Banning from committees of the Council and representation on any outside bodies
- A referral to the Standards Board (or equivalent) by the Council and/or the aggrieved victim
- There may also be a:
- Referral to the Police under the Protection from Harassment Act 1997, (in the most extreme cases)

(This list is not exhaustive.)

### **False or Malicious Allegations**

Any false or malicious allegations of harassment or bullying, which damage the reputation of a fellow employee/Member, will not be tolerated and will be dealt with as Serious Misconduct under the Disciplinary Procedure and/or a referral to the Standards Board.

### **Responsibilities**

All parties to Middleton Parish Council have a responsibility to ensure that their conduct towards others does not harass or bully, or in any way demean the dignity of others. If unacceptable behaviour is observed, then each individual can challenge the perpetrator and ask them to stop.

## **Service Delivery**

In exercising its functions and delivering services, Middleton Parish Council undertakes to share its Policy with all Members and workers and request that each party signs to demonstrate acceptance of its terms. All new Members and employees will be provided with a copy of this Policy. A review of the Policy shall be undertaken each year (or as appropriate) and necessary amendments will be undertaken by the Clerk and reported to the full Council for approval.

The Council will undertake to ensure that its Members and workers are trained in the processes required by this Policy, as deemed appropriate.

This policy is cross-referenced to the following Parish Council's adopted policies:

- Equality & Diversity
- Discipline
- Grievance

Middleton Parish Council acknowledges the following sources of information from which this policy has been drawn:

- ACAS Guidelines
- Society of Local Council Clerks - Model Equal Opportunities Policy (Oct 2010)
- National Association of Local Councils – Legal Topic Note 78: Equality Act 2010 (Jan 2013)
- Government Equalities Office - Equality Act 2010: Public Sector Equality Duty What do I need to know? A Quick Start Guide for Public Sector Organisations (June 2011)

## Policies: Equality and Diversity

The Equality Act 2010 took effect on 1 October 2010 and replaces the previous antidiscrimination legislation. It simplifies the law removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in order to help tackle discrimination and inequality.

The Public Sector Equality Duty is a key measure in the Act which came into force on 5 April 2011. All public bodies and organisations carrying out public functions have a duty to consider the needs of all individuals in their day to day work – in shaping policy, in delivering services and in relation to their own employees. There are a wide range of statutory rights and obligations, derived from this Parliamentary Act and despite any express term to the contrary, they cannot be waived. The Public Sector Equality Duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. The Home Office Diversity Strategy 2013-16 states:

"There is a clear focus on the actions and improvements required to champion equality, diversity and inclusion (EDI), in all we do, whether these concern staff or the wider public."

It goes on to state:

"... removing barriers to social mobility and recognising people for their efforts, skills and achievements rather than social backgrounds or where they are from."

The purpose of this policy is to provide equal opportunities for everyone who comes into contact with Middleton Parish Council, irrespective of their characteristics (unless it can be shown that the treatment is a proportionate means of achieving a legitimate aim).

To discriminate against someone means to treat them less favourably, to harass or victimise them or to subject them to a provision, criterion or practice which puts them at a disadvantage. It is unlawful to discriminate against an individual on the grounds of the following 'protected characteristics' as defined Under the Equality Act 2010 (Specific Duties) Regulations 2011

- Age
- Caring responsibilities
- Disability
- Gender identity
- Part time working
- Pregnancy and maternity
- Race
- Religion or belief

- Sex
- Sexual orientation
- Marriage and civil partnership

This policy is fully supported by all Members of the Council. Middleton Parish Council opposes all forms of unlawful and unfair discrimination whether it be direct or indirect discrimination, victimisation or harassment on the grounds of any of the protected characteristics defined in the Equality Act 2010. We are committed to the promotion and delivery of equal opportunities in the work place and in the delivery of services. In all our activities we will have due regard to the aims of the Equality Duty:

- Works towards the elimination of unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
- Foster good relations between people who share a protected characteristic and people who do not share it.
- Ensure that individuals are treated equally with respect to their specific needs and that there is consistency in the parish councils approach to working practices and conditions.
- Be a role model and try to influence others through good practice in service delivery and employment.
- Provide public information, as far as possible, in a way that best meets the needs of the person requesting it.
- Be accountable to all parishioners and encourage active participation of communities and groups in the development and application of the parish councils policies and practices.
- For all employees to attend relevant training programmes.

There is no single way that equality and diversity can be achieved. Progress will be through a number of factors, which are outlined below. These factors are fundamental in the implementation and incorporation of the core values that embrace equal opportunities and its practice:

- Consultation
- Publicity/Communication
- Community Development
- Training
- Contracts
- Employment Monitoring
- Service Delivery and Monitoring
- Policy Review
- Resources

This policy applies to all employees, volunteers, placements, contractors and members of Middleton Parish Council. In this document they will all be referred to as 'employees'.

It is accepted that members of the council are not employees, but they do share a responsibility with employees when representing the Parish Council or carrying out the functions of their office therefore all aspects of this policy apply to members.

All employees whether full-time, part-time, fixed term contract, agency workers or temporary staff, will be treated fairly and equally. Selection for employment, promotion, training, remuneration or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the council.

Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated. This is further defined in the Dignity at Work policy adopted by the council.\*\*\*\*

The commitment to equal opportunities in the workplace is good management practice and makes sound business sense as it seeks to utilise the talents available from the local community, representing Society as a whole.

Breaches of the Council's Equal Opportunities Policy will be regarded as serious misconduct and could lead to disciplinary proceedings. Employees are entitled to complain about discrimination or harassment or victimisation through the council's Grievance Procedure.\*\*\*

The Council adopts the model employment contract \*\*\*as devised by the employee professional body in the local government sector (the Society of Local Council Clerks). The policy will be monitored and reviewed annually. Other Personnel policies will be reviewed against the values stated in this main Equal Opportunities policy to ensure that the council strives to remain an Equal Opportunities employer.

The policy aims to achieve the five core values, which embrace and provide a framework within which employees can work:

- Recognition that everyone is of equal value and should be respected according to individual needs and abilities.
- To be fair, reasonable and just in all council activities.
- Providing equal access for all in employment and service delivery.
- Helping individuals take on responsibility so that they can influence and participate in the decision-making process.
- Obtaining the highest standards in service delivery.

In exercising its functions and delivering services, the Parish Council will have due regard to the aims of the Equality Duty and it will take a proportionate approach when complying with it. Equality issues will be an influence on our policies and decisions and we will consider the needs of all individuals in our day to day work.

This policy is cross-referenced to the following Parish Council's adopted policies:

- Dignity at Work
- Discipline
- Grievance

Middleton Parish Council acknowledges the following sources of information from which this policy has been drawn:

- Society of Local Council Clerks - Model Equal Opportunities Policy (Oct 2010)
- National Association of Local Councils – Legal Topic Note 78: Equality Act 2010 (Jan 2013)
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# **Policies: Freedom of Information**

## **The Freedom of Information Act introduction**

The Freedom of Information Act grants to members of the public rights of access to all kinds of recorded information held by a wide range of authorities. Information about the Act is available from the Information Commissioner's Office at [www.ico.gov.uk](http://www.ico.gov.uk).

The Act requires every public body to adopt and maintain a publication scheme. Middleton Parish Council has adopted the Information Commissioner's model Publication Scheme and this provides a comprehensive guide to the information we publish or otherwise make available.

The Parish Council aims to publish as much information as we can online. However, some items are only available in print. You should also be aware that the Council is entitled to withhold certain information. You may use the form on our website to make a request under the Freedom of Information Act, or you can write to the Parish Clerk at the address below, we will reply within fourteen working days

## Policies: Freedom of Information

### Information available from Middleton Parish Council under the model publication scheme

Information to be published	How the information can be obtained	Cost
Class1 - Who we are and what we do (Organisational information, structures, locations and contacts) This will be current information only.	Website By post from Parish Clerk	Free See schedule of charges
Who's who on the Council and its Committees	Website By post from Parish Clerk	Free See schedule of charges
Contact details for Parish Clerk and Council members (named contacts where possible with telephone number and email address (if used))	Website By post from Parish Clerk	Free See schedule of charges
Location of main Council office and accessibility details	Not applicable	
Staffing structure	Website By post from Parish Clerk	Free See schedule of charges
Class 2 – What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum		
Annual return form and report by auditor	Website Paper copy	Free See schedule of charges
Finalised budget	Website Paper copy	Free See schedule of charges
Precept	Website Paper copy	Free See schedule of charges

Borrowing Approval letter	Not applicable	
Financial Standing Orders and Regulations	Website	Free
	Paper copy	See schedule of charges
Grants given and received	Website	Free
	Paper copy	See schedule of charges
List of current contracts awarded and value of contract	Website	Free
	Paper copy	See schedule of charges
Members' allowances and expenses	Paper copy	See schedule of charges
Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)		
Parish Plan (current and previous year as a minimum)	Not applicable	
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	Website	Free
Quality status	Paper copy	See schedule of charges
	Not applied for	
Class 4 – How we make decisions (Decision making processes and records of decisions) Current and previous council year as a minimum		
Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)	Website	Free
	Paper copy	See schedule of charges
Agendas of meetings (as above)	Website	Free
	Paper copy	See schedule of charges
Minutes of meetings (as above) – n.b. this will exclude information that is properly regarded as private to the meeting.	Website	Free
	Paper copy	See schedule of charges
Reports presented to council meetings – n.b. this will exclude information that is properly regarded as private to the meeting.	Website	Free
	Paper copy	See schedule of charges

Responses to consultation papers	Website	Free
	Paper copy	See schedule of charges
Responses to planning applications	Website	Free
	Paper copy	See schedule of charges
Bye-laws	Not applicable	
Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only		
Policies and procedures for the conduct of council business:	Website	Free
	Paper copy	See schedule of charges
Procedural standing orders		
Committee and sub-committee terms of reference		
Delegated authority in respect of officers		
Code of Conduct		
Policy statements		
Policies and procedures for the provision of services and about the employment of staff:	Paper copy	See schedule of charges
Internal policies relating to the delivery of services		
Equality and diversity policy		
Health and safety policy		
Recruitment policies (including current vacancies)		
Policies and procedures for handling requests for information		
Complaints procedures (including those covering requests for information and operating the publication scheme)		

Information security policy	Paper copy	See schedule of charges
Records management policies (records retention, destruction and archive)	Paper copy	See schedule of charges
Data protection policies	Paper copy	See schedule of charges
Schedule of charges for the publication of information	Website Paper copy	Free See schedule of charges
Class 6 – Lists and Registers		
Currently maintained lists and registers only		
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)	Inspection by prior arrangement with Parish Clerk	See schedule of charges
Assets Register	Website Inspection by prior arrangement with Parish Clerk	Free See schedule of charges
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils)	Not applicable	Not applicable
Register of members' interests	Website Paper copy	Free See schedule of charges
Register of gifts and hospitality	Inspection by prior arrangement with Parish Clerk	See schedule of charges
Class 7 – The services we offer Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only		
Allotments	Not applicable	
Burial grounds and closed churchyards	Not applicable	
Community centres and village halls	Not applicable	
Parks, playing fields and recreational facilities	Not applicable	

Seating, litter bins, clocks, memorials and lighting	Website	Free
	Paper copy	See schedule of charges
Bus shelters	Website	Free
	Paper copy	See schedule of charges
Markets	Not applicable	
Public conveniences	Not applicable	
Agency agreements	Not applicable	
A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)	Paper copy	See schedule of charges

Contact details:

Parish Clerk: John Rowe, c/o 1 Devonshire Villas, Upperwood Road, Matlock Bath, Matlock, Derbyshire DE4 3PD Tel: 07717 137 526

Email: [clerk@middletonbywirksworth-pc.gov.uk](mailto:clerk@middletonbywirksworth-pc.gov.uk)

### Schedule of Charges

This describes how the charges have been arrived at and should be published as part of the guide. In most cases the Parish Council will make information available free of charge. Where information is printed or copied to meet an enquiry the Parish Council reserves the right to make a reasonable copying charge. This is most likely to occur where the document size exceeds 10 pages or where multiple copies are requested.

Type of charge	Description	Basis of charge
Disbursement cost	Photocopying @ 10p per sheet (mono)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class
Statutory Fee		In accordance with the relevant legislation (quote the actual statute)

## Policies: Grants

### Grant Application Form

Please read the notes section overleaf before completing the form

Name of Organisation	
Registered Charity No. (if applicable)	
Name of Applicant Position in Organisation (if relevant)	
Name to whom cheque be made payable	
Address	
	Post Code
	Telephone No.
	Email:
Purpose for which the grant will be used	
Detail of project cost, plans and other sources of funding	
Anticipated effect on Community	
Supporting documents	I enclose a copy of our accounts for the current year copy of our latest bank statement <b>YES/NO</b>
<b>Important note:</b> If "No" please provide an explanation	I enclose a copy of our audited accounts for the last financial year <b>YES/NO</b>
	Where a grant has previously been received please a report on the use and effectiveness of the grant
Amount of Grant requested	
Signature of Applicant	
	Date.....

## Notes

Middleton Parish Council welcomes grant applications from local organisations which will provide an activity or service to the Middleton community. Funds are limited, and applications will be considered within the constraints of the budget available.

Retrospective applications will only be considered in exceptional cases.

The Parish Council is unable to fund "for profit" organisations or where assistance would benefit only one individual.

The applicant should demonstrate:

- A clear statement of what the funding would be used for
- An indication of the extent of the impact of the proposed funding
- Applicants should be a formally constituted group and have a management committee made up of volunteers
- All applications will be considered on their merits but, in general, grants will be awarded for specific projects or events. Grants will not be awarded for running costs or salaries
- The Parish Council will take into account any previous grant made to an organisation or group when considering a new application.
- A clear business plan
- Accounts for the current year supported by a current bank statement
- Accounts for the last complete financial year, where possible these should be audited
- Evidence of bids to other funding sources
- Feedback on the use and effectiveness of previous grants

Applicants may be asked to attend a meeting of the Parish Council to present a case for grant funding and to answer any questions members may have.

Other than in exceptional circumstances, the Parish Council will only consider one application per group per year. Grants should be spent in the financial year in which they were supplied.

Funds may only be spent for the purpose for which they were approved. Applicants will be asked to return all unspent monies to the Parish Council

The Parish Council considers applications at its monthly meetings which are generally held on the second Monday of the month (except August). Applications must be received by the agenda closing date, 11 days before the meeting. Any applications received after the closing date will be carried forward to the next meeting. In practice applicants are advised to submit applications well in advance. If you require advice on submitting a grant please contact the Parish Clerk in the first instance.

The awarding of grant assistance is entirely at the discretion of Middleton Parish Council whose decision is final.

# **Policies: Internal Control**

## **Responsibility**

Accounts and Audit regulations state that a Council shall be responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control which facilitates the effective exercise of the Council's functions and which includes arrangements for the management of risk.

Middleton Parish Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards. Its systems must ensure that public money is safeguarded and properly accounted for. The Council is responsible for ensuring a sound system of internal control is in place in order to facilitate the effective discharge of the Council's functions and which includes the effective management of risk.

## **Purpose of Internal Controls**

The system of internal control is designed to ensure the Council's activities are carried out as intended. Internal controls are set up by the RFO.

The controls include:

- routine checking of financial procedures,
- examination of financial comparisons, recording of assets,
- identification of risk and the potential impact of that risk
- the reduction of risk where possible and
- the management of risk if realised

For the system to work members must ensure they understand the controls and participate in the process of internal control.

## **Internal Control Environment**

Involved in the effective use of the Internal Control System are:

- the Council,
- Parish Clerk & RFO,
- Internal Auditor,
- External Auditor

## **The Council**

Middleton Parish Council appoints a Chairman annually. The Chairman is responsible for the smooth running of meetings and for ensuring that all council decisions are lawful.

- The Chairman signs the last page of the minutes and initials all other pages, checking page and minute numbers follow consecutively in their respective series
- Decisions should be made within adopted Standing Orders and Financial Regulations
- The Council reviews its obligations and plans for the future and approves budgets for the following year at its November meeting or as

soon as possible thereafter, and in any case by the final deadline laid down by Derbyshire Dales District Council.

- The Council receives a monthly financial statement for approval.
- Payments are made in accordance with Standing Orders and Financial Regulations
- Two Councillors (out of five signatories) must sign all cheques. Signatories must initial cheque stubs and the invoices supporting those cheques. Signatories will ensure the numbers on the cheques run consecutively and sums on the cheques agree with those on the supporting documents and that payee information is correct.
- Cheque numbers are recorded in the minutes; minute numbers are recorded in the cashbook to provide a complete audit trail.
- The Clerk/RFO is not a signatory and may not authorise bank payments.
- The Clerk/RFO holds a small imprest account “petty cash” balances are reported to Council on a regular basis (at least every six months or when the balance reaches zero) payments are supported by receipts for expenditure.
- The use of “check totals” ensures that the value of sums for approval on the agenda agree with those on budget monitoring sheets and the expenditure analysis sheets.
- The Clerk RFO will provide a monthly reconciliation between the Bank Statement and Accounts Report
- The Bank Statement will be copied quarterly to members to ensure greater transparency.
- Risk assessment policy is reviewed annually; members are given the opportunity to consider risk assessment issues on every agenda
- Parish leases/tenancies are examined annually
- Servicing records of powered equipment are examined annually by the Parish Council
- Appointment of internal auditor is reviewed annually
- Members’ attendance at meetings is examined annually
- A calendar of ordinary meetings is agreed annually
- Signatories to the Parish Council’s accounts are reviewed annually

### **Clerk to the Council/RFO**

The Clerk/RFO acts as an administrator and advisor to the Council. The Clerk is the Council’s Responsible Financial Officer and is responsible for the administration of the Council’s finances. The Clerk is responsible for the day to day management of the Council’s business and for ensuring compliance with the laws and regulations that the Council is subject to. Risk assessment and management is integral to the role. The Clerk maintains the Council’s procedures, control systems and makes recommendations to Council on policy changes. The Council approves policy; the Clerk/RFO implements that policy.

- Clerk/RFO duties are recorded in a Job Description which is reviewed periodically.
- Clerk/RFO is the line manager responsible for supervision of the Parish Council’s part time, seasonal caretaker.

- The Clerk & RFO ensures that all statutory notices are displayed on the Parish notice boards to the appropriate deadlines.
- The Clerk & RFO ensures the requested information is submitted to the External Auditor by the required date.
- The Clerk & RFO ensures the retention of documents in line with the relevant dates specified in legislation, arranging for the transfer of documents to the County Records Office as appropriate.

### **Internal Auditor**

The Parish Council appoints an independent Internal Auditor who will report to the Council on the adequacy of its records, procedures, systems, internal control measures, regulations and risk assessment. The audit is carried out in accordance with the suggested approach contained in “Governance and Accountability in Local Councils in England and Wales – A Practitioners Guide.”

The report of the internal auditor is copied to all members of the Council and is considered as an agenda item. Recommendations from the report will be recorded in the minutes.

### **External Auditor**

The Council’s External Auditor is appointed by the Audit Commission submits a report to the Parish Council based upon the submission of the Annual Return. The report of the internal auditor is copied to all members of the Council and is considered as an agenda item. Recommendations from the report will be recorded in the minutes.

## **Policies: Members Interests**

In accordance with Middleton by Wirksworth Parish Council's Code of Conduct for Elected Members, a Councillor must withdraw from the meeting room or chamber during the whole consideration of any item of business in which s/he has a Disclosable Pecuniary Interest.

The requirement to withdraw does not apply where the individual member has sought and been granted a dispensation.

## **Policies: Outdoor seating**

### **Scope**

This policy sets out guidance to the Parish Council on the acquisition of outdoor seating including benches, siting, installation, insurance, inspection, maintenance, damage and repair, removal and disposal.

### **Acquisition and tracking**

The Parish Council acquires benches by:

- direct purchase
- donations of memorial benches
- donation by community groups or others

The Parish Council will seek a uniformity of style of seats and benches, where possible, throughout the village.

The Parish Council may accept or decline the donation of benches at its absolute discretion.

As a decision of Council each acquisition is to be minuted. The minute number should be recorded in both the donor and asset register. Where it is proposed that the bench is sited in the public realm (or where visibility splays may be affected, or in the case of any doubt), acquisition should be subject to written approval by Derbyshire County Council Highways department.

The Parish Council may, in addition to the cost of the bench, charge donors for the reasonable cost of ground fixings, installation and for the provision of a concrete/slab pad where appropriate.

In the case of donated benches payment must be received prior to the order being placed.

Upon delivery, and prior to installation, the Clerk will update the Assets Register, and add the item(s) Parish Council's insurance policy.

In addition to the asset register, the Parish Council will keep a register of donors. This will include name, address, telephone number and email address of the donor along with a copy of the details on any memorial plaque.

Whilst it is the responsibility of the donor to advise of changes to contact details a periodic exercise should be undertaken to ensure, as far as possible, the integrity of the donor register.

### **Siting**

Where it is proposed that the bench is sited in the public realm (or where visibility splays may be affected, or in the case of any doubt), acquisition should be subject to written approval by Derbyshire County Council Highways department.

## **Installation**

Benches are to be installed securely, using ground anchors (or other appropriate fixings). A concrete/slab pad should be provided, as appropriate to the location.

## **Insurance**

Benches are to be added to the Parish Council's insurance policy upon delivery and prior to first installation.

## **Inspection**

Seating will be inspected annually (or upon receipt of reports of damage) in April, a report is to be compiled and the result reported to the Annual meeting of the Parish Council.

## **Maintenance**

Existing (wooden) benches are to be repainted with an appropriate surface finish not less than every three years. The Parish Council will arrange for the funding of this maintenance through the precept.

## **Damage and Repair**

In the case of damage to seating an inspection will be undertaken at the earliest opportunity, and the result reported to the Council as soon as possible. If appropriate, the seat should be taken out of use (by taping off or removal).

In the case of minor damage, the Clerk will arrange for repairs to be carried out.

Malicious or serious accidental damage will be reported to the police as appropriate and the Council's insurer advised. In the case of significant damage an assessment may be required and a decision made on repair, replacement or permanent removal. Where the damage is to a donated bench the donor should be advised in a timely and sensitive manner of the damage and the action taken or proposed.

## **Removal**

The removal of benches is at the discretion of the Parish Council. In the case of a donated bench the donor should be advised in a timely and sensitive manner with the reasons for removal being explained.

## **Disposal**

At the end of its lifecycle the decision to dispose of a bench should be minuted and recorded in the asset and donor registers. In the case of a donated bench the donor should be contacted and advised and given the opportunity to remove the bench or the memorial plaque, as desired, alternatively a donor may choose to provide a replacement seat. If it is necessary to remove a bench and it is not possible to make contact with the donor it is desirable to store the bench until such a time that contact can be made.

## **Risk Assessment**

A risk assessment of the proposed site should be undertaken prior to installation. The annual inspection will form part of the general risk assessment.

## Policies: Staff Recruitment

The ethos of Middleton Parish Councils role as an employer is to act effectively i to make its employees feel important and valued by having in place clear employment policies and procedures. To exercise its statutory functions Middleton Parish Council may recruit its Clerk/RFO and caretakers under section 112 of the Local Government Act 1972.

Under its recruiting process, existing job descriptions/personal specifications would be reviewed (and annually thereon) and a non-discriminatory advert, avoiding any gender, age or culturally specific language would be placed, including a statement of commitment in line with its *equal opportunities policy*, welcoming applications from all sections of the community. The advert would be placed in local newspapers, DALC, NALC and SLCC publications, parish newsletters, parish noticeboards, and website.

The application form would enquire whether the applicant has been convicted of a criminal offence and if so, to give details. The Council would check an applicant's entitlement to work in the UK as part of the selection process, as under the *Immigration, Asylum and Nationality Act 2006* it is a criminal offence to employ a person who does not have permission to work in the United Kingdom.

During interviews, the council would ensure candidate(s) were comfortable and at ease, with wheelchair access in place. Panel members would introduce themselves, asking a standard set of agreed questions to avoid potentially discriminatory questions. Records relating to the recruitment process would be kept in case a candidate brings an employment tribunal claim. Under our *Recruitment Policy*, Councillors would declare any interests as necessary. The selection process would display transparency. The council would issue 'Employment Contracts' to all employees.

Under the council's *Risk Management Policy*, the Performance Management Process, states the clerk manages the caretakers, undertaking annual appraisals. The chair and whole council acts as line manager to the Clerk and undertakes annual appraisals. Training needs will be identified under these annual appraisals.

The Council currently has three employees: the Parish Clerk/Responsible Financial Officer (RFO) and two part time caretakers.

The Parish Council is an equal opportunity employer and applies a professional approach to recruitment.

Councillors will be ineligible to take part in the recruitment process if applicants include relatives, near relatives, friends or associates of the Councillor.

The Council will prepare a Job and Person Specification, advertisement, and Application form for approval by the full Council. The Council will recommend an appropriate salary and benefits range for approval by the full Council, after taking due regard of guidance from the NALC.

The vacancy will be advertised in the public domain using one or all of the following:

- Parish Council Notice Board
- Parish Council Website
- The Parish Newsletter or equivalent (The Village Pump) - any other publication or location considered appropriate by Councillors

All candidates will be provided with the Job and Person Specification and required to complete the Application form; this must include the provision of references and curriculum vitae. The Council may reject candidates without interview, but the reasons for rejection must be recorded.

The Council will interview the selected or short listed candidates, and prepare written notes of the interview. The Council will make a decision on the basis of a majority vote.

The council will prepare a Contract of Employment (in accordance with English Law) after taking due regard of advice from NALC.

The Council will determine whether an offer should be made to the successful candidate but such offer shall be subject to the receipt of satisfactory references. The Council will approve the proposed Contract of Employment.

Successful applicants will be provided with a Contract of Employment, such contract to provide for an initial trial period of 3 months, after which there will be an annual review and appraisal.

## **Policies: Social Media**

Middleton Parish Council's social media site shall be approved by Full Council and managed by the Clerk to the Council.

Content of Middleton Parish Council's website is compiled and signed off by the Clerk to the Council.

Press Releases, Chairman's speeches and news items are created by the Clerk to the Council and approved by the Chairman prior to publication.

Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

Interviews and statements to the media and press are handled by the Clerk to the Council and the Chairman.

All copyright laws should be respected.

All emails sent from Middleton Parish Council shall include an appropriately worded disclaimer.

Email traffic to Middleton Parish Councillors should be sent to their Middleton Parish Council email address. In circumstances where it is not possible to do so, awareness is drawn to the possible implications of using a personal email address for Middleton Parish Council business.

Any misrepresentations made about Middleton Parish Council in the media should be drawn to the attention of the Clerk to the Council, who will raise the matter with Full Council.

Avoid containing any confidential matters within an email which could inadvertently fall into the wrong hands.

## Policies: Training and Development

Middleton Parish Council is committed to ensuring that all its councillors and staff are properly trained to enable the council to deliver services to the public in order to make Middleton a better place to live, work and visit. The council recognises that by promoting best practice through means of training and development, councillors and staff will be better equipped to undertake their duties in order to deliver these objectives. As elected officials the council values the time given by its councillors to their community. This policy is aimed at maximising the rewards from that time, ensuring that its councillors understand and enjoy the role they undertake and are properly equipped for it. As a corporate body, with specific powers and duties, under law it is essential that all councillors and staff are provided with adequate and relevant training and kept up to date with all new legislation.

Middleton Parish Council will: -

- Provide contracts of employment and job descriptions to its staff which will include details of the council's commitment to training.
- Identify training needs for its staff by way of a staff appraisal once a year.
- Identify training needs in relation to the council's objectives and specific needs of the individual via induction programmes, appraisals, one to ones, formal and informal discussion, questionnaires and any other means deemed appropriate. Any training & development opportunities to be investigated by the clerk and presented to the full council.
- Evaluate the effectiveness of the training by means of appraisals, one to ones and formal and informal discussion.
- Maintain a training record of any training & development activity undertaken.
- Make its staff and councillors aware of any opportunities for continuous training and development.
- Encourage its staff and councillors to consider and identify their own development needs in light of any specified skills for their posts and through supervision and discussion.
- Have access to relevant learning materials and reference books at the parish council.
- Encourage its staff and councillors to take responsibility to maintain and improve their knowledge and skills.
- Set aside a realistic budget for training of its staff and councillors to meet the council's objectives.
- Pay the annual subscription to the Derbyshire Association of Local Councils (DALC) or successor organisation to enable the council to take advantage of the resources available including their training courses and conferences.
- Ensure volunteer staff are given a risk assessment of the proposed tasks they are offering to undertake and asked to sign if they have been sufficiently trained or confirm that they are competent to carry out the work they are offering to undertake; these forms must be in writing and kept on record.

## Clerk/Responsible Finance Officer Training:

<b>Training Needs</b>	<b>Frequency</b>	<b>Essential/Desirable</b>
The Clerk/RFO to receive a proper induction programme, both formal and informal prior to commencing their duties.	Upon joining the Parish Council.	Essential
Introduction training on the website to enable the council to comply with the Transparency Code.	Upon joining the Parish Council.	Essential
Health and Safety to include individual responsibilities for Lone Working.	Annually.	Essential
The Clerk/RFO will be, or work towards becoming, a qualified Council Clerk with a Certificate in Local Council Administration (CiLCA), as a minimum, and the council will provide appropriate training and support to enable this to be achieved.	ASAP upon joining the Parish Council.	Essential
Audit and Financial Management Training.	Upon joining the Parish Council	Essential
Health and Safety Competent Person Training to ensure that the employee can write and review risk assessments.	Upon joining the Parish Council	Desirable (Essential if not outsourced)
Continuing Professional Development to meet the changing needs of the Parish Council sector, as supported by the Society of Local Council Clerks and National Association of Local Councils and DALC.	As agreed.	Desirable/Essential
Training on any new, relevant legislation or government guidelines.	Ongoing.	Essential

## Councillor Training:

Training Needs	Frequency	Essential/ Desirable
<p>On induction all new councillors will receive an information pack provided by the clerk containing the following documents to allow councillors to undertake their duties upon election;</p> <ul style="list-style-type: none"> <li>• The Good Councillors Guide</li> <li>• Standing Orders</li> <li>• Code of Conduct</li> <li>• Financial Regulations.</li> <li>• Committee Terms of Reference (as applicable)</li> <li>• List of Parish Council Powers and Duties</li> <li>• Minutes of the latest Parish Council Meeting</li> <li>• Council member names and contacts</li> <li>• Training &amp; Development Policy</li> <li>• Calendar of meetings</li> </ul>	Upon joining the Parish Council.	Essential
All new councillors will be offered and encouraged to attend the “Off to a flying start” course provided by DALC or an appropriate organisation.	Upon joining the Parish Council	Essential
Finance committee/working party members should be given the option of local council finance related training, such as budgeting and setting the precept.	As required.	Desirable
Councillors given the opportunity for training on topics such as the local planning system, data protection and freedom of information provided by DALC or an appropriate organisation.	As required.	Desirable
Health & Safety training including risk assessments and training on the use of equipment such as the parish defibrillator.	As required.	Desirable (Essential if not outsourced)
Training on any new, relevant legislation or government guidelines.	As required.	Essential
Councillors will be encouraged to attend ongoing development training provided by DALC or an appropriate organisation.	Ongoing.	Desirable

# Procedures

## List of Procedures

Complaints  
Delegation of Authority to Clerk – Highways and Street Furniture  
Notices and Posters  
Public Speaking  
Planning  
Roll of Honour  
Servicing of Powered Equipment  
Urgent Business

Each Procedure is to be incorporated into this document upon its adoption by the Parish Council.

Procedures are to be reviewed and approved for use at each Annual Meeting of the Parish Council.

# Procedures: Complaints- Code of Practice

## Before the Meeting

The complainant should be asked to put the complaint about the council's procedure or administration in writing to the Parish Clerk.

If the complainant does not wish to put the complaint to the Parish Clerk, they may be advised to put it to the Chair of the Council.

The Parish Clerk shall acknowledge the receipt of the complaint and advise the complainant when the Council will consider the matter.

The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.

Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The Council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

## At the Meeting

The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the council meeting in public.

- Chair to introduce everyone.
- Chair to explain procedure.
- Complainant (or representative) to outline grounds for complainant.
- Members to ask any questions of the complainant.
- If relevant, the Parish Clerk to explain the Council's position.
- Members to ask any questions of the Parish Clerk.
- Parish Clerk and complainant to be offered opportunity of last word (in this order).

The Parish Clerk and the complainant be asked to leave the room while Members decide whether or not the grounds of the complaint have been made. (If a point of clarification is necessary, both parties be invited back)

Parish Clerk and complainant return to hear decision, or to be advised when decision will be made.

## After the Meeting

Decision confirmed in writing within seven working days together with details of any action to be taken.

## **Procedures: Delegation of Authority to Clerk – Highways and Street Furniture matters**

At the request of members or members of the public the Clerk is authorised to report to the relevant statutory body any of the following matters:

- Blocked or damaged gullies
- Damaged or obscured street furniture and signs
- Failed bulbs, out of phase lamps, issues with illuminated signage
- Failure of or issues arising from street sweeping/gully emptying
- Failure of or issues arising from verge cutting
- Footpath issues
- Grit bins that require refilling
- Issues regarding playing fields
- Potholes in the highway, damage to roads and pavements

## **Procedures: Notices and Posters**

In addition to the display of notices required by law the Clerk is delegated to place upon Parish Notice Boards such posters and notices as are received from statutory bodies and others.

The Council reserves the right to display only those posters or notices it sees fit or can accommodate. The Council's decision is final.

## **Procedures: Public Speaking**

To facilitate public participation at Meetings a period of up to 15 minutes will be set aside to enable members of the public to bring questions or concerns to the attention of the Council.

## **Procedures: Planning**

### **Planning applications/amended plans**

Clerk receives planning application notification from Planning Authority.

Clerk advises Chair and ascertains whether an Extraordinary Meeting is required. The Planning Authority may be asked if it is possible to extend the consultation period as appropriate.

Clerk adds the application to next appropriate agenda.

At the meeting of the Parish Council planning matters are considered and the position of the Parish Council is resolved.

The Clerk forwards the Parish Council's comment to the planning authority as soon as possible after the meeting, and in any case before the close of the consultation period (or agreed date with the Planning Authority). To prevent any ambiguity the response should use the wording of the minute.

### **Notified outcomes**

Clerk receives weekly notification of planning outcomes

Clerk forwards weekly notification of planning outcomes to members

#### **Attending Meetings of the Planning Authority**

If members of the Parish Council wish to attend a planning authority meeting as representatives of the Parish Council authority must be sought through the passing of a resolution at the Parish Council meeting prior to the Planning Authority meeting.

The Parish Clerk will notify the planning authority of the Parish Council's intention and register speakers/attendees as appropriate. The Parish Clerk may attend to represent the views of the Parish Council with prior authority.

Members attending as representatives of the Parish Council may speak but their speech must not extend further than the minuted position of the Parish Council.

Prior to the meeting representatives should acquaint themselves with the position by liaising with the Parish Clerk who will supply copies/background/notes as appropriate.

To avoid ambiguity members should clarify to the meeting of the planning authority the capacity in which they are attending, for example; "I am a Parish Councillor for Middleton by Wirksworth and I am speaking as a representative of the Parish Council..."

Members attending meetings of the planning authority in a personal capacity are advised – for the avoidance of doubt – to ensure their position is unambiguous to their audience.

### **Planning Authority Site Meetings**

The Clerk receives a planning authority notification of a site meeting

The Clerk notifies the Chair and all members. Note: there is usually a very short time between notification and site meeting.

Any member who wishes to attend a site meeting may do so but to avoid ambiguity members must, (if speaking) clarify the capacity in which they are attending, for example; "I am a Parish Councillor for Middleton by Wirksworth and I am speaking as a representative of the Parish Council..."

Members attending as representatives of the Parish Council must notify the clerk of their intention prior to the site meeting and may speak on behalf of the Parish Council but their presentation (if such are allowed) must not extend further than the minuted position of the Parish Council.

Prior to the meeting members should acquaint themselves with the position by liaising with the Parish Clerk who will supply copies/background/notes as appropriate

Members attending meetings of the planning authority in a personal capacity are advised – for the avoidance of doubt – to ensure their position is unambiguous to their audience.

## **Procedures: Roll of Honour**

Each year, at its September meeting the Parish Council will make an award to a member of the community who has made an outstanding contribution to the life of the village.

## **Procedures: Servicing of Powered Equipment**

All powered equipment owned or operated by the Parish Council will be serviced in accordance with the procedures laid down and within time periods specified by the manufacturer.

It is the responsibility of the Clerk to ensure that equipment is submitted for servicing.

The Parish Council, at its annual meeting will review the servicing records of equipment.

## **Procedures: Urgent Business**

Wherever possible urgent business will be discharged by holding an Extraordinary Meeting of the Parish Council. The Council recognises that on rare occasions very urgent decisions will need to be taken to discharge business

Where an urgent decision needs to be taken between meetings the clerk is delegated to act upon behalf of the Council to discharge such business in a timely manner, following discussion with two Councillors including the Chair (or Vice Chair in the Chair's absence).

The matter will be brought to the agenda of the next meeting to enable approval by full Council of the action taken and to allow the matter to be recorded in the minutes.