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# ANTI-FRAUD AND CORRUPTION POLICY

## POLICY

* 1. In carrying out its functions and responsibilities the Parish Council will promote a culture of honesty, openness and fairness and requires elected members and employees at all levels to conduct themselves in accordance with the principles contained in The Relevant Authorities (General Principles) Order 2001 throughout their term of office and employment with the Council. The principles contained in the Order are detailed in Appendix ‘A’. Consequently the Council recognises and accepts the need for an Anti-Fraud and Corruption Policy.

The Council will not tolerate fraud and corruption in the administration of its responsibilities and will deal equally with offenders whether from inside or outside the Council.

* 1. Fraud and corruption are defined by the Audit Commission as follows:-

Fraud is the intentional distortion of financial statements, accounts, or other records by persons internal or external to the authority which is carried out to conceal the misappropriation of assets or otherwise for gain or to mislead or misrepresent.

Corruption is the offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person to act against the interests of an organisation.

In addition, corruption is hereby defined to also include the deliberate failure to disclose an interest in order to obtain a financial or other pecuniary gain for oneself or another.

This policy identifies a series of measures designed to frustrate any attempted fraudulent or corrupt acts and the steps to be taken if such action occurs.

1. **Culture**
   1. The Parish Council promotes a culture of honesty, openness and fairness which supports its opposition to fraud and corruption. The prevention and detection of fraud and corruption and the protection of the public purse are the responsibility of everyone.

The elected members and employees play an important role in creating and maintaining this culture. All are positively encouraged to raise concerns regarding fraud and corruption in the knowledge that such concerns will wherever possible be treated in confidence.

* 1. The Parish Council will ensure that any allegations received will be taken seriously and investigated in an appropriate manner. Those who defraud the Council or who are corrupt or who instigate financial malpractice will be dealt with firmly. There is however a need to ensure that any investigation process is not misused and, therefore, any abuse may, where appropriate, be dealt with as a disciplinary matter.
  2. Where fraud and corruption has occurred due to a breakdown in systems or procedures, arrangements will be made to ensure that the appropriate improvements in systems of control are implemented to prevent a re-occurrence.
  3. The Parish Council will ensure that any allegations received will be taken seriously and investigated in an appropriate manner. Those who defraud the Council or who are corrupt or who instigate financial malpractice will be dealt with firmly. There is however a need to ensure that any investigation process is not misused and, therefore, any abuse may, where appropriate, be dealt with as a disciplinary matter.
  4. Where fraud and corruption has occurred due to a breakdown in systems or procedures, arrangements will be made to ensure that the appropriate improvements in systems of control are implemented to prevent a re-occurrence.

1. **Prevention**
   1. Role of Elected Members

As elected representatives all Members of the Council have a duty on behalf of their electorate to protect the Council from all forms of fraud and corruption. This is reflected through the adoption of this Policy and compliance with the Code of Conduct for elected Members the Council’s Standing Orders and Financial Regulations and other relevant legislation. The Code requires elected Members, inter alia, to declare and register interests and to register receipt of gifts and hospitality. In addition elected members are given the opportunity to attend any periodic update sessions on matters of conduct and standards provided by the District Council’s Monitoring Officer.

* 1. Role of Clerk
     1. The Clerk

The Clerk is responsible for the communication and implementation of this Policy within the Council. S/he is also responsible for ensuring that employees are aware of the Council’s Financial Regulations and Standing Orders and that the relevant requirements of each are being met in the day to day conduct of Council business. Special arrangements will apply where employees are responsible for cash handling or are responsible for financial systems and systems that generate payments. Checks are carried out on a regular basis to ensure that proper procedures are being followed. The Council recognises that a key preventative measure in dealing with fraud and corruption is ensuring that effective steps are taken at the recruitment stage to establish, as far as possible, the honesty and integrity of potential employees.

* 1. Conflicts of Interest

Elected Members and employees must ensure that they avoid situations where there is a potential for a conflict of interest. Effective role separation will ensure that decisions made are seen to be based on impartial advice and therefore avoid questions regarding improper disclosure of confidential information.

* 1. Role of Internal Audit

The Clerk is responsible for ensuring that there is an adequate and effective system of internal audit of the Council’s accounting financial and other systems in accordance with the provisions of the relevant Accounts and Audit Regulations. Internal audit plays a significant preventative role in ensuring that the relevant systems deter fraud and corruption and the accounts inspection working group and auditor will work with the Council to identify the procedural changes necessary to prevent the Council from exposure to losses. The Council/auditor will also investigate cases of suspected irregularity or fraud. The outcome of these reviews and tests are reported each year in the Annual internal audit report which is circulated to elected Members and publicised on Parish Council noticeboards on behalf of the auditor.

* 1. Role of External Audit

The external auditor has a responsibility to review the Council’s arrangements for preventing and detecting fraud and irregularities and arrangements designed to limit the opportunity for corrupt practices. This responsibility is satisfied by undertaking a number of specific reviews and tests of the adequacy of the relevant financial systems and other arrangements for the prevention and detection of fraud. The outcome of these reviews and tests are reported each year in the auditor’s certificate and report which is circulated to elected Members and the report is publicised on Parish Council noticeboards on behalf of the external auditor.

1. **Deterrence**
   1. Fraud, corruption and theft are considered to be serious offences against the Council and employees will face a disciplinary investigation if there is an allegation that they have been involved in any of these activities. Where necessary disciplinary action will be taken in addition to or instead of criminal proceedings depending on the circumstances of each individual case in a consistent manner.
   2. Similarly any elected Member will face appropriate action under this policy if it is shown that they have been involved in fraud, corruption or theft against the Council or have otherwise acted illegally.
   3. The Council will not seek to cover up cases of fraud and corruption but conversely will try to ensure that the results of any action taken including prosecutions, are notified to the public.
   4. In all proven cases where financial loss has occurred and it is in the public’s interest to do so the Council will seek to recover such loss and will give consideration to publicising the fact.
   5. All anti-fraud and corruption activities, including the adoption of this policy, will be publicised to make employees and the public aware of the Council’s commitment to taking appropriate action on fraud and corruption when it occurs.
2. **Detection and Investigation**
   1. Systems of internal control have been established together with Financial Regulations and Standing Orders to deter fraud and corruption. These are complemented by the work undertaken by Internal Audit in the review of systems and financial controls.
   2. In addition, it is often the vigilance of employees, councillors, and members of the public that aids detection. Employees are to be encouraged to raise their concerns without the fear of recrimination.
   3. All suspected irregularities should be reported directly or via an intermediary to the Clerk or the Chairman. This is essential to ensure the consistent treatment of information regarding fraud and corruption and will facilitate a proper and thorough investigation.
   4. Investigations will normally be conducted by the Council’s internal audit and reported to the Clerk. The Council will determine whether or not referral to the Police is appropriate. The outcome of all investigations where loss has been suffered will be reported to the Council’s external auditor.
   5. Following the completion of an investigation the circumstances will be assessed to determine the need for procedural and system changes to ensure that future risks are eliminated.
   6. Where necessary following the investigation the Council’s disciplinary procedures will be applied to any employee found to be guilty of improper behaviour.
3. **Awareness and Training**
   1. The Council recognises that the sustained success of this policy and its general credibility will depend upon the awareness on the part of elected members and employees throughout the organisation.
   2. Employees will be made aware of their responsibilities and the procedures to be followed for the safekeeping of Council’s assets and will be advised that failure to adhere to the specified procedures may lead to disciplinary action being taken.
4. **Conclusion**

The Council has in place a network of systems and procedures to assist in the prevention and detection of fraud and corruption as part of the Council’s risk management procedures. The Council is determined to ensure that these arrangements will keep pace with future developments in prevention and detection techniques regarding fraudulent or corrupt activity that may affect its operations.

The Clerk has day-to-day responsibility for the successful operation of the relevant systems supported by internal and external audit and will ensure that this policy is reviewed annually in order to be satisfied that the Councils exposure to potential fraud and corruption is minimised.

Appendix ‘A’

**THE GENERAL PRINCIPLES**

Selfishness

Members should only serve the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and Integrity

Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity

Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability

Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness

Members should be as open as possible about their actions and those of their authority and should be prepared to give reasons for those actions.

Personal Judgement

Members should take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for Others

Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect regardless of their race, age, religion, gender, sexual orientation, or disability. They should respect the impartiality and integrity of the authority’s statutory officers and its other employees.

Duty to Uphold the Law

Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship

Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

Leadership

Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence

# **Communications Strategy 2022/2023**

**The need for a Communications Strategy**

Frampton Cotterell Parish Council has a duty to engage effectively with its residents, partners, employees and stakeholders. Better communications lead to recognition and respect – reputation matters. Many councils fail to effectively communicate who they are and what they do – and the less people know about an organisation, the less likely they are to rate it highly.

Achieving the council's aims and objectives requires good communication with every individual, group and organisation we work with, or provide services for.

Without proper co-ordination it would be difficult to make sure messages communicated by the Parish Council are consistent and accurate. But if communication is managed effectively, the Parish Council can create and seize opportunities to communicate with partners and the public and build an accurate and positive reputation.

**Purpose**

The purpose of this strategy is to strengthen community engagement, and communication with all residents and businesses in Frampton Cotterell parish and Parish Council partners.

Frampton Cotterell Parish Council will:

* Facilitate community engagement by both informing and engaging. This includes actively listening to people and what they tell us about projects, initiatives, services and events in Frampton Cotterell and responding effectively using a variety of media
* Promote and build a positive environment and a strong, supportive community
* Focus on current issues and look forward, embracing new thinking and ideas
* Tell residents what action it is taking on their behalf
* Inform the public about how the annual parish precept is spent and manage expectations
* Promote other organisations that provide benefit to residents e.g. community groups

**Objectives**

* To raise awareness of the Council and keep people informed of its priorities, activities, aims and objectives
* To understand who lives in Frampton Cotterell parish and apply different communication and engagement methodologies that are inclusive, and successfully connect, inform and support delivery of the Frampton Cotterell Parish Plan and aligned activities and initiatives
* To build the capacity and motivation of residents and partners to be involved with Parish Council initiatives and planning
* To work collaboratively with all media, to ensure the accurate presentation of our proposals and responses
* To provide relevant and up to date information e.g. a database of local organisations and groups that provide support and services for the benefit of the community
* To build trust by being open and transparent
* To share success and a sense of movement towards creating and building a strong, supportive community
* To ensure the Parish Council is aware of and responds in a timely manner to what the people of Frampton Cotterell parish want and need to know.
* To use a variety of digital and traditional communication channels to make sure the information we provide is accessible for the whole community.
* To ensure our messages are relevant, clear and factual to ensure maximum impact and interaction between the Parish Council and our community.
* To provide a user friendly website to drive interaction with our audiences.

**Focus of communications**

The following will underpin all Parish Council communications:

* The Parish Council makes a difference. It acknowledges and celebrates success with a focus on the positive aspects of living and working in the parish
* The Council wants to hear the views of others and will use a variety of methods e.g. surveys and feedback to gather data which will inform and shape its response. There is a “circle of communication” – information is gathered and fed into the Council’s actions, providing feedback to those who have provided the views/data etc. and others, to say what actions have resulted (and the rationale if no action has been taken)
* All areas of Frampton Cotterell parish will be acknowledged and represented

**What should we be communicating?**

Research by MORI, an independent research organisation, and the Local Government Association, states the most important drivers of council reputation among local residents are:

* Perceived quality of services overall
* Perceived value for money
* Media coverage
* Direct communications
* Council performance
* Clean, green and safe environment
* Positive experiences of contact with council employees and contractors.

If the council is to build a strong reputation, effectively inform residents, engage and improve customer satisfaction then these drivers must form the basis of our communications strategy.

There is also a need for proactive and reactive information:

* Proactively – telling people information to influence and change attitudes
* Reactively – giving residents information they want to know

**Communication Principles**

Five principles underpin the strategy. Our communication channels need to:

* Be accessible for all
* Be convenient to access
* Help manage expectations
* Be relevant, clear and factual
* Encourage two-way positive engagement and to ‘act together’.

Identifying newsworthy items

It is the responsibility of everyone working within the Parish Council to identify newsworthy items; these will include a range of Parish Council activities and decisions and it is the responsibility of the Parish Clerk to make the decision as to whether or not a press release should be issued. The content of a Press Release should be approved by the Member of the council nominated as the Press Officer.

Handling media enquiries

The Parish Clerk co-ordinates all formal media enquiries to the Parish Council. Members and Parish Council staff who are directly approached by the media should not attempt to answer questions themselves without establishing the full facts. If Members are in any doubt they should consult the Parish Clerk.

The Parish Council should not pass comments on leaks, anonymous allegations or allegations about individual staff and Members. The phrase “no comment” should not be used as a response to a media enquiry. The Parish Council is open and accountable and should always try to explain if there is a reason why it cannot answer a specific enquiry.

Managing negative issues

From time to time the Parish Council has to respond to negative issues. It is important that these situations are managed carefully so as to limit the potential for negative publicity.

Members and Officers must alert the Parish Clerk as soon as a potentially negative issue which may attract media interest is known. They should not wait until contact is made by the media. Members and Officers must be prepared to work together to prepare holding

statements, other information and carry out research even if no media have contacted the Parish Council about an issue.

Correcting inaccurate reporting

Should the media publish or broadcast something inaccurate about the Parish Council, a quick decision needs to be taken on any action necessary to correct it. The issue should be discussed with the Parish Clerk to decide what action is appropriate. This could be a letter or news release, a conversation with the journalist concerned, a personal letter to the editor or legal advice. It will also be necessary to decide who the most appropriate person to take the agreed action is.

It should be noted that in the case of minor inaccuracies which have little or no impact on the message being conveyed, it can sometimes be counterproductive to complain; each case should be judged individually.

Occasionally the Parish Council will get something wrong. In these cases, damage limitation is the key – this can usually be achieved by admitting the mistake, apologising and stating how the Parish Council will learn from the error or put it right.

Press releases

The use of press releases is a key technique for publicising Parish Council activities, decisions and achievements. An official Parish Council release is made on behalf of the Parish Council as a whole; it will be written and issued by the Parish Clerk. Official Parish Council releases will follow a corporate style appropriate for the media being targeted and a central record will be maintained. All releases will accurately reflect the corporate view of the Parish Council, contain relevant facts and may include an approved quotation from an appropriate Parish Councillor.

Parish Council press releases will not promote the views of specific political groups, publicise the activities of individual Parish Councillors, identify a Member’s political party or persuade the general public to hold a particular view. All official Parish Council releases will be placed on the Parish Council’s website within one working day of issue.

Interviews

Any member of staff or elected Member who is contacted by a journalist requesting an interview in their capacity as a representative of the Parish Council should refer the matter to the Parish Clerk.

The situation and the information required by the journalist will inform the choice of person put forward for interview. Officers should never give their opinion on specific Parish Council policy but must keep to the corporate line and key messages, their role being to provide expertise and factual knowledge only in support of the Parish Council’s approved and agreed policies.

Media coverage of council meetings

Provision is made for members of the media to attend Parish Council and Committee meetings. During meetings Members and Officers should be mindful that any comments and messages are put across in a manner which gives the journalist an accurate picture rather than relying on the journalist’s interpretation of what may be a complex issue.

Where a meeting of the Parish Council and its committees includes an opportunity for public participation, the media may speak and ask questions. Public participation is regulated by the Parish Council’s Standing Orders. Both the media and the public are entitled to film and record council meetings held in public.

**Information Requirements**

Freedom of Information and data protection

Should the Parish Council receive a request for information under the Freedom of Information Act 2000 on a topic on which there is correspondence (written or email), that correspondence will normally have to be disclosed unless it is exempt. The fact that the disclosure may prove embarrassing would not, in itself, prevent disclosure. In addition, care should be taken when processing personal data.

The Data Protection Act 2018 prevents the use of personal information other than for the purposes for which it was supplied. Members should bear this in mind when using any personal data which may be supplied to them by their constituents.

The Parish Council cannot disclose confidential information or information the disclosure of which is prohibited by law. The Parish Council cannot disclose information if this is prohibited under the terms of a court order, by legislation, the Parish Council’s standing orders, under contract or by common law. Parish Councillors are subject to additional restrictions about the disclosure of confidential information which arise from the code of conduct adopted by the Parish Council, a copy of which is available via the Parish Council’s website.

Individual Councillors Policy

The purpose of this policy is to clarify the roles and responsibilities of all Officers and Members involved in dealing with the media and to provide guidance on how to handle media interest. It is also to ensure that the Parish Council is seen to communicate in a professional and objective manner.

This policy does not seek to regulate Parish Councillors in their private capacity but does provide advice and guidance on their sensible use of conventional and social media. The Parish Council’s communications with the media seek to represent the corporate position and views of the Parish Council. If the views of Parish Councillors are different to the Parish Council’s corporate position and views, it is the responsibility of every councillor to make this distinction clear.

Subject to the obligations on Parish Councillors not to disclose information referred to in the “Freedom of Information and data protection” section and not to misrepresent the Parish Council’s position, Parish Councillors are free to communicate their position and views.

In all cases, the Parish Council’s approach, in accordance with the Code and the Guide, is that all individual councillor communications should:

* be lawful
* be cost effective
* be objective
* be even-handed
* be appropriate
* have regard to the Parish Council’s policies, particularly Equality and Diversity
* be issued with care during periods of heightened sensitivity (e.g. elections).

**If in doubt, never say anything you will be uncomfortable repeating in court.**

**Methodology**

* Coherence and coordination is required. This is led through the Parish Council’s office under the guidance of the Chair. The Communications and Community Engagement Committee (CCEC) will shape and deliver a delivery action plan. The CCEC will report to the Parish Council and meet monthly.
* A schedule of delegation is in place and the Chair has the final say on any key messages being communicated.
* Briefings/lines to take are provided to councillors and staff on issues that are likely to be controversial, detailed and complex and which come to prominence.
* The Clerk owns the social media accounts and ensures best practice is followed, with regular reviews to ensure that the benefits are being realised.
* An ‘image library’ is created consisting of: images/photos/pictures/diagrams. These will be made easily accessible, updated and ready to use to support communications. There will be designated photographer at all key events, or attendees will be asked to send in their photographs at events such as Frampton Festival.
* The Frampton Cotterell Parish Council brand is developed and used appropriately. The audience should connect with the messages and be able to recognise and trust the origin. The style should reflect a diverse audience and consideration should be given to those who are dyslexic, sight impaired or have other reading difficulties. The brand, logo, colour palette, font and presentation style will be agreed by the Communications and Community Engagement Working Group Committee.
* Targets and measures of success are agreed – quantitative and qualitative data are recorded e.g. the number of people who attend a community open meeting; the type and level of questions/information requested from residents.
* The Communications and Community Engagement Working Group Committee will review the following annually and report to the Parish Council:
  + Communications Strategy
  + Branding/house style
  + Surveys/feedback/data gathered
  + Use of social media
  + Engagement with partners and press.

**Methods of communication and engagement**

The Parish Council will use a variety of methods based on what reaches people most effectively and has most credibility

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| --- | --- |
| **Parish Council’s office** | The office is open to enquiries from the public five days a week from 9am to 2pm Monday to Friday. |
| **Correspondence (general)** | The Council will respond promptly to all external correspondence requiring a reply. External consultations will be acknowledged and  responded to (or a nil response made) within the consultation period. |
| **Parish Council meetings** | All meetings (including standing committees) are open to the public and press and advertised on the website, via social media accounts, newsletters, notice boards, and other suitable locations. Agendas and minutes are available to all, either electronically, via the Parish Council website, or in hard copy from the office (NB: Agendas are circulated so there are at least 3 working days  excluding day of circulation and day of meeting – a statutory requirement.) |
| **Parish Meeting** | The Parish Meeting is for all residents to come together to discuss whatever aspects of community life they wish. The (statutory) annual Parish Meeting is usually held in April or May in conjunction with a Community Open Meeting. |
| **Parish Council website** | The Parish Council website is updated by the Clerk and Officers. It is the responsibility of all councillors to check the site regularly for  any issues of inaccuracy or omissions and to inform the Clerk who is the website controller. |
| **Social media** | The Council has both Facebook and Twitter accounts that are controlled by the Clerk. To ensure best practice. The Council to  review if Twitter is used enough to warrant it, and Instagram to be investigated/set up. |
| **Parish Council notice boards** | All Parish Council owned notice boards within the parish are to be used to display the names and contact details of Parish Councillors, schedule of council and committee meetings, agendas, newsletters, and ad hoc information.  There may be notice boards that are not sponsored by the Parish Council.  Note: The notice boards are a ‘signpost’ to residents that they live within the boundary of Frampton Cotterell Parish Council. |
| **Parish Council newsletter** | A monthly newsletter will be produced, in limited numbers as an A4 sheet, and posted on the website, notice boards, social media, and business and community locations. Hard copies will be made  available in the office**.** |
| **Special topic or event posters** | Posters promoting the Parish Meeting, recruitment of staff or  councillors, etc. are posted on notice boards, social media, and website and are made available in the office. |
| **Press releases** | Where the Council decides to use external media to promote significant points of interest or achievement, it will issue a press  release to local media. The Clerk will maintain a current list of media contacts. |
| **Items of Interest** | Items of interest relating to the parish are published in the Frome Valley Voice, social media, and the Parish Council website. |

|  |  |
| --- | --- |
| **Community events** | The Council will host one-off, ad hoc community consultations seeking to hear resident’s views on specific issues or developments, e.g. climate change. |
| **Surveys and Feedback** | These are a key component of listening and it is important that the Council acts on the information gathered. An annual plan (commissioned by the Communications and Community Engagement Working Group Committee) will be in place to gather data and information – e.g. feedback from the Frampton Festival.  This information will be reviewed monthly by the Clerk and any key points raised at the monthly Council meeting for action. |

**Communication Channels**

The type of communication channels used will depend on the target audience and the message to be communicated. These may include:

1. Parish Council website
2. Social media
3. Consultations and feedback forms
4. Correspondence (general)
5. Direct responses (email, phone, in person representations)
6. Parish Council meetings
7. Parish Council working groups, Committees, Task & Finish groups
8. Nominated Parish Council spokesperson (e.g. for social media responses)
9. Annual Parish meeting
10. Parish Councillors
11. Features submitted to local newsletters
12. Posters, flyers, newsletters
13. Village notice boards
14. Networking links with partners/stakeholders.

**Website**

The Parish Council website is an important vehicle for the promotion of Parish Council and wider Parish activities. The website will not:

* + contain content that may result in actions for libel, defamation or other claims for damages
  + be used to process personal data other than for the purpose stated at the time of capture
  + promote any political party or be used for campaigning
  + promote personal financial interests or commercial ventures
  + be used for personal campaigns
  + be used in an abusive, hateful or disrespectful manner.

**Social media**

Social media can be used by the Parish Council as an effective and measurable way to achieve resident engagement and attract publicity.

The aim of this part of the policy is to make sure:

* + Engagement with individuals and communities and successful promotion of Parish Council-based services through the use of social media
  + A consistent approach is adopted and maintained in the use of social media
  + That Parish Council information remains secure and is not compromised through the use of social media
  + That users operate within existing policies, guidelines and relevant legislation
  + That the Parish Council is not brought into disrepute.

Social media activity isn’t something that stands alone. To be effective it needs to integrate as part of the general communications mix. Any planned campaigns, promotions and activities can be included in social media platforms to increase reach and exposure.

The Council has a Social Media Policy which is published on the website.

**Open government**

The Local Government Act 1972 requires that all committee agendas, reports and minutes are sent to the media on request, five working days prior to the meeting. In practice, Frampton Cotterell Parish Council provides these via the website. The media are encouraged to attend Council meetings and seating is made available. Relevant councillors and officers will be available following committee meetings for comment or interview. Public and media participation in a meeting is regulated by procedural standing orders.

The Council is aware of its responsibilities under the Freedom of Information Act 2000 and has published on its website a schedule of publications that contains all policy and procedural documents. All decisions of the Council, made in an open meeting, may be quoted and made available to the media.

The Openness of Local Government Regulations 2014 which apply to England, give rights to members of the press and public to:

* use modern technology and communication methods such as filming, audio- recording, blogging and tweeting to report the proceedings of the meetings of their councils and other local government bodies
* see information relating to significant decisions made outside meetings by officers acting under a general or specific delegated power

In common with all Councils, certain agenda items are debated in a closed session of a committee meeting. The guidelines for the items that will be heard in closed session are covered by the Local Government Act 1972 and the Council’s Standing Orders.

The Council reserves the right to withhold certain sensitive information concerning commercial transactions, for example contracts or the purchase and sale of land and property. This applies to the Council’s own commercial interests and to the various parties involved in individual business transactions with the Council. This area and other matters are guided by Schedule 12A of the Local Government Act 1972, the Data Protection Act 1998 and exemptions under the Freedom of Information Act 2000.

**House style**

Frampton Cotterell Parish Council has a ’house style’. The Communications and Community Engagement Committee (CCEC) is the guardian of the ‘house style’ and must be involved in any external communication where a variation is proposed.

There will be annual review of the ‘house style’ by the CCEC to ensure it is successfully meeting the objectives of the Communications Strategy.

To ensure that all Council’s communications have as much impact as possible, and conform to the requirements of the Local Government Acts 1986 and 1988, messages will be:

* Short, to the point, and written in plain English
* Clear and not conflicting
* Based on fact, information, action or achievement
* Focused on opportunities for involvement
* Consistent with the Council’s positions identified in minutes and policies.

Issues that are controversial or on which there are arguments for and against the views or policies of the Council, will be handled with particular care. Issues will be presented clearly, fairly, and as arguments. The Council will not attack, nor appear to undermine, generally accepted moral standards and will not mount publicity campaigns whose primary purpose is to persuade the public to hold a particular view on a question of policy.

The tone of voice of a written document can be more important than the tone of voice of something that is spoken, because once something is written down and published; correction is a longer and more difficult process. Special care should be taken to avoid provocative, emotive, or ‘loaded’ language that reflects value judgements. Council’s written communications must be:

* Authoritative without being authoritarian
* Approachable without being casual
* Accurate in terms of grammar, spelling and phraseology without being old fashioned
* Concise without being economical with the truth
* Considered without withholding essential information

**Communications: Schedule of Delegation**

* The default position is that the Committee must approve every significant communication issued on behalf of the Council, including press releases
* If the issue is delegated, the Chair, Vice Chair and Clerk must be copied into responses, and their advice sought as appropriate.

**Schedule of Delegated Authority to communicate on behalf of the Parish Council**

|  |  |  |
| --- | --- | --- |
|  |  |  |
| **Topic** | **Delegated to** | **Conditions** |
| Council Minutes | Not delegated |  |
| Council internal administration | Not delegated |
| Finance | Not delegated |
| Personnel | Not delegated |
| Governance | Not delegated |
| Communications | Not delegated | Social media accounts and communications via the website  are delegated to the Clerk |
| Planning | Chair: Planning Committee, or Committee that processes planning applications. | High profile cases to be  agreed by Council Chair. |
| Community Development (including all transport, energy and built/natural environment issues) | CCEC |  |
| Social issues | CCEC |
| Rights of Way | CCEC | High profile cases to be  agreed by Council Chair. |
| Allotments | Parish Council |  |

|  |  |  |
| --- | --- | --- |
| Council responses to external consultations | Not Delegated | Delegated to named lead under extreme  time pressure only. |

**Short term Communications Plan for Quarter 1 2021**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Method** | **Audience** | **Date** | **Aim** | **Cost** | **Action by** |
|  | Survey Monkey Frome Valley Voice (FVV) Website Social media Posters around FC Pubs/shops / care home etc Organisations  Community groups | All residents, including community groups, business, and organisations | 30th April 2021 | Survey all residents to find out what they want for FC.  NB: FVV next issue is May so we need to set a deadline maybe a week after that is published for responses. | All foc except for the FVV  advert which Council have agreed. | Survey questions – Tim  Draft survey - Tim  Publication – Sam |
|  | Survey Monkey Frome Valley Voice (FVV) Website Facebook Posters around FC | All residents, including community groups, business, and organisations | 30th April 2021 | Survey all residents to ask for volunteers to work on specific projects. Advertise for each individually e.g. Are you interested in improving the play areas? We are looking for volunteers to …….  NB: FVV next issue is May so we need to set a deadline maybe a week after that is published for responses. | All foc except for the FVV  advert which Council have agreed. |  |
|  | Survey Monkey Frome Valley Voice (FVV) Website Facebook Posters around FC | All residents, including community groups, business, and organisations | May 2021 | Survey all residents to ask people to come forward to become a councillor.  NB: FVV next issue is May so we need to set a deadline maybe a week  after that is published for responses. | All foc except for the FVV  advert which Council have agreed. |  |

**Relations with the media**

All formal approaches from press, radio or TV in relation to the Parish Council’s business should be directed to the Chair or the Clerk.

Any press release must be issued by the Clerk in order to ensure that the Council’s legal responsibilities have been adhered to, the reputation of the Council is protected (and ideally

enhanced), that there is consistency of style including branding, and that the use of the release can be monitored. The Chair of Council must approve all press releases.

**Parish Council spokesperson**

It is important that, before an issue of high public interest becomes public knowledge and likely to be the subject of media enquiries, the Chair of the Parish Council is fully briefed. In such a situation they will work with the relevant councillors and the Clerk to produce a communication plan that will ensure that balanced, timely information is provided to keep all parties informed.

In the event of a general media enquiry, the Clerk (in conjunction with the Chair or Vice- Chair or CCEC), will be responsible for issuing a response from the Council. Individual members of the Council must make clear, should they be approached for comment directly, whether they are giving an individual opinion or will be referring the matter to the Clerk for a formal Parish Council response. In any event, the Clerk must be notified of any contact with the media as soon as possible.

**Guidance for councillors making personal statements**

* + Councillors should not make personal statements that could damage the reputation of the Council, or have a negative impact on partnerships with other organisations, or on the credibility of the Council or other members
  + Councillors wishing to make a personal statement to the media must clearly inform the media:
    - that their comment is made as an individual and is not necessarily the view of the Council
    - that other councillors may hold a different view
    - that the matter may still need to be discussed or resolved by the Council

**Councillors’ publicity before Parish Council Elections**

The Code of Recommended Practice on Local Authority Publicity contains guidance for providing publicity for councillors and for publicity in connection with elections. The code makes it clear that Council resources should not be used for publicising individual councillors *unless it is relevant to the particular position they hold in the Council.*

These extracts from the Code illustrate the main points:

* + Publicity about individual councillors may include the contact details, the positions they hold in the Council (for example, Chair of Planning Committee) and their responsibilities. Publicity may also include information about individual councillors’ proposals, decisions and recommendations, only where this is relevant to their position and responsibilities within the Council. All such publicity should be objective and explanatory, and “……personalisation of issues or personal image making should be avoided.”
  + “Publicity should not be, or be liable to misrepresentation as being, party political. Whilst it may be appropriate to describe policies put forward by an individual councillor that are relevant to her/his position and responsibilities within the Council and to put forward her/his justification in defence of them, this should not be done in party political terms using political slogans, expressly advocating policies of a

particular party or directly attacking policies and opinions of other parties, groups or individuals.”

* + “The period between the notice of an election and the election itself should preclude proactive publicity, in all its forms, of candidates and other politicians involved directly in the election.”

**Advice and training**

All councillors and officers who are delegated to communicate on behalf of the Council should be trained to the appropriate level. The Clerk will arrange suitable training.

All new councillors and officers should be made aware of how this policy affects them, through induction and update programmes.

**Publicity during elections**

The rules governing publicity change when an election has been announced. In the period between the notice of an election and the election itself (‘purdah’) all proactive publicity about candidates and other politicians is halted. This applies to scheduled local, national or European elections, plus referendums.

During this period Parish Council publicity should not deal with controversial issues or report views, proposals or recommendations in a way that identifies them with individual Members or groups of Members. This is to make sure that no individual Parish Councillor or political party gains an unfair advantage by appearing in corporate publicity. In these circumstances, where a quote is required the relevant Officer may be quoted, in accordance with the guidelines in this policy.

The Electoral Commission requires that candidates provide a return of expenditure on any form of advertising or campaign literature – this includes web advertising. There are additional requirements, such as imprint standards, for materials which can be downloaded from a website. Full guidance for candidates can be found at [www.electoralcommission.org.uk.](http://www.electoralcommission.org.uk/)

Accounts may need to be closed for a defined period before local and national elections in order to comply with legislation which affects local authorities.

Political blogs cannot be linked from the Parish Council’s website and the Parish Council will not promote any Parish Councillors’ Twitter accounts during the election purdah period.

Parish Council Members are reminded that they must not misuse Parish Council resources for political or other inappropriate purposes. Any queries regarding publicity during a purdah period should always be referred to the Parish Clerk for further advice.

**Review**

The Communications and Community Engagement Committee will oversee the development and implementation of the strategy. This will be reviewed by the Finance & Governance Committee, but all decisions will be taken by the full Council.

# **Complaints Policy**

1. Frampton Cotterell Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this Council, or are unhappy about an action or lack of action by this Council, this Complaints Procedure sets out how you may complain to the Council and how we shall try to resolve your complaint.
2. This Complaints Procedure applies to complaints about Council administration and procedures and may include complaints about how Council employees have dealt with your concerns.
3. This Complaints Procedure does not apply to:
   1. Complaints by one Council employee against another Council employee, or between a Council employee and the Council as employer. These matters are dealt with under the Council’s Grievance Policy.
   2. Complaints against Councillors: Complaints against Councillors are covered by the Code of Conduct for Members. If a complaint against a Councillor is received by the Council and Council are not able to resolve it satisfactory then the complainant or the Council can refer it to the Monitoring Officer at South Gloucestershire Council. Further information on the process of dealing with complaints against Councillors may be obtained from the Monitoring Officer for South Gloucestershire Council at the following address: South Gloucestershire Council, Chief Executive & Corporate Resources Department, The Monitoring Officer, PO Box 1953, Bristol BS37 0DB.
4. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.
5. You may make your complaint about the Council’s procedures or administration to the Clerk. You may do this in person, by phone, or by writing to or emailing the Clerk.
6. Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days.
7. If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Chairman of the Council who will report your complaint to the Council.
8. The Clerk or the Council will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council.
9. The Clerk or the Chairman of the Council will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.
10. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the full Council and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.

Contacts:

Clerk to Frampton Cotterell Parish Council

Address: The Brockeridge Centre, Woodend Road, Frampton Cotterell, Bristol, BS36, 2LQ

Telephone: 01454 864442

E mail: [clerk@framptoncotterell-pc.gov.uk](mailto:clerk@framptoncotterell-pc.gov.uk)

Chair of Frampton Cotterell Parish Council

Address: C/O The Brockeridge Centre, Woodend Road, Frampton Cotterell, Bristol, BS36, 2LQ

Telephone: 01454 864442

E mail: linda.williams@framptoncotterell-pc,gov.uk

# **Co-Option Policy and Application Form**

**INTRODUCTION**

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Frampton Cotterell Parish Council. The Co-option procedure is entirely managed by the Parish Council, and this policy will ensure that a fair and equitable process is carried out.

The Parish Council is composed of three wards: West, East and Central

**CO-OPTION**

The co-option of a parish councillor in two instances:

1. When an ordinary vacancy has arisen on the Parish Council after the ordinary elections held every four years;
2. When a casual vacancy has arisen on the Parish Council and no poll (by-election) has been called.

**ORDINARY VACANCY**

An ordinary vacancy occurs when there are insufficient candidates to fill all the seats on the Parish Council at the ordinary elections held every four years. Any candidates who were nominated are automatically elected to the Parish Council and any remaining vacancies are known as “ordinary vacancies”. Provided there are enough parish councillors to constitute a quorum, the Parish Council is usually able to co-opt a volunteer to fill the vacancies. In some cases, the District Council (South Gloucestershire) may intervene and make an appointment or order an election to fill the vacancies.

**CASUAL VACANCY**

A casual vacancy occurs when:

1. A councillor fails to make his/her declaration of acceptance of office at the proper time;
2. A councillor resigns;
3. A councillor dies;
4. A councillor becomes disqualified; or
5. A councillor fails for six months to attend meetings of a council committee or sub-committee or to attend as a representative of the council a meeting of an outside body.

The Parish Council has to notify the District Council of a casual vacancy and then advertise the vacancy and give electors for the ward the opportunity to request an election. This occurs when ten electors write to the District Council stating that an election is requested.

If a by-election is called, a polling station will be set up by South Gloucestershire Council and the people of the ward will be asked to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper. The Parish Council will pay the costs of the election. The people of the ward have fourteen days (not including weekends, bank holidays and other notable days), to claim the by-election, but the electoral services office of South Gloucestershire Council will advise the Clerk of the closing date.

If more than one candidate is then nominated a by-election takes place but if only one candidate is put forward, they are duly elected without a ballot.

If ten residents do not request a ballot within fourteen days of the vacancy notice being posted, as advised by the Electoral Services Office, the Parish Council is able to co-opt a volunteer.

**CONFIMATION OF CO-OPTION**

On receipt of a written confirmation from the Electoral Services Office that no by-election has been claimed, the casual vacancy can be filled by means of co-option. The Clerk will:

* Advertise the vacancy for four weeks or such other period as the Parish Council may agree on the Parish Council notice boards and website
* Advise South Gloucestershire Council that the co-option policy has been instigated

This procedure will also apply in the case of an ordinary vacancy where the electoral Services Office has confirmed that there were insufficient nominations to fill all the seats but there are sufficient parish councillors elected to constitute a quorum.

**ELIGIBILITY OF CANDIDATES**

The Parish Council is able to consider any person to fill a vacancy provided that:

1. he/she is 18 or over; and
2. he/she is a British citizen, a qualifying commonwealth citizen or a citizen of any other member state of the European Union;

And at least one of the following apply:

1. he/she is an elector for the Parish and continues to be an elector; or
2. has resided in the Parish for the past twelve months or rented/tenanted land in the Parish; or
3. has had his/her principal or only place of work in the Parish for the past twelve months; or
4. has lived within three miles of the parish for the past twelve months.

There are certain disqualifications for being a parish councillor, of which the main are (see s80 LGA 1972):

* + holding a paid office or employment under the Parish Council;
  + bankruptcy;
  + having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the preceding five years; or
  + being disqualified under any enactment relating to corrupt or illegal electoral practices.

**APPLICATIONS**

Candidates will be requested to:

* + Attend at least one Parish Council meeting as observers:
  + Submit information about themselves, by way of completing a short application form (a copy of the application form is attached as Appendix A)
  + Confirm their eligibility for the position of parish councillor within the statutory rules, (a copy of the eligibility form is attached as Appendix B)

Following receipt of applications, the next suitable Parish Council meeting will have an agenda item ‘To receive written applications for the office of Parish Councillor and to co-opt a candidate to fill the existing vacancy. Eligible candidates will be invited to attend the meeting.

Copies of the eligible candidates’ application will be circulated to all parish councillors by the Clerk at least three clear days prior to the meeting of the full Parish Council, when the co-option will be considered.

All such documents will be treated by the Clerk and all parish councillors as strictly private and confidential.

**AT THE CO-OPTION MEETING**

At the co-option meeting, candidates will be given five minutes maximum to introduce themselves to parish councillors(members), give information on their background and experience and explain why

they wish to become a member of the Parish Council. The process will be carried out in the public session and there will be no private discussions between members prior to a vote being taken. However, where the Parish Council is discussing the merits of candidates and inevitably their personal attributes, this could be prejudicial, and the Parish Council should resolve to exclude the members of the press and public.

As soon as all candidates have finished giving their submissions, the Parish Council will proceed to vote with each candidate being proposed and seconded by the councillors in attendance (as defined in Standing Orders) and vote by a show of hands (LGA 1072 Sch 12, Para13).

A recorded vote may be requested under Standing Orders so as to show whether each councillor present and voting, gave his/her vote for or against that question.

In order for a candidate to be co-opted to the Parish Council, it will be necessary for them to obtain an absolute majority of votes cast (50% +1 of the votes available at the meeting). If there are more than two candidates and there is no candidate with an overall majority in the first round of voting the candidate with the least number of votes will drop out of the process.

Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority.

If present, a candidate who is co-opted will sign at the co-option meeting a Declaration of Acceptance of Office, including an undertaking to abide by the Parish Council’s Code of Conduct, and may take office thereafter. If not present, a co-opted candidate will sign the Declaration of Acceptance of Office either before or at the next meeting of the Parish Council.

The Clerk will notify South Gloucestershire Council Electoral Services Office of the co-option of the new parish councillor.

The co-opted parish councillor will complete a Notification of Disclosable Pecuniary and Other Interests form with the Clerk will lodge with the Monitoring Officer at South Gloucestershire Council within 28 days of the co-option.

In insufficient candidates are co-opted, the process should continue, whereby the vacancies are again advertised.

**Appendix A**

**Frampton Cotterell Parish Council Co-Option Application Form**

|  |  |
| --- | --- |
| Name: | |
| Address: | |
| Telephone Number: | |
| Email Address: | |
| Are you 18 or over? Yes/NO | |
| Which ward do you wish to apply for please tick: | |
| **West** | **East** |
| **Central** |  |

|  |
| --- |
| **Please detail any experience you may have that is relevant to Frampton Cotterell Parish Council (if necessary, continue onto a separate sheet)** |
| **Is there any other information you would like to disclose regarding your application?**  **(if necessary, please continue on a separate sheet)** |

**Use of Personal Information**

The Parish Council will use your information, including that which you provide on this application form, to assess your suitability to be a parish councillor.

**Declaration & Consent**

I have read the section entitled “Use of Personal Information” and by signing this form I consent to the use and disclosure of my information included in this application form.

I declare the information given on this form to be true and correct.

**SIGNED...................................................... NAME .....................................................**

**DATE.........................................................**

**Please complete and return this form, together with the completed Co-Option Eligibility Form to:**

The Clerk, Frampton Cotterell Parish Council, The Brockeridge Centre, Woodend Road, Frampton Cotterell BS36 2LQ - Email: [clerk@framptoncotterell-pc.gov.uk](mailto:clerk@framptoncotterell-pc.gov.uk) – Tel: 01454 864442

**Appendix B**

**Frampton Cotterell Parish Council**

**1. In order to be eligible for co-option as a Frampton Cotterell Parish Councillor you must satisfy certain criteria. You must satisfy (a) and (b) below and at least one of the options (c) – (f). Please cross through which apply to you:**

1. I am 18 year of age or over; and
2. I am a British citizen or a citizen of the Commonwealth or a citizen of any other member state of the European Union; and
3. I am registered as a local government elector for the parish; or
4. I have, during the whole of the twelve months preceding the date of my co-option occupied, as owner or tenant, land or other premises in the parish; or
5. My principal or only place of work during those twelve months has been in the parish; or
6. I have during the whole of those twelve months resided in the parish or within 3 miles of it.

**Please note that under Section 80 of the Local Government Act 1972 a person is disqualified from being a parish councillor if he/she:**

1. Is employed by the parish council or holds paid office (other than chairman, vice-chairman or deputy chairman) under the parish council (including joint boards or committees);
2. Is employed by an entity controlled by the parish council;
3. Is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order or a debt relief restrictions order or an interim debt relief restrictions order; or
4. Has within five years before the day of co-option, or since his/her co-option, been convicted in the UK, Channel Islands or Isle of Man of any office and has been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of a fine; or
5. Is otherwise disqualified under Part III of the Representation of the People Act 1983 (relating to corrupt or illegal electoral practices and offences relating to donations) or The Audit Commission Act 1998.

**Use of Personal Information**

The Parish Council will use the information provided on this form to assess your eligibility to be a Parish Councillor.

**Declaration & Consent**

I hereby confirm that I am eligible for the

vacancy of Frampton Cotterell Parish Councillor and I am not disqualified under s80 of the Local Government Act 1972 from being a Parish Councillor and that the information given on this form is true and correct.

I have read the section entitled “Use of Personal Information” and by signing this form I consent to the use and disclosure of my information included in this form.

Signature............................................................Name........................................................................

Date........................................................................

# **Council Representatives on Outside Bodies Policy**

1. **INTRODUCTION**
   1. Frampton Cotterell Parish Council has representatives on a variety of outside bodies within the local area. Representation may be for a number of reasons such as:-
      1. The work of the outside body or group directly affecting Council business, services, land or property;
      2. The body or group specifically requesting a Council representative;
      3. It being considered key that the Council is aware of the work the body or group is undertaking due to its impact on the village, its residents or visitors;
      4. The body or group being an opportunity to liaise with other external companies or authorities in the interests of the village, its residents or visitors; or
      5. The Council having a financial interest or commitment with the body or group and/or its function.
   2. The outside bodies generally fall into one of the following categories:-
      1. A local voluntary community group or organisation;
      2. A local charity;
      3. A larger association that has an impact on the business of the Council or village;
      4. A liaison meeting with other companies or local authorities; or
      5. A management committee/society managing either Council owned land or property, or that the Council is in some way financially connected with a body that can offer village improvements.
   3. Frampton Cotterell Parish Council has representatives on the following outside bodies:-

* Avon Local Councils Association Area Group
* Beesmoor Road Playing Field Management Committee
* Community Engagement Forum
* Parish and Town Council Forum
* Frampton Festival Committee
* Frampton Cotterell District Community Association
* Environmental Link Group Network (Frome & Ladden Vale)

1. **THE ROLE OF THE COUNCIL REPRESENTATIVE**
   1. A Council representative represents the Council as a whole, rather than acting in a personal capacity. This means that the representative must always act in accordance with Council policies and procedures, the Member’s Code of Conduct and bear in mind the limitations of the Council as a corporate body unless acting as a trust.
   2. The representative allows its outside body to gain access to the expertise and knowledge of the Council and also ensures the council id kept up to date with the actions and future plans of the body. The aim is that all interested parties are working together and communicating effectively for the benefit of the village, its residents and visitors.
   3. The representative should attend as many meetings of an outside body as they are reasonably able to and send apologies if they are not. They may ask another Councillor to substitute for them in their absence if the outside body is willing.
   4. Council representatives will be appointed at each Annual Meeting of the Council, held in May.
2. **REPORTING**
   1. In order for both the outside body and Council to benefit from the representation, it is important that regular updates are reported back to Council by the representative. The methods considered most effective for reporting back are:-
3. Minutes of meetings – any minutes of meetings received by a representative should be sent to the Clerk for forwarding on to all Councillors, unless they are considered confidential;
4. Updates to the Council and/or Committee or Working Group Meetings – if the representative feels there is a matter that needs to be considered by Council or a Committee/Working Group then a report should be prepared and sent to the Clerk to circulate with the agenda for the appropriate meeting; and
5. Email updates – representatives should forward the Clerk any email updates for the outside body, for forwarding to all Councillors.
6. **CHANGE OF REPRESENTATION**
   1. An outside body is free to request an alternate Council representative on the understanding that the replacement will be chosen by the Council, not by the outside body. Repeated non-attendance at meetings without good reason offers valid grounds for an outside body to request an alternate Council representative.
   2. An outside body is free to inform the Council at any time that Council representation is no longer required, if its constitution allow it to do so.
   3. A representative wishing to stand down from their role should first inform the outside body itself and then the Clerk. Where possible, the Clerk will invite another Councillor to substitute on the outside body until a representative can be formally appointed by the Council.
7. **LIMITATIONS**
   1. A Council representative cannot commit the Council resources or support, whether financial or ‘in kind’ to an outside body. If anything of this nature is requested it should be brought back to the Council, through the Clerk, for consideration.
   2. It is vital that the representative and the body itself understand the limitations of the Council representative.

# **CYBER SECURITY POLICY**

The risk of data theft, scams, and security breaches can have a detrimental impact on the Council's systems, technology infrastructure, and reputation. As a result, Frampton Cotterell Parish Council has created this policy to help outline the security measures put in place to ensure information remains secure and protected.

[The National Cyber Security Strategy](https://www.gov.uk/government/publications/national-cyber-security-strategy-2016-to-2021) describes ‘cyber security’ as: ‘the protection of information systems (hardware, software and associated infrastructure), the data on them, and the services they provide, from unauthorised access, harm or misuse.

This includes harm caused intentionally by the operator of the system, or accidentally, as a result of failing to follow security procedures.’

With councils making more local public services available digitally, getting more of their workforce online, and planning greater collaboration and integration work with partner organisations, reviewing and reinforcing current cyber security arrangements is a key priority for the Council. [A cyber incident can be very disruptive](https://www.local.gov.uk/case-studies?keys=cyber%2Bsecurity&from&to), leading to the loss of data, as well as disruption to the running of council services.

Those with criminal or hostile intent will continue to try to breach our security to steal the data we hold and/or damage our systems. Therefore, the Council need to continuously review, refresh, and reinforce its approach to cyber security.

This threat cannot be eliminated completely, but the risk can be greatly reduced to a level that allows us to benefit from the huge opportunities that digital technology brings to public services.

**Purpose**

The purpose of this policy is to:

1. Protect Frampton Cotterell Parish Council’s data and infrastructure.
2. Outline the protocols and guidelines that govern cyber security measures.
3. Define the rules for Council and personal use.
4. List the company's disciplinary process for policy violations.

**Scope**

This policy applies to all of Frampton Cotterell Parish Council’s councillors, officers, remote workers, permanent and part-time employees, contractors, volunteers, suppliers and/or any individuals with access to the company's electronic systems, information, software, and/or hardware.

**Confidential Data**

Frampton Cotterell Parish Council defines "confidential data" as:

1. Unreleased and classified financial information.
2. Customer and supplier information.
3. Employees' passwords and personal information.
4. Council contracts and legal records.

**Device Security**

1. Council Use

To ensure the security of all Council-issued devices and information, Frampton Cotterell Parish Council employees are required to:

* 1. Keep all Council issued devices, including tablets and Chromebooks, computers, and mobile devices, password-protected with a secure password
  2. Secure all devices before leaving their desk.
  3. Obtain authorisation from the Clerk before removing devices from Council premises.
  4. Refrain from sharing private passwords with anyone including colleagues, personal acquaintances, and councillors.
  5. Regularly update devices with the latest security software.

**Passwords**

All devices shall be protected by:

* + - EITHER a password containing:
      * At least 8 characters, including at least 1 each of the following:
        + Uppercase letter
        + Lowercase letter
        + Digit
        + Special character, examples !”£$%^&\*()\_-+={[}]:@~;’#<>?/
    - OR a local PIN that is not easily guessable.
    - OR fingerprint, retina, or facial recognition.

**Security Software**

Firewalls must be used where available. For Windows 10 devices Defender must be used, and for all devices with Windows operating systems earlier than Windows 10, effective antivirus software must be installed and used.

**Personal Use**

Frampton Cotterell Parish Council recognises that employees may be required to use personal devices e.g. mobile phones, to access company systems. In these cases, employees must report this information to management for record-keeping purposes. Mobile phones should not be used unless there is a good reason to do so. Authorisation should first be obtained from the Clerk.

To ensure company systems are protected, all employees are required to:

* 1. Keep all devices password-protected.
  2. Ensure all personal devices used to access Council-related systems are password protected.
  3. Install antivirus software as recommended by the I.T. contractor.
  4. Regularly upgrade antivirus software.
  5. Lock all devices if left unattended.
  6. Ensure all devices are always protected.
  7. Always use secure and private networks.

**Email Security**

Protecting email systems is a high priority as emails can lead to data theft, scams, and carry malicious software like worms and bugs. Therefore, Frampton Cotterell Parish Council requires all employees and councillors to:

1. Verify the legitimacy of each email, including the email address and sender name.
2. Avoid opening suspicious emails, attachments, and clicking on links. Council to policy is to always air on the side of precaution and immediately delete any suspicious emails. Suspicious emails should be shift deleted to ensure they are removed from devices.
3. Look for any significant grammatical errors.
4. Avoid clickbait titles and links.
5. Contact the Clerk regarding any suspicious emails.

**Transferring Data**

Frampton Cotterell Parish Council recognises the security risks of transferring confidential data internally and/or externally. To minimise the chances of data theft, we instruct all employees and councillors to:

1. Refrain from transferring classified information to employees and outside parties.
2. Only transfer confidential data over Frampton Cotterell Parish Council networks.
3. Obtain the necessary authorisation from the Clerk.
4. Verify the recipient of the information and ensure they have the appropriate security measures in place.
5. Immediately alert the Parish Council of any breaches, malicious software, and/or scams.

**Data held on Office 365**

When a councillor ceases to be member of the Council, their Office 365 account will be immediately suspended and then deleted when no further access to the data is required by the Council, usually within 30 days.

When an officer ceases to be employed by the Council, access to their Office 365 account will be removed. Access to the account will usually be given to their replacement or another officer.

**Removing Council data from devices**

When a councillor ceases to be a member, or an officer ceases to be employed, they must remove all Council data from their personal devices. Similarly, when a councillor or officer no longer uses a personal device for Council business, all Council data on that device must be removed. Council devices are to be handed to the Clerk upon leaving and the passwords given. The Clerk will ascertain whether any Council data needs to be removed from such device. It is usual to hand devices to the incoming Officer or Member and they may require the Council data on the device.

Data removal must be by either:

* physical destruction of the data storage
* or wiping with a suitable utility (ask the Clerk for recommendation of a suitable utility at the time the device is changed).

In addition, Council data must be permanently deleted on any associated cloud storage other than the council’s Office 365 system. If required by the Council or the Clerk, the councillor or officer must sign a statement confirming that all data has been removed.

**HR documents**

All current HR documents must be stored in a secure Office 365 folder to which only the Clerk has access. Any HR documents that must be maintained on paper must be stored securely by the Clerk in a locked cabinet.

Some HR data is held by external HR contractors. Council will ensure that the contractor submits confirmation that the data is held securely.

**Physical media**

Any physical media concerning Council business such as paper documents printed by, or in the possession of councillors or officers, other than public documents must be:

* When not stored in a dwelling that is locked when not in use e.g. a councillor’s or officer’s home, kept in a locked container such as a metal filing cabinet.
* Shredded as soon as they have been used for the purpose for which they were produced. All Officers and Members should refer to the Data Retention Policy for further details.

**Insurance**

The Council will hold appropriate cyber security insurance at all times.

# **Data Retention and Disposal Policy**

1. **Introduction**
   1. The Council accumulates a large amount of information and data during the course of its everyday activities. This includes data generated internally, in addition to information received from individuals and external organisations. This information is recorded in various different types of document.
   2. Records created and maintained by the Council are an important asset and as such measures need to be undertaken to safeguard this information.

Properly managed records provide authentic and reliable

evidence of the Council’s transactions and are necessary to ensure it can demonstrate accountability.

* 1. Documents may be retained in either ‘hard’ paper form or in electronic forms. For the purpose of this policy, ‘document’ and ‘record’ refers to both hard copy and electronic records.
  2. It is imperative that documents are retained for an adequate period of time. If documents are destroyed prematurely, the Council and individual officers concerned, could face prosecution for not complying with legislation and it could cause operational difficulties, reputational damage and difficulty in defending any claim brought against the Council.
  3. In contrast to the above, the Council should *not* retain documents longer than is necessary. Timely disposal should be undertaken to ensure compliance with the General Data Protection Regulations so that personal information is not retained longer than necessary. This will also ensure the most efficient use of limited storage space.

1. **Scope and Objectives of the Policy**
   1. The aim of this document is to provide a working framework to determine which documents are:
      * Retained – and for how long; or
      * Disposed of – and if so by what method.
   2. There are some records that do not need to be kept at all or that are routinely destroyed in the course of business. This usually applies to information that is duplicated, unimportant or only of a short-term value. Unimportant records of information include:
      * ‘With compliments’ slips.
      * Catalogues and trade journals.
      * Non-acceptance of invitations.
      * Trivial electronic mail messages that are not related to Council business.
      * Requests for information such as maps, plans or advertising material.
      * Out of date distribution lists.
   3. Duplicated and superseded material such as stationery, manuals, drafts, forms, address books and reference copies of annual reports may be destroyed.
   4. Records should not be destroyed if the information can be used as evidence to prove that something has happened. If destroyed, the disposal needs to be disposed of under the General Data Protection Regulations.
2. **Roles and Responsibilities for Document Retention and Disposal**
   1. Councils are responsible for determining whether to retain or dispose of documents and should undertake a review of documentation at least on an annual basis to ensure that any unnecessary documentation being held is disposed of under the General Data Protection Regulations.
   2. Councils should ensure that all employees are aware of the retention/disposal schedule.
3. **Document Retention Protocol**
   1. Councils should have in place an adequate system for documenting the activities of their service. This system should take into account the legislative and regulatory environments to which they work.
   2. Records of each activity should be complete and accurate enough to allow employees and their successors to undertake appropriate actions in the context of their responsibilities to:
      * Facilitate an audit or examination of the business by anyone so authorised.
      * Protect the legal and other rights of the Council, its clients and any other persons affected by its actions.
      * Verify individual consent to record, manage and record disposal of their personal data.
      * Provide authenticity of the records so that the evidence derived from them is shown to be credible and authoritative.
   3. To facilitate this the following principles should be adopted:
      * Records created and maintained should be arranged in a record-keeping system that will enable quick and easy retrieval of information under the General Data Protection Regulations.
      * Documents that are no longer required for operational purposes but need retaining should be placed at the Records’ Office.
   4. The retention schedules in **Appendix A**: List of Documents for Retention or Disposal, provide guidance on the recommended minimum retention periods

for specific classes of documents and records. These schedules have been compiled from recommended best practice from the Public Records Office, the Records Management Society of Great Britain and in accordance with relevant legislation.

* 1. Whenever there is a possibility of litigation, the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed.

1. **Document Disposal Protocol**
   1. Documents should only be disposed of if reviewed in accordance with the following:
      * Is retention required to fulfil statutory or other regulatory requirements?
      * Is retention required to meet the operational needs of the service?
      * Is retention required to evidence events in the case of dispute?
      * Is retention required because the document or record is of historic interest or intrinsic value?
   2. When documents are scheduled for disposal the method of disposal should be appropriate to the nature and sensitivity of the documents concerned. A record of the disposal will be kept to comply with the General Data Protection Regulations.
   3. Documents can be disposed of by any of the following methods:
      * Non-confidential records: place in waste paper bin for disposal.
      * Confidential records or records giving personal information: shred documents.
      * Deletion of computer records.
      * Transmission of records to an external body such as the County Records Office.
   4. The following principles should be followed when disposing of records:
      * All records containing personal or confidential information should be destroyed at the end of the retention period. Failure to do so could lead to the Council being prosecuted under the General Data Protection Regulations.
      * The Freedom of Information Act or cause reputational damage.
      * Where computer records are deleted steps should be taken to ensure that data is ‘virtually impossible to retrieve’ as advised by the Information Commissioner.
      * Where documents are of historical interest it may be appropriate that they are transmitted to the County Records office.
      * Back-up copies of documents should also be destroyed (including electronic or photographed documents unless specific provisions exist for

their disposal).

* 1. Records should be maintained of appropriate disposals. These records should contain the following information:
     + The name of the document destroyed.
     + The date the document was destroyed.
     + The method of disposal.

1. **Data Protection Act 1998 – Obligation to Dispose of Certain Data**
   1. The Data Protection Act 1998 (‘Fifth Principle’) requires that personal information must not be retained longer than is necessary for the purpose for which it was originally obtained. Section 1 of the Data Protection Act defines personal information as: Data that relates to a living individual who can beidentified: a) from the data, or b) from those data and other information which is in the possession of, or is likely to come into the possession of the data controller. It includes any expression of opinion about the individual and any indication of the intentions of the Council or other person in respect of the individual.
   2. The Data Protection Act provides an exemption for information about identifiable living individuals that is held for research, statistical or historical purposes to be held indefinitely provided that the specific requirements are met.
   3. Councils are responsible for ensuring that they comply with the principles of the General Data Protection Regulations namely:
      * Personal data is processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met.
      * Personal data shall only be obtained for specific purposes and processed in a compatible manner.
      * Personal data shall be adequate, relevant, but not excessive. • Personal data shall be accurate and up to date.
      * Personal data shall not be kept for longer than is necessary.
      * Personal data shall be processed in accordance with the rights of the data subject.
      * Personal data shall be kept secure. 6.4 External storage providers or archivists that are holding Council documents must also comply with the above principles of the General Data Protection Regulations.
2. **Scanning of Documents**
   1. In general once a document has been scanned on to a document image system the original becomes redundant. There is no specific legislation covering the format for which local government records are retained following electronic storage, except for those prescribed by HM Revenue and Customs.
   2. As a general rule hard copies of scanned documents should be retained for three months after scanning.
   3. Original documents required for VAT and tax purposes should be retained for six years unless a shorter period has been agreed with HM Revenue and Customs.
3. **Review of Document Retention**
   1. It is planned to review, update and where appropriate amend this document on a regular basis (at least every three years in accordance with the Code of Practice on the Management of Records issued by the Lord Chancellor).
   2. This document has been compiled from various sources of recommended best practice and with reference to the following documents and publications:
      * Local Council Administration, Charles Arnold-Baker, 910h edition, Chapter 11
      * Local Government Act 1972, sections 225 – 229, section 234
      * SLCC Advice Note 316 Retaining Important Documents
      * SLCC Clerks’ Manual: Storing Books and Documents
      * Lord Chancellor’s Code of Practice on the Management of Records issued under Section 46 of the Freedom of Information Act 2000
4. **List of Documents**
   1. The full list of the Council’s documents and the procedures for retention or disposal can be found in Appendix A: List of Documents for Retention and Disposal. This is updated regularly in accordance with any changes to legal requirements.

**FRAMPTON COTTERELL PARISH COUNCIL Appendix A: List of Documents for Retention or Disposal**

|  |  |  |  |
| --- | --- | --- | --- |
| **Document** | **Minimum Retention Period** | **Reason** | **Disposal** |
| Minutes | Indefinite | Archive | Original signed paper copies of Council minutes of meetings must be kept indefinitely in safe storage. At regular intervals of not more than 5 years they must  be archived and deposited with the Higher Authority |
| Agendas | 5 years | Management | Bin (shred confidential waste) |
| Accident/incident reports | 20 years | Potential claims | Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR  regulations. |
| Scales of fees and charges | 6 years | Management | Bin |
| Receipt and payment accounts | Indefinite | Archive | N/A |
| Receipt books of all kinds | 6 years | VAT | Bin |
| Bank statements including deposit/savings accounts | Last completed audit year | Audit | Confidential waste |
| Bank paying-in books | Last completed audit year | Audit | Confidential waste |
| Cheque book stubs | Last completed audit year | Audit | Confidential waste |
| Quotations and tenders | 6 years | Limitation Act 1980 (as amended) | Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR  regulations. |
| Paid invoices | 6 years | VAT | Confidential waste |
| Paid cheques | 6 years | Limitation Act 1980 (as amended) | Confidential waste |

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| --- | --- | --- | --- |
| **Document** | **Minimum Retention Period** | **Reason** | **Disposal** |
| VAT records | 6 years generally but 20 years for VAT on rents | VAT | Confidential waste |
| Petty cash, postage and telephone books | 6 years | Tax, VAT, Limitation Act 1980 (as amended) | Confidential waste |
| Timesheets | Last completed audit year 3 years | Audit (requirement)  Personal injury (best practice) | Bin |
| Wages books/payroll | 12 years | Superannuation | Confidential waste |
| Insurance policies | While valid (but see next two items below) | Management | Bin |
| Insurance company names and policy numbers | Indefinite | Management | N/A |
| Certificates for insurance against liability for employees | 40 years from date on which insurance commenced or was renewed | The Employers’ Liability (Compulsory Insurance) Regulations 1998 (SI 2753) Management | Bin |
| Town Park equipment inspection reports | 21 years |  |  |
| Investments | Indefinite | Audit, Management | N/A |
| Title deeds, leases, agreements, contracts | Indefinite | Audit, Management | N/A |
| Members’ allowances register | 6 years | Tax, Limitation Act 1980 (as amended) | Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations. |
| Information from other bodies  e.g. circulars from county associations, NALC, principal authorities | Retained for as long as it is useful and relevant |  | Bin |
| Local/historical information | Indefinite – to be securely kept for benefit of the Parish | Councils may acquire records of local interest and accept gifts or  records of general and local interest in order to promote the | N/A |

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| --- | --- | --- | --- |
| **Document** | **Minimum Retention Period** | **Reason** | **Disposal** |
|  |  | use for such records (defined as materials in written or other form setting out facts or events or otherwise recording  information). |  |
| Magazines and journals | Council may wish to keep its own publications  For others retain for as long as they are useful and relevant. | The Legal Deposit Libraries Act 2003 (the 2003 Act) requires a local council which after  1st February 2004 has published works in print (this includes a pamphlet, magazine or newspaper, a map, plan, chart or table) to deliver, at its own expense, a copy of them to the British Library Board (which manages and controls the British Library). Printed works as defined by the 2003 Act published by a local council therefore constitute materials which the British Library holds. | Bin if applicable |
| **Record-keeping** | | | |
| To ensure records are easily accessible it is necessary to comply with the following:   * A list of files stored in cabinets will be kept * Electronic files will be saved using relevant file names | The electronic files will be backed up periodically on a portable hard drive and also in the cloud-based programme supplied by the Council’s IT company. | Management | Documentation no longer required will be disposed of, ensuring any confidential documents are destroyed as confidential waste.  A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations. |

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| --- | --- | --- | --- |
| **Document** | **Minimum Retention Period** | **Reason** | **Disposal** |
| General correspondence | Unless it relates to specific categories outlined in the policy, correspondence, both paper and electronic, should be kept.  Records should be kept for as long as they are needed for reference or accountability purposes, to comply with regulatory requirements or to protect legal and other rights and interests. | Management | Bin (shred confidential waste) A list will be kept of those  documents disposed of to meet the requirements of the GDPR regulations. |
| Correspondence relating to staff | If related to Audit, see relevant sections above.  Should be kept securely and personal data in relation to staff should not be kept for longer than is necessary for the purpose it was held. Likely time limits for tribunal claims between 3–6 months  Recommend this period be for 3 years | After an employment relationship has ended, a council may need to retain and access staff records for former staff for the purpose of giving references, payment of tax, national insurance contributions and pensions, and in respect of any related legal claims made against the council. | Confidential waste  A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations. |
| **Documents from legal matters, negligence and other torts**  Most legal proceedings are governed by the Limitation Act 1980 (as amended). The 1980 Act provides that legal claims may not be commenced after a specified period. Where the limitation periods are longer than other periods specified the documentation should be kept for the longer period specified. Some types of legal proceedings may fall within two or more categories. | | | |

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| --- | --- | --- | --- |
| **Document** | **Minimum Retention Period** | **Reason** | **Disposal** |
| If in doubt, keep for the longest of the three limitation periods. | | | |
| Negligence | 6 years |  | Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations. |
| Defamation | 1 year |  | Confidential waste. A list will be kept of those documents disposed of to meet the  requirements of the GDPR regulations. |
| Contract | 6 years |  | Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR  regulations. |
| Leases | 12 years |  | Confidential waste. |
| Sums recoverable by statute | 6 years |  | Confidential waste. |
| Personal injury | 3 years |  | Confidential waste. |
| To recover land | 12 years |  | Confidential waste. |
| Rent | 6 years |  | Confidential waste. |
| Breach of trust | None |  | Confidential waste. |
| Trust deeds | Indefinite |  | N/A |
| **For Halls, Centres, Recreation Grounds** | | |  |
| * Application to hire * Invoices * Record of tickets issued | 6 years | VAT | Confidential waste  A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations. |
| Lettings diaries | Electronic files linked to accounts | VAT | N/A |
| Terms and Conditions | 6 years | Management | Bin |

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| --- | --- | --- | --- |
| **Document** | **Minimum Retention Period** | **Reason** | **Disposal** |
| Event Monitoring Forms | 6 years unless required for claims, insurance or legal purposes | Management | Bin. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations. |
| **For Allotments** | | | |
| Register and plans | Indefinite | Audit, Management | N/A |
| Minutes | Indefinite | Audit, Management | N/A |
| Legal papers | Indefinite | Audit, Management | N/A |
| **For Burial Grounds** | | | |
| * Register of fees collected * Register of burials * Register of purchased graves * Register/plan of grave spaces * Register of memorials * Applications for interment * Applications for right to erect memorials * Disposal certificates * Copy certificates of grant of exclusive right of burial | Indefinite | Archives, Local Authorities Cemeteries Order 1977 (SI 204) | N/A |
| **Planning Papers** | | | |
| Applications | 1 year | Management | Bin |
| Appeals | 1 year unless significant development | Management | Bin |
| Trees | 1 year | Management | Bin |
| Local Development Plans | Retained as long as in force | Reference | Bin |
| Local Plans | Retained as long as in force | Reference | Bin |
| Town/Neighbourhood Plans | Indefinite – final adopted plans | Historical purposes | N/A |
| **CCTV** | | | |
| Daily notes | Daily | Data protection | Confidential waste |
| Radio rotas | 1 week | Management | Confidential waste |
| Work rotas | 1 month | Management | Confidential waste |
| Observation sheets | 3 years | Data protection | Confidential waste |

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| --- | --- | --- | --- |
| **Document** | **Minimum Retention Period** | **Reason** | **Disposal** |
| Stats | 3 years | Data protection | Confidential waste |
| Signing in sheets | 3 years | Management | Confidential waste |
| Review requests | 3 years | Data protection | Confidential waste |
| Discs – master and working | For as long as required | Data protection | Confidential waste |
| Internal Operations Procedure Manual | Destroy on renewal Review annually | Management | Confidential waste |
| Code of Practice | Destroy on renewal Review annually | Management | Confidential waste |
| Photographs/digital prints | 31 days | Data protection | Confidential waste |

# **DATA PROTECTION POLICY**

Frampton Cotterell Parish Council is committed to the protection of personal data and will always comply with obligations under applicable data protection law including the Data Protection Act 1998 (DPA), which covers both electronic data and data held on manual records.

It is the responsibility of each elected member and every employee, worker and volunteer to be aware of their individual and collective responsibilities under the Act and to make sure they comply with its provisions. Deliberate breaches of this policy will be considered as gross misconduct. Individuals, as well as the Parish Council, can be prosecuted for breaches of the Data Protection Act.

The Parish Council will be open about the type and extent of personal data it holds. It will keep the minimum amount of personal information needed to perform its duties; it will hold that information securely, use it only for appropriate purposes and not disclose it without proper authority.

**DEFINITIONS**

**‘Personal Data’** is information that can identify a living individual. This includes Sensitive Data (see below), names, addresses, photographs, National Insurance numbers, bank account details – these are just a few examples and the list is endless.

**Sensitive Data’** is personal data relating to an individual’s racial or ethnic origin, political opinions, religious or other beliefs, trade union movement members, health, sexual orientation, criminal proceedings or convictions.

**‘Processing’** means any operation carried out by the Parish Council or its staff on Personal Data (e.g. collection, storage, disclosure, transfer and deletion).

**The Rules of Fair Processing – Key Principles**

The DPA contains 8 principles that apply to all personal data processing. Personal data must always be:

1. Fairly and lawfully processed.
2. Processed for clearly identified purposes that have been notified to individuals who give the Parish Council data.
3. Relevant and not excessive for the purpose told to individuals.
4. Accurate and where necessary, kept up to date.
5. Not kept for longer than is necessary.
6. Processed in line with the individual’s rights.
7. Secure.
8. Not transferred to countries without adequate protection.

**Principle 1-3 Processing Personal Data**

Processing personal data may only be carried out where one of the following conditions has been met;

* The individual has given his or her consent to the processing;
* The processing is necessary for the performance of a contract with the individual;
* The processing is required under a legal obligation;
* The processing is necessary to protect the vital interests of the individual;
* The processing is necessary to carry out public functions;
* The processing is necessary in order to pursue the legitimate interests of the data controller or third parties (unless it could prejudice the interests of the individual)

**Principle 1-3 Processing Sensitive Data**

Processing sensitive data can only be processed under strict conditions which include;

* Having the explicit consent of the individual;
* Being required by law to process the data for employment purposes;
* Needing to process the information in order to protect the vital interests of the data subject or another;
* Dealing with the administration of justice or legal proceedings

Sensitive Data will not be processed fairly and lawfully unless it is processed with the explicit consent or where required under one of the following circumstances:

* For employment purposes.
* To protect vital interest of the individual or another.
* For the administration of justice or legal proceedings.

**Principle 4**

All staff, workers and volunteers must make every effort to ensure that any personal data entered on to the computer system is recorded accurately. The Data Protection Act also extends to manual records if they are or form part of a “relevant filing system”. Staff, workers and volunteers will be responsible for updating records as and when notification is received from the individual/contractor, agency or other of a change in their personal details. When the Parish Council is notified of bereavement, the individual’s details must be deleted immediately.

**Principles 5 -7**

Staff, workers and volunteers must take security measures to safeguard personal data. This includes technical measures (e.g. password protection of the computer system) and organisational measures (e.g. burglar alarms and door locks). The measures are designed to prevent any unauthorised access to, or disclosure of, personal data.

**Personal Data Requests**

The Parish Council will provide any person requesting it in the proper manner a response stating whether or not the Parish Council holds personal information about that individual and, if so, the opportunity to see the information and have it corrected or deleted if appropriate. A person may only request details about themselves and no other person. The Parish Council is entitled to levy a charge for this service.

A person about whom information is held is entitled (subject to a fee) to be informed whether any information is held on him/her to;

* A description of the data; and
* A copy of the information in an intelligible form.

The data subject is also entitled to request and receive information pertaining to;

* The purpose for which the data is being held;
* The recipients or classes of recipients to who it may be disclosed; and
* The source of the data.

**Councillors’ Data Protection responsibilities**

Councillors must inform the Information Commissioner’s office (ICO) if they process personal data on computers for purposes other than council business (e.g. for ward casework).

**Paper files/manual records**

The Data Protection Act 1988 includes manually processed information in the definition of “data” and relates to information which forms part of a “relevant filing system”. The data must be capable of being accessed by reference to the individual or criteria relating to the individual.

For more information on the Data Protection Act, the Information Commissioner’s website provides useful guidance [www.ico.org.uk](http://www.ico.org.uk/)

# **Debt Recovery Policy**

1. **Objective**

The Council’s Debt Recovery Policy has the following objective:

In order to maximise income, the Parish Council will collect all debt owing to it promptly, effectively, efficiently, and economically, while ensuring unbiased and fair treatment to all debtors.

1. **Framework**

The policy document sets out the Debt Recovery policy for the Council to ensure that all sundry debts and income of the Council are managed, administered and collected in a transparent, efficient and cost-effective manner.

To achieve its goal of being an efficient and effective Council, Frampton Cotterell Parish Council will:

* + Collect all debt owing to it promptly, effectively, efficiently, and economically.
  + Comply with ethical best practice, and legislative requirements, appropriate to each individual debt, or debtor.

The effective management and collection of debt is an essential contributor to the Council’s financial resource and maximises income available to provide services to the parish of Frampton Cotterell. Throughout the body of text of this Policy the reporting to the Council by the Responsible Financial Officer (RFO) will be via the first available Finance and Governance Committee meeting**.** If the debt is deemed to affect the day-to-day running of the Parish Council finances an Extraordinary Meeting will be arranged following the guidelines as laid out in the Councils Standing Orders and the Local Government Act 1972, Sch 12, paras 9 and 25, to discuss the matter.

1. **Purpose**

The purpose of this policy is to provide clear guidance for the RFO on the recording, reporting, recovery, and monitoring of income.

The RFO must follow this procedure to ensure that the Council maximises the collection of debts and income in the most efficient and cost-effective manner.

1. **Roles and Responsibilities**

The Responsible Financial Officer (RFO).

The RFO will follow the legislation as laid out under sections 137, 150 and 168 of the Local Government Act 1972; sections 111-116 Local Government Act, 1988; Audit Commissions Act 1998; Accounts and Audit Regulations 2003 (S.I N. 533) Sections 21 and 22 Local Government Act 2003; Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (S.I No. 3146).

The RFO is responsible for the organisation and supervision of all income arrangements, which includes proper accounting, collection arrangements and reporting to the Council on a regular basis. The RFO must make arrangements for income to be accounted for correctly within the Council’s financial accounts and make an appropriate annual provision for bad debts.

1. **Raising Invoices**

All invoices raised must be properly supported by documentary evidence that supports the debt and using the relevant agreed hire charges, rents, or fees. VAT will be charged at the prevailing rate where appropriate.

The RFO must use the most appropriate method of collecting each type of income, ensuring effectiveness, efficiency, and economy.

Where practical and efficient, advance payment should be requested for services. This minimises the financial risk to the Council.

All invoices will bear contact details of the RFO/Clerk, in case of queries.

Invoices should contain a brief explanation of why the Council requests payment. This should, preferably be within the invoice text or as a separate letter. The RFO should ensure invoices are raised promptly. Where the invoice relates to a continuing hall hire or sports facility, youth provision etc., invoices should be issued periodically at the beginning of each period.

1. **Terms and Conditions**

Terms and conditions are designed to protect the rights of the Council, limit potential liabilities, and provide some degree of security for the recovery of the debt.

All invoices must request payment within 21 days or less of the dated invoice.

Terms and Conditions should include details of acceptable payment methods, payment terms, reference to the statutory right to claim a surcharge of 10% on failure to make payment within the time frame.

1. **Methods of payment**

The Council’s preferred method of payment is by bank transfer. However, this does not prohibit accepting payment by cash or cheque.

All debts should be paid in full by the due date.

1. **Collection**

The collection of income and in respect of invoices raised must follow a standard course, which fully documents the efforts made to settle the debt.

* + The RFO will raise the debt in the first instance.
  + If no payment is received within stated terms; the RFO will commence its recovery procedure, which begins with a first stage reminder letter giving a further 7 days’ notice.
  + If possible, this will be followed with either a telephone call or email to negotiate settlement.
  + If no payment is received after a further 7 days a final demand notice will be sent.
  + The further use of facilities will be ceased immediately. All action taken will be fully documented by the RFO.

1. **Reminder Letter**

The RFO will produce all reminder letters within the time scales laid out in this Policy.

The final demand notice will advise the customer of further enforcement action, refer to any interest or charge, which the debtor is liable to pay, and the rate at which it will accumulate from the date of the letter.

1. **Disputed Invoices**

Each invoice will bear the contact details of the Clerk/RFO, in the first instance the Clerk/RFO should be contacted to resolve any initial problems or queries, as they will hold the information to resolve some initial queries.

All invoices that are disputed will be flagged, as not requiring further action at this time.

The RFO will retain responsibility for query resolution at this stage and amend invoices if deemed appropriate. This should be done using properly supported documentary evidence that validates the reason for reducing or cancelling a previous amount invoiced.

If an invoice is flagged:

* + a reason for the dispute should be clearly defined.
  + every effort to resolve, should be made, at the earliest opportunity.
  + any obstacles to partial or full payment should be explored and resolved.

The aim should be to resolve disputes within one week, where this is not possible, close monitoring should follow with the objective of resolving as soon as possible.

All flagged invoices should be reviewed weekly by the RFO and reported to the Council, with reasons for the dispute and the amount involved.

1. **Recovery Action**

If, after exhausting all the reminder stages the debt remains outstanding, the RFO must decide if the debt requires further enforcement action, consulting with the Finance & Governance Committee at the first available opportunity.

If the total value of the customer’s debt(s) is considered by the RFO uneconomic to pursue further, the invoice will be flagged to the Council, and the following action may apply:

* + Refer the debt to the Small Claims Court.
  + If the court is unable to collect the debt, all options are exhausted, the RFO will instigate the procedure to write-off debt with the Councils agreement.

All debts passed to the Small Claims Court must be updated. Where an account is reclaimed by the court the invoice(s) and system must be updated to reflect this.

Where a case has been passed to the court for collection and a direct payment is received, the RFO will ensure the court is notified.

1. **Writing Debts Off**

If the debt remains unpaid, after exhausting all appropriate recovery methods, the debt should be written off. All requests to write off debts must be jointly sanctioned by the RFO and full Council.

1. **Part Payments**

Where part payment has been received for a series of invoices, then the payment is attributed to the earliest invoice first (unless the payment is for a specific invoice).

It would normally be expected that the debts to be written off would be:

* + Cumulative debts under £100, where no payment has been received within six months of the sending of the final demand.
  + All debts where the court advises they are unable to collect, and all options are exhausted – in these circumstances the RFO will deem it not cost-effective to pursue.
  + All debts where the RFO advises the debt is irrecoverable or that legal action is unlikely to be cost effective.

The RFO will prepare a list of debts to be written off at the end of the financial year for approval by the Council which details the value of each debt, age, action taken, and the reason for write-off request.

The debtor remains liable to pay for up to six years. Therefore, if the debt has been written off and a further instalment is received, the income will be credited as appropriate.

**Reasons for Debt Write Off**

* + Absconded or unable to trace
  + Bankruptcy (having already registered a claim)
  + Compassionate
  + Deceased
  + Uneconomic
  + Unable to collect – Debt Collection Service

# **Electronic Equipment Policy**

1. **Introduction**
   1. Frampton Cotterell Parish Council’s general presumption for this policy is for electronic provision of information and transaction of business to facilitate effective communication and collaboration and to reduce the reliance on hard copies of documents while also recognising that Councillors have different needs and requirements.
2. **What Councillors can expect from the Council**
   1. The Council will provide a device such as a Chromebook or laptop to all Councillors to use for Frampton Cotterell Parish Council business.
   2. A Chromebook is a wireless portable computer. For the purposes of this policy “equipment” relates to the Chromebook or pc keyboard, case, charger, and any other accessory supplied.
   3. The Council will arrange for Councillors to receive technical support and training for their device if required.
   4. The Council will, where practical, provide a Councillor with a temporary replacement device whilst fixing or replacing their original device, provided that the Councillor has complied with all the requirements as outlined in paragraph 3.1
3. **What Officers can expect from Councillors**
   1. Councillors must report immediately to the Clerk any loss or damage to all or any of the equipment including if the device is stolen.
   2. If the equipment is lost or broken, then Councillors may need to pay an element of the cost to fix or replace it.

If the equipment is lost, broken, or stolen as a result of negligence on behalf of the Councillor, then the Councillor would be expected to pay for the cost of replacement which would be provided by the Council on a like for like basis.

If the equipment ceases to work as a result of reasonable wear and tear or due to a fault it will be fixed or replaced by the Council at no cost to the Councillor.

* 1. Councillors may only download and use Apps approved by the Council.
  2. Councillors may use Bluetooth enabled devices such as headphones with the device, but these will not be provided or maintained by the Council.
  3. It should be noted that non-compliance with this usage policy would be contrary to the Code of Conduct relating to the use of Council resources which states:

“You must when using or authorising use by others of the resources of your authority:

* + 1. Act in accordance with your authority’s reasonable requirements
    2. Ensure that such resources are not used improperly for political purposes, including party pollical purposes.”

1. **Return and Recovery of Equipment**
   1. All equipment and software assigned remains the property of the Council. The Council reserves the right to require Councillors to return the equipment at any time.
   2. At the point at which a Councillor’s term of office is ended all equipment issued must be returned to the Council within one week of ceasing office in the condition in which it was issued (reasonable wear and tear excepting). All the information held on the equipment will be deleted and the equipment may be re-issued.
2. **Email Messages**
   1. All emails that are used to support the business of Frampton Cotterell Parish Council must be sent using the specific Councillor Frampton Cotterell Parish Council address with the standard electronic signature at the bottom of any email sent.
   2. Non-Frampton Cotterell Parish Council email accounts must not be used to conduct or support Frampton Cotterell Parish Council business.
   3. All emails must carry the official Council footer.
   4. The automatic forwarding of emails is not permitted due to the potential sensitivity of information therein.
3. **The Provision of Electronic Meeting Summonses**
   1. Before the Local Government (Electronic Communications) (England) Order 2015 came into force in January 2015 Councillors could receive agendas electronically; however, there was still a requirement to issue the summons to the Councillors in a paper format if a councillor preferred.
   2. The Local Government (Electronic Communications) (England) Order 2015 allows Councillors to receive the summons to attend meetings in electronic form subject to receipt of written consent. This consent is given at the time of taking office.
   3. In view of the Council’s wish to increase electronic provision of information to facilitate the transaction of business and the use of effective communication thereby reducing the reliance on hard copies of documents Councillors with Council devices will no longer receive paper copies of agendas or meeting papers in hard copy, unless specifically requested.
4. **Declaration Policy Compliance**
   1. To confirm that a Councillor agrees to use the equipment supplied in accordance with this usage policy s/he is requested to sign the declaration in Appendix 1 prior to the issue of the equipment.

**USE OF ELECTRONIC TABLETS POLICY**

**APPENDIX 1**

I agree to use the equipment issued to me in accordance with this usage policy. Name (PRINT)

Signature………………………………………………………………………. Date…………………………………………………………………………… Equipment received (equipment type, serial number, condition, device name):

|  |  |
| --- | --- |
| ***Office Use only*** | |
| ***Date of equipment Issue*** |  |
| ***Equipment Reference*** |  |

# **EQUALITY AND DIVERSITY POLICY**

**Contents**

1. **Introduction**
2. **Policy**
3. **Commitment To Equality and Diversity**
4. **Scope Of the Policy**
5. **Objectives Of the Policy**
6. **Equality Aims**
7. **Employment**
8. **Review**
9. **INTRODUCTION**

The Equality Act 2010 came into force in October 2010. The legislation covers a prescribed set of protected characteristics including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

It also covers prohibited conduct including discrimination, adjustments for disabled persons, victimisation and harassment; services and public functions; premises; employment; contracts; and advancement of equality. The latter provision specifies a public sector equality duty, which applies equally to town and parish councils.

1. **POLICY**

The Parish Council is committed to promoting equality and diversity, providing an inclusive and supportive environment for all. In the implementation of this policy the Parish Council will:

* ensure that people are treated solely on the basis of their abilities and potential, regardless of race, colour, nationality, ethnic origin, religious or political belief or affiliation, age, gender, gender reassignment, marital status, sexual orientation, disability, socio-economic background, or any other inappropriate distinction.
* promote diversity and equality and value the contributions made by individuals and groups of people from diverse cultural, ethnic, socio-economic and distinctive backgrounds.
* challenge inequality and less favourable treatment wherever practicable.
* promote greater participation of under-represented groups by encouraging positive action to address inequality, promote an environment free of harassment and bullying on any grounds in relation to all staff, Councillors, contractors and visitors attending the Council’s offices or meetings.

The task of promoting social inclusion, tackling discrimination and encouraging equal opportunities are key issues for Frampton Cotterell Parish Council and the Council is committed to:

* eliminating unlawful discrimination, harassment and victimisation
* advancing equality of opportunity between different groups
* fostering good relations between different groups

1. **COMMITMENT TO EQUALITY AND DIVERSITY**

The Parish Council is committed to Equality and Diversity and to the vision of improving the quality of life for local people.

The Parish Council aims to be:

* Accessible
* Accountable
* Fair
* Inclusive
* Proactive
* Professional
* Responsible
* Transparent

Frampton Cotterell Parish Council is committed to achieving equality of opportunity and valuing diversity in all aspects of its work:

1. a) Through the delivery of our services to the community by ensuring that within reason, these services are accessible to all and that we fully recognise the diversity of people’s needs
2. b) In the Parish Council’s leadership role, working with partners to promote the importance of treating every individual with dignity and respect.
3. **SCOPE OF THE POLICY**

This policy is designed to value diversity and to ensure equality of opportunity and access to services and that no one receives less favourable treatment on the grounds of:

* Race (i.e. colour, ethnic or national origin, nationality or citizenship).
* Gender reassignment
* Disability
* Sex
* Sexual orientation
* Age
* Religion or belief
* Caring for others
* Trade Union or political activities
* Pregnancy and Maternity
* Marriage and Civil Partnership This list is not exhaustive.

1. **OBJECTIVES OF THE POLICY**
   1. **To improve delivery, information, and access to services we will:**
      * Ensure all employees, contractors and users of our services are informed about our Equality and Diversity Policy.
      * Apply equal opportunities principles to work undertaken for the council by external contractors, other organisations in receipt of council funding and in work with our partners.
      * Rectify any elements of our work which have the potential for discrimination and prejudice.
   2. **To promote equality and diversity with other partners we will:**
      * Promote tolerance and respect between diverse groups and individuals.
      * Acknowledge and celebrate, wherever possible, the variety of lifestyles and cultures within the parish.
      * Challenge all forms of discrimination within the Parish Council and the wider community.
      * Support the development of communities and assist them in challenging discrimination, harassment, bullying and violence.
   3. **Responsibility and Liability**

All members of staff and Councillors remain personally responsible for ensuring that they act within the law. The Parish Clerk is responsible for ensuring that staff perform their duties in a lawful manner and that proper training and support is provided accordingly. In certain circumstances the Parish Council could be vicariously liable for actions carried out by staff purportedly in the Parish Council’s name. Any member of staff or Councillor may be personally liable if, whilst on Council business and despite guidance and training from the Council, they behave illegally in respect of the Equality Act 2010.

1. **EQUALITY AIMS**
2. **6.1 Age**

The Parish Council shall not permit unlawful age discrimination.

1. **6.2 Sexual Orientation**

The Parish Council shall not permit unlawful discrimination.

1. **6.3 Disability**

The Parish Council will remove barriers to participation by disabled people, wherever possible.

1. **6.4 Race/Ethnic Origin**

The Parish Council will encourage participation of minority ethnic groups in its activities.

1. **6.5 Religion**

The Parish Council respects people from diverse religious and cultural backgrounds and will give due regard to the needs and requirements of people who adhere to a range of cultural and religious beliefs.

1. **EMPLOYMENT**

Frampton Cotterell Parish Council is an equal opportunity employer and is committed to ensuring within the framework of the law that the Council’s workplaces are free from unlawful or unfair discrimination. Further information on the Council’s policy in respect of employment can be found in the Equal Opportunities Policy contained in the staff handbook.

1. **REVIEW**

Review of this policy will be carried out annually by Frampton Cotterell Parish Council.

# **FREEDOM OF INFORMATION POLICY**

1. **General**

Frampton Cotterell Parish Council (hereafter ‘the council’) has a Publication Scheme which can be found on its website and on the notice boards throughout the village. This scheme enables members of the public to view and access information held by the Council.

1. **How to Obtain Information**
   1. Parish Council web site [www.framptoncotterell-pc.gov.uk.](http://www.framptoncotterell-pc.gov.uk/) The website holds the type of information on which the Council routinely publishes e.g. Council Policies, Minutes of Meetings and Agendas for forthcoming meetings.
   2. Some paper documents held by the Clerk are at the workplace. If you wish to view any of the available documents please contact the Clerk either by post or by email.
   3. All requests for information should be in writing and include your name, contact details for correspondence, and a detailed description of the information you require.
2. **Council’s Response to a Written Request**
   1. Within 14 working days of receipt of your written request the Council will:
      1. confirm to you whether or not it holds the information
      2. advise you if a fee will be charged
   2. provide you with the information after any relevant fee has been paid (unless an exemption applies).
3. **Exemptions**

There are 23 exemptions in the Freedom of Information Act for example personal data about individuals which is protected by the Data Protection Act 1998 or commercially confidential information.

1. **Charges**

Disbursement costs such as printing, photocopying and postage; and for the majority of requests or a series of requests from the same applicant within a 12-month period it is expected that the charge for locating and compiling information will be less than

£450 and therefore, except for disbursement costs, no reimbursement can be sought. However, where costs are estimated to exceed £450 (based on an hourly charge-out rate of £20), the Council can decide to:

1. refuse the request.
2. comply with the request and charge for allowable costs as prescribed in the regulations.
3. comply with the request free of charge.
4. A fee notice will be sent to the applicant requesting the appropriate fee.
5. The request will not be answered until the fee has been received.
6. Where the cost is less than the estimated cost then the difference will be refunded to the applicant.
7. **Further Help**

Please contact the Parish Clerk if you need help in accessing information from the Council under the Freedom of Information Act. There is further information on the website of the Information Commissioner <https://ico.org.uk/>

1. **Complaints**

If you are dissatisfied with the response from the Council then please put your complaint in writing to the Clerk at the address above. If you are still dissatisfied, you may contact the Information Commissioner at:

Information Commissioner’s Office Wycliffe House Water Lane, Wilmslow, Cheshire SK9 5AF

# **Health and Safety Policy**

1. GENERAL STATEMENT OF POLICY
   1. The Council’s policy is to provide and maintain safe and healthy working conditions, equipment, and systems of work for all its employees, and to provide such information, instruction, training, and supervision as they need for this purpose.
   2. The policy will be kept up-to-date, particularly as the Council's activities change in nature and size. To ensure this, the Policy and the way in which it has operated will be reviewed every year by the Council. Although risk assessment is a continuing process, it shall form part of the Council’s annual review.
2. RESPONSIBILITIES
   1. Overall and final responsibility for health and safety in the Council and for compliance with the Health and Safety at Work Act 1974 and Regulations made under the Act and the Occupiers Liability Act is that of Frampton Cotterell Parish Council.

The Parish Council will consult with the Clerk on all matters relating to Health and Safety.

The Clerk is responsible for this Policy being carried out.

* 1. The following are responsible for safety in particular areas: The Clerk, Officers, and Members – Home Office.
  2. All employees should not interfere with anything provided to safeguard their health and safety.
  3. Whenever the Clerk notices a health or safety issue, which they are not able to put right, they must advise the Chairman.
  4. The Accident Record Book is kept in the office and kept up-to-date.
  5. Risk assessments, and actions resulting from them, are the responsibility of the Parish Council. Action required to remove or control risks will be approved by the Parish Council. The Clerk will be responsible for ensuring the action required is implemented. The Clerk will check that the implemented actions have removed or reduced the risks. Risk assessments will be reviewed annually, or when the work activity changes, or following an accident, whichever is soonest.
  6. COSHH (Control of Substances Hazardous to Health Regulations 2002) assessments are the responsibility of the Parish Council. The Clerk will be responsible for ensuring that all actions identified in the assessments are implemented. The Clerk will ensure that new substances can be used safely before they are purchased.

COSHH Assessments will be reviewed annually or when work activity changes, whichever is soonest. A First Aid box is available at the general place where the Parish Council meets.

1. SPECIFIC POLICIES
   1. Policies for particular premises and activities are attached as Annexes as follows:-
      1. Home Working
2. EMPLOYMENT OF CONTRACTORS

4.1 The notes to be given to contractors are attached at Annex 3.

1. REPORTING AND RECORDING ACCIDENTS
   1. The Clerk or Officer present shall record all accidents in the accident book.
   2. Any resident’s accident on open public spaces for which the Parish Council is responsible, shall be reported to the Clerk and recorded in the accident book.
2. HEALTH AND SAFETY POLICY

6.1 All employees will be issued with a copy of this document with their terms and conditions of employment.

1. INFORMATION, INSTRUCTION AND SUPERVISION
   1. Health and Safety advice is available from the Clerk.
   2. The Parish Council is responsible to ensure that all employees are given relevant health and safety information.
2. TRAINING
   1. The Parish Council has overall responsibility for training.
   2. Employees will be provided with specialist training relating to their duties.
   3. Training records are kept by the Clerk in staff records.
   4. Training will be identified and monitored by the Parish Council. The Clerk will arrange any necessary training.
3. MONITORING
   1. The Clerk is responsible for investigating any accidents and reporting them to the Parish Council.
   2. The Clerk is responsible for investigating work-related causes of sickness absences and reporting them to the Parish Council.
   3. The Parish Council is responsible for acting on investigation findings to prevent a recurrence and reviewing the relevant risk assessment(s).

**HOME WORKING / LONE WORKING OFFICES - ANNEX 1**

1. Heating, Lighting and Ventilation
   1. Temperature must reach a minimum of 16 degrees celsius within one hour of the normal start of work time.
   2. Office lighting. Desks should be placed to gain the maximum amount of light. Free- standing desk lights should be avoided, or placed so as to minimise the danger of trailing electrical leads.
2. Electrical Equipment
   1. Mains must not be overloaded. It is important that the correct socket outlet and plug top face (where these are available) is used for each item of electrical equipment.
   2. 13 amp plugs can be used for appliances with a loading capacity maximum of 13 amps. Fuses must be fitted to suit current load of the equipment being used, e.g. desk lamp, calculator, typewriter: 3 amp fuse; 2-bar heater, kettle: 13 amp fuse. Fuses are available with ratings of 3, 5, 7, 10 and 13 amps. The current load is normally shown on the item of equipment. When in doubt, do not guess, seek qualified advice.
   3. Only electrical equipment provided by the Council should be used and electric points must not be overloaded by means of multi-adaptors.
   4. Leads from points for various desk uses should not present a hazard by trailing across areas of access. Extension leads are for temporary use only and should not exceed 10 feet in length.
   5. Defective equipment must never be used. Employees should not attempt to effect repairs to electrical equipment, unless competent and qualified to do so.
3. Furniture, Fittings and Equipment
   1. Heavy equipment and furniture must not be moved by an individual.
   2. Office equipment whether manually or electrically operated, must not be used by unauthorised, untrained personnel.
   3. Filing cabinets should always have sufficient weight in the bottom drawer to prevent the cabinet from tipping when a full top drawer is opened. Filing cabinet and desk drawers must always be closed immediately after use. Drawer filing cabinets should be inspected at least every six months to ensure correct loading and smoothness of operation, with particular regard to the effectiveness of the drawer stops. Damaged or defective cabinets must not be used.
   4. High shelves should only be reached through the use of steps provided for that purpose. It is dangerous to stand on desks and chairs, particularly those fitted with castors and this should be avoided at all times.
4. Personal Safety

Officers and Members should make arrangements to meet contractors or members of the public, at a suitable venue open to the public. If the meeting is arranged outside, in the village, the person may wish to ask for a Councillor or member of staff to accompany them. No-one should make arrangements to meet contractors, residents, or representatives from local authorities etc. at their home.

**LIFTING AND HANDLING ANNEX 2**

Good Techniques for Manual Handling:

1. Keep feet apart, bending the knees, and keeping the back as straight as possible.
2. Test the weight of the load before you lift it. If it is too heavy for you to lift then ask for help.
3. Keep the load as close to the body as possible.
4. Keep twisting of the torso to a minimum if turning to one side. Move your feet instead.
5. Lift or carry goods in small amounts where possible.
6. Wrap the load or use gloves if it has sharp edges.
7. Use a table or bench as a half-way resting point.

**NOTES FOR CONTRACTORS ANNEX 3**

For Frampton Cotterell Parish Council to comply with Health and Safety Legislation, all outside contractors employed to do work on Council Premises are to be made aware of the expected requirements related to health and safety. A contractor accepting a contract from the Council shall be deemed to have agreed to comply with the following requirements :-

1. You and your employees will conform, in all respects, to your legal duties and responsibilities as laid down by the Health and Safety at Work Act 1974, and all relevant statutory provisions.
2. As a contractor, you will supply and ensure that your employees wear and use protective equipment. or anything provided in the interest of health, safety, or welfare of any of the relevant statutory provisions.
3. You and your employees will ensure that all equipment, plant machinery and apparatus brought onto or used on the Council premises are safe and without risk to health, and are maintained to a standard that will not constitute an offence under the Act or any of the relevant statutory provisions.
4. The Council will retain the right to stop any operation, plant or equipment, or the action of any of your employees if it is considered that there is a hazard to the safety and health of employees or others. The Council will not accept any responsibility for any increased costs arising out of such action.
5. In the event of the Council taking this action, your site representative will be notified verbally and will have confirmation in writing by the Council's representative to order such a stoppage.
6. The Council will be indemnified by you or your insurers in respect of any claims, costs or expenses arising out of any incidents on Council premises involving you or your employees.

**SCOPE OF RESPONSIBILITY**

# **Internal Control Policy**

The Accounts and Audit Regulations 2015 states 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.

Frampton Cotterell Parish Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded, and property accounted for, and used economically, efficiently and effectively.

**THE PURPOSE OF THE SYSTEM OF INTERNAL CONTROL**

Internal control is designed to reduce financial risk to the Council.

The system of internal control is designed to ensure that the Council’s activities are carried out properly and as intended. Internal controls are set by the Clerk/Responsible Financial Officer (RFO), but it falls to Council members to ensure that they have a degree of control and understanding of those controls. Controls will include the checking of routine financial procedures; the examination of financial comparisons; the recording of assets and liabilities; the identification of risk and to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

**PERSONNEL INVOLVED WITH THE INTERNAL CONTROL ENVIRONMENT**

The Council appoints a Chairman who is responsible for the smooth running of all committee and full council meetings. The Clerk should ensure that all Council decisions are lawful. The Chairman signs all pages of all Full Council minutes.

All decisions made should be within the Standing Orders and Financial Regulations laid down and approved by Full Council.

The Council shall review its obligations and objectives and approve budgets for the following financial year at a meeting during December/January. This meeting will approve all recommendations and level of precept set out by the Finance & Governance Committee for the following financial year.

Two Councillors from the Finance & Governance Committee and signatories on the Bank Mandate must check and sign all cheques and on-line payments where applicable. Signatories will also sign, date, and make a note of the time these checks are made both on the expenditure sheet and the related invoice for payment/cheque.

The Council receives a monthly overview of expenditure once the above procedure has taken place. All payments are made in accordance with Standing Orders and Financial Regulations.

Each month all Income, Expenditure, Bank Reconciliations, detailed income and expenditure report, and VAT claims are checked and the budget for that financial year is monitored. These reports are submitted to the Finance & Governance Committee for approval.

At the end of the Financial Year, the Chairman shall ensure that totals are reconciled to the year-end bank statement and shall sign the associated year-end correspondence.

**ELECTRONIC PAYMENTS**

The legislative reform (Payments by Parish Councils, Community Councils and Charter Trustees) Order 2014 came into effect on 12 March 2015. This legislation enabled Parish Councils to take an overall

approach to how it controls its money as well as taking advantage of modern technology including internet banking. Dual authorisation is still to be required.

Authorisation is performed by one staff member on the bank mandate who enters the payment and two councillors on the bank mandate who checks the payment before the payment is subsequently authorised and processed.

**CLERK TO THE COUNCIL AND RESPONSIBLE FINANCIAL OFFICER**

The Council has a Clerk to the Council who acts as the Council’s advisor and administrator. The Responsible Financial Officer is responsible for administering the Council’s finances which are overseen and reported to Council by The Clerk. The Clerk and RFO is responsible for the day-to-day compliance with laws and regulations that the Council is subject to and for managing risks. The Clerk ensures that the Council’s procedures, control systems and policies are maintained.

The duties of the Responsible Financial Officer are laid down in a job description which is reviewed each year.

The Responsible Financial Officer submits all the requested information to the External Auditor by the required date.

The Responsible Financial Officer arranges for all public notices to be displayed.

The Responsible Financial Officer will retain all relevant documents related to the financial year for 7 years which includes the Annual Return, VAT Returns, PAYE/NI information, Public Notices, Fixed Asset Register, Risk Assessments, Accounts and relevant supporting information.

**INTERNAL AUDITOR**

The Council appoints an Independent Internal Auditor who will report to the Council on areas including adequacy of its Records, Procedures, Systems, Internal Control, Regulations, Risk Management and Reviews.

The effectiveness of the internal audit is reviewed every three years and the Council agrees to the appointment of the Internal Auditor.

The Internal Auditor inspects the accounts during the current financial year and at the year-end prior to the completion of the Annual Return Statement to the External Auditor.

The Internal Auditor will write a separate report to the Council detailing any findings they might have. This report is also copied to all Councillors and considered by Full Council as an agenda item. Recommendations from the report are recorded in the Council minutes.

**EXTERNAL AUDIT**

The Councils’ External Auditors submit an External Auditors Report which is presented to the Council. Any matters raised on the Annual Return Statement are considered by the Council with any necessary actions duly recorded.

**REVIEW OF EFFECTIVENESS**

The Council has responsibility for conducting regular reviews of the effectiveness of the system of internal control. The review of the effectiveness of the system of internal control is informed by the work and any issues identified by Full Council, The Clerk to the Council or the Responsible Financial Officer, Internal Auditor, and the Councils’ External Auditor.

# **INTERNET BANKING POLICY**

**INTERNET BANKING AND ELECTRONIC PAYMENTS**

Payment of invoices online saves time and money. The Parish Council banks with Unity Trust Bank. The Council resolved that all members of the Finance and Governance Committee *must* be members of the banks mandate and responsible for the authorisation of all payments made, accompanied by an invoice at all times.

The controls and approval of payments are the same as the cheque system. The Responsible Financial Officer may ‘view, submit and or authorise’ a payment on-line. Councillors may ‘view and authorise’ the payments entered by the RFO but may not set up a beneficiary or payment themselves.

The RFO will make payments by cheque as and when necessary, following the controls and approvals within Financial Regulations but will pay online whenever possible.

The RFO will continue to provide all Bank Statements and reconciliations from the accounting package to the Finance and Governance Committee on a monthly basis.

Councillors will continue to check monthly payments and reconcile them to the bank on a rota basis.

**The Parish Council has two accounts with Unity Trust Bank – Current and Deposit:**

1. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Administrator. The RFO and Clerk will have ‘view and submit only’ authorisation and will be able to transfer funds between accounts held with the same bank.
2. The Bank Mandate is approved by the Council and it shall require two signatories of which one must be a member of the Finance and Governance Committee together with any one other approved signatory. All signatories so agreed will have ‘view and approve only’ authorisation on those accounts.
3. Access to internet banking accounts will be directly to the bank’s log-in page as per the Financial Regulations, and not through a search engine or e-mail link.
4. Remembered or saved passwords must not be used on any computer/laptop/chrome book for Council banking work. Breach of this requirement will be treated as a very serious matter.
5. The Council, and those Signatories using computers for the Council’s internet banking, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used at all times. Signatories may request the Council’s IT service contractor install and annually update such software on chrome books supplied by the Council only.
6. No employee or councillor shall disclose any PIN or password, relevant to the working of the Council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.
7. New beneficiaries and changes to beneficiary details used for internet banking must be supported by hard copy or email notification for checking an authorisation by two Signatories.
8. All transactions require two Signatories to authorise.
9. Direct Debits will be reported to the Finance & Governance Committee or Council and signed off before being set up with the bank. Two Signatories will also apply.
10. Payment for items may be made by internet banking transfer, BACS or CHAPS provided that evidence is retained showing which members approved the payment.
11. Standing Orders will not be used but the Financial Regulations must be adhered to at all times and take precedent over this policy and any other financial policy.

**PROCEDURE**

Procedure for Setting Up Beneficiaries:

* 1. The RFO enters the details of the beneficiary online.
  2. The RFO emails a scanned copy of the BACS details of the beneficiary to the Signatories.
  3. Two Signatories check the details and authorise the beneficiary Procedure for Amending Beneficiary details:

1. The RFO enters the amended details of the beneficiary online.
2. The RFO emails a scanned copy of the new BACS details of the beneficiary to the Signatories.
3. Two Signatories check the details and authorise the beneficiary amendment. Procedure for Paying Beneficiaries:
4. All invoices and requests for payment will be verified for accuracy by the RFO.
5. The RFO enters the details of the payment into the bank.
6. Wherever possible, payments will be made using the online banking.
7. Two Signatories will confirm the payments online.
8. All invoices will be emailed to back up each payment for authorisation.
9. Once Councillor, on a rota basis, will be called upon to authorise payments for each month. A second councillor will randomly select payments for checking and sign to confirm that the second check has been carried out.
10. Signatories may not authorise a payment to themselves.
11. All requests for payment will be emailed to the Signatories.

# **Investment Strategy 2023/2024**

**Introduction**

1. The investment of surplus funds by local authorities is governed by the Local Government Act 2003 Section 15(1)(a) along with guidance issued by the Secretary of State. The Council is required to “have regard” to “such guidance as the Secretary of State may issue”.
2. Investments below £10,000 are not subject to the guidance but for investments between

£10,000 and £500,000 the Council is required to make a formal decision on the extent to which it would be reasonable to adopt the guidance either in part of in full.

1. The guidance recommends that a Council produces an Annual Investment Strategy which sets out is policy for managing the investments and giving priority to the liquidity and security.
2. A ‘Specified Investment’ is one which is made in sterling, is not long term (less than 12 months), not defined as capital expenditure, and is placed with a body which has a high credit rating or made with UK Government, a UK Local Authority, or a parish community council.
3. Any other type of investment is considered ‘Non-Specified Investment’ to which there can be greater risk and where professional investment advice might be required.
4. Local authorities should always keep strategies simple and maintain prudence.

**Strategy**

**Frampton Cotterell Finance and Governance Committee has adopted the following:**

1. The Finance and Governance Committee acknowledges the importance of prudently investing its temporary surplus funds held on behalf of the community.
2. The Finance and Governance Committee’s priorities are and will be centred on the security (protecting the capital sum from loss) and then liquidity (keeping the money readily available for expenditure when needed) of its reserves.
3. Adopt the Secretary of State’s Guidance in relation to Council investments in full (Department for Communities and Local Government) “guidance on local government investments”
4. Carry out an annual cash flow forecast to ascertain expenditure commitments for the coming financial year.
5. On the basis of that cash flow forecast, to invest only in: ‘Specified Investments’ and/or in

‘Non Specified Investments’ including longer term investment i.e. 12 months or more but which still offers the greatest security (such as a UK financial institution which offers the full £85,000 UK Financial Services Compensation Scheme (FSCS)

1. To review investments at least annually.

**List of Parish Council Investments in place as at financial year 2022/23**

* 1. Remaining Parish funds sit in the following:
* Unity Trust Bank - Current Account
* Unity Trust Bank - Deposit Account F & G min 19.221:
* CCLA – The Public Sector Deposit Fund
* The Cambridge Building Society
* Nationwide Building Society

# **Members and Officers Protocol**

1. **INTRODUCTION AND PRINCIPLES**
   1. The purpose of this Protocol is to guide Members and Officers of the Council in their relations with one another in such a way as to ensure the smooth running of the Council.
   2. It offers guidance on some of the issues, which most commonly arise. It is hoped, however, that the approach, which it adopts, to these issues will serve as a guide to dealing with other circumstances.
   3. This Protocol is to a large extent a written statement of current practice and convention. It seeks to promote greater clarity and certainty. If the Protocol is followed, it should ensure that Members receive objective and impartial advice and that the Officers are protected from accusations of bias and any undue influence from Members.
   4. It also seeks to reflect the principles underlying the respective Codes of Conduct, which now apply to Members and will apply to the Officers. The shared object of these codes is to enhance and maintain the integrity (real and perceived) of local council’s and the Codes, therefore, demand very high standards of personal conduct.
   5. It is recommended that this Protocol is a local extension of the Members' Code of Conduct and intended Employee Code of Conduct. Consequently, a breach of the provisions of this Protocol may also constitute a breach of these Codes.
   6. This Protocol should be read in conjunction with the Codes of Conduct and any guidance issued by the Parish Clerk and/or the District Council’s Monitoring Officer
2. **THE RELATIONSHIP: GENERAL POINTS**
   1. Both Councillors and the Officers are servants of the public and they are indispensable to one another. But the responsibilities are distinct. Councillors are responsible to the electorate and serve only so long as their term of office lasts. Councillors are responsible for setting policy. Officers are responsible to the Council. Their job is to give advice to Councillors and the Council, and to carry out the Council's work under the direction and control of the Council.
   2. At the heart of the Codes and this Protocol, is the importance of mutual respect. Member/Officer relationships are to be conducted in a positive and constructive way. Therefore, it is important that any dealings between Members and the Officers should observe standards of courtesy and that neither party should seek to take unfair advantage of their position, or seek to exert undue influence on the other party.
   3. Members must respect the impartiality and integrity of all the Council's Officers. Similarly, the Officers must respect the role of Members as elected community representatives.
   4. Inappropriate relationships can be inferred from language/style.
   5. A Member should not raise matters relating to the conduct or capability of the

Officers in a manner that is incompatible with the objectives of this Protocol. This is a long-standing tradition in public service. Officers have no means of responding to criticisms in public. If a Member feels he/she has not been treated with proper respect, courtesy, or has any concern about the conduct or capability of an Officer, and fails to resolve it through direct discussion with the Officer, he/she should raise the matter with the Clerk or Staffing Committee. Any action taken against the Officer in respect of a complaint will be in accordance with the provisions of the Council's Disciplinary Rules and Procedures.

* 1. Where an Officer feels that he/she has not been properly treated with respect and courtesy by a Member, he/she should raise the matter with the Clerk or Chairman, especially if they do not feel able to discuss it directly with the Member concerned. In these circumstances the Clerk or Chairman will take appropriate action by approaching the individual Member.

1. **ROLES OF MEMBERS**
   1. Members have four main areas of responsibility:
      1. Determining the policy of the Council and giving it leadership.
      2. Monitoring and reviewing the performance of the Council in implementing that policy and delivering services.
      3. Representing the Council externally.
      4. Acting as advocates on behalf of their constituents and the wider community.
2. **THE RELATIONSHIP: OFFICER SUPPORT TO MEMBERS: GENERAL POINTS**
   1. The Parish Clerk is responsible for day-to-day managerial and operational decisions within the Parish Council and will provide support to all Members and Officers in their various roles.
   2. In giving such advice to Members and in preparing and presenting reports, it is the responsibility of the Officer to express his/her own professional views and recommendations. Whilst an Officer might report the views of individual Members on an issue, a Member should not seek to pressure the Officer to make a recommendation contrary to the Officer's professional view because the Member wishes to express a contrary view.
   3. The following key principles reflect the way in which the Parish Clerk generally relates to Members:-

* The Parish Clerk is employed by, and accountable to the Parish Council as a whole.
* Support from the Parish Clerk is needed for all the authority Parish Council functions including Full Council, and all Committees and working groups designed to develop Council policy initiatives.
* Day to day managerial and operational decisions should remain the responsibility of the Parish Clerk; and
* The Parish Clerk will be provided with training and development to help him/her support the various Member roles effectively.

1. **RELATIONSHIPS BETWEEN MEMBERS AT COMMITTEES AND OFFICERS AT MEETINGS OF THE AUTHORITY**
   1. Reports should always contain a recommendation. Members should raise issues with the Parish Clerk’s report prior to the meeting, if at all possible.
   2. Members will give the Parish Clerk the opportunity to present any report and give any advice they wish to give.
   3. In relation to action between meetings, it is important to remember that the law only allows for decisions to be taken by the Council, or an authorised Committee.
   4. Members and the Parish Clerk should be mutually supportive in order to minimise any potential embarrassment to the Council. Criticism of the Parish Clerk should be dealt with in private and, by the same token, the Parish Clerk will never be publicly critical of Councillors, the Council or indeed any of its policies.
2. **THE RELATIONSHIP: OFFICER SUPPORT:**
   1. It is clearly important that there should be a close working relationship between Members and the Parish Clerk who support and/or interact with them. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question the Parish Clerk’s ability to deal impartially with other Members.
   2. All Members and the Parish Clerk need to be constantly aware of the possibility of tensions arising and both the Parish Clerk and Members need to work together to avoid such tensions and conflicts existing or being perceived.
   3. Officers are required at all times to serve the whole Council. Given the respective roles of elected Members and the Parish Clerk, it is accepted that the Parish Clerk, while remaining neutral, will inevitably give advice on a wide range of issues. Members must continue to respect the neutrality of the Parish Clerk.
3. **MEMBERS' ACCESS TO INFORMATION AND TO COUNCIL DOCUMENTS**
   1. Members have the ability to ask for information pursuant to their legal rights to information. This right extends to such information, explanation, and advice, as they may reasonably need in order to assist them in discharging their role as a Member of the Council. This can range from a request for general information about some aspect of the Council’s activities to a request for specific information on behalf of a constituent. Such approaches should normally be directed to the Parish Clerk.
   2. As regards the legal rights of Members to inspect Council documents, these are covered partly by statute and partly by the common law.
   3. Members have a statutory right to inspect any Council document, which contains material relating to any business, which is to be transacted by the Council. This right applies irrespective of whether the Member is a member of the meeting concerned and extends not only to reports which are to be submitted to the meeting, but also to any relevant background papers. This right does not, however, apply to documents relating to certain items, which may appear as a confidential item on the agenda for a meeting. The items in questions are those, which contain exempt information.
   4. The common law rights of Members remain and are much broader and are based on the principle that any Member has a prima facie right to inspect Council documents so far as his/her access to the document is reasonably necessary to enable the Members properly to perform his/her duties as a

Member of the Council. This principle is commonly referred to as the 'need to know' principle.

* 1. The exercise of this common law right depends therefore, upon an individual Member being able to demonstrate that he/she has the necessary ' need to know'. In this respect, a Member has no right to 'a roving commission' to go and examine documents of the Council. Mere curiosity is not sufficient. The crucial question is the determination of the 'need to know'. This question must initially be determined by the Parish Clerk, with advice from the Monitoring Officer if needed. In the event of dispute, the question falls to be determined by the Parish Clerk who may choose to refer the matter to the Council for a decision.
  2. In some circumstances e.g. a meeting of the Authority Member wishing to inspect documents relating to the business of that meeting, a Member's 'need to know' will normally be presumed. In other circumstances e.g. a Member wishing to inspect documents, which contain personal information about third parties, the Member will normally be expected to justify the request in specific terms. Furthermore, there will be a range of documents which, because of their nature are either not accessible to Members. An example of this latter category would be draft documents compiled in the context of emerging Council policies and draft committee reports, the disclosure of which prematurely might be against the Council's and the public interest.
  3. Further and more detailed advice regarding Members rights to inspect Council documents may be obtained from the Parish Clerk or Council body such as NALC.
  4. Any Council information provided to a Member must only be used by the Member for the purpose for which it was provided, i.e. in connection with the proper performance of the Member's duties as a Member of the Council. Therefore, for example, early drafts of Committee reports/briefing papers are not suitable for public disclosure and should not be used other than for the purpose for which they were supplied.

1. **CORRESPONDENCE**
   1. Sensitive/private correspondence between an individual Member and the Parish Clerk should not normally be copied (by the Officer) to any other Member. In other words, a system of 'silent copies' should never be employed.
   2. Official letters on behalf of the Council should normally be sent to the Parish Council, rather than in the name of a Member. It may be appropriate in certain limited circumstances e.g. representations to a Government Minister, for a letter to appear in the name of the Chairman, but this should be the exception rather than the norm. Letters which, for example, create legal obligations or give instructions on behalf of the Council should never be sent out in the name of a Member.
2. **PUBLICITY AND PRESS RELEASES**
   1. Local authorities are accountable to their electorate. Accountability requires local understanding. This will be promoted by the Authority, explaining its objectives and policies to the electors and taxpayer. In recent years, all local authorities have increasingly used publicity to keep the public informed and to encourage public participation. Every Council needs to tell the public about the services it provides. Increasingly, local councils see this task as an essential part of providing services. Good, effective publicity aimed to improve public awareness

of a Council's activities is, to be welcomed. The Council’s Communication Strategy should be followed.

* 1. Publicity is, however, a sensitive matter in any environment because of the impact it can have. Expenditure on publicity can be significant. It is essential, therefore, to ensure that local authority decisions on publicity are properly made in accordance with clear principles of good practice. The Government has issued a Code of Recommended Practice on Local Authority Publicity. The purpose of the Code is to set out such principles. The Code affects the conventions that should apply to all publicity at public expense and which traditionally have applied in both central and local government. The Code is issued under the provisions of the Local Government Act 1986 as amended by the Local Government Act 1988, which provides for the Secretary of State to issue Codes of Recommended Practice as regards the content, style, distribution, and costs of local authority publicity and such other matters as he/she thinks appropriate. That section requires that all local authorities shall have regard to the provisions of any such Code in coming to any decision on publicity. A copy of this code is available for inspection by members in the Parish office.

9..3 The Parish Clerk and Members of the Council will, therefore, in making decisions on publicity, take account of the provisions of this Code. If in doubt, the Parish Clerk and/or Members should initially seek advice from the Parish Clerk. Particular care should be paid to any such publicity used by the Council around the time of an election.

9.4 Whenever a public meeting is organised by the Council to consider a local issue, all the Members will as a matter of course, be invited to attend the meeting. Similarly, whenever the Council undertakes any form of consultative exercise on a local issue, Members will be notified at the outset of the exercise.

# **Code of Conduct for Members**

1. **Application**

This Code of Conduct applies to you whenever you are acting in your capacity as a member of Frampton Cotterell Parish Council, including –

* 1. at formal meetings of the Council, its Committees, Sub-Committees and Working Groups,
  2. when acting as a representative of the Council
  3. in taking any decision as a Councillor
  4. in discharging your functions as a Councillor
  5. at briefing meetings with officers and
  6. at site visits
  7. when corresponding with the Council and members of the public other than in a private capacity

1. **Definitions**

For the purpose of this Code, a ‘co-opted member’ is a person who is a member of the Council and who may also be a member of any committee, sub-committee, or working group of the Council, and who is entitled to vote on any question that falls to be decided at any meeting, committee or sub-committee.

For the purposes of this Code, a ‘meeting’ is a meeting of the Council, any of its committees, sub-committees, or working groups.

For the purpose of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

1. **General Conduct**

As a member or co-opted member of Frampton Cotterell 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 council.

**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.

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

As a Member of Frampton Cotterell 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.
* Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
* Not acting in a way which a reasonable person would regard as bullying or intimidatory.
* Not seeking to improperly confer an advantage or disadvantage on any person.
* 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 Authority's area 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 council’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 council’s policies, protocols and procedures, including on the use of the council’s resources.
* Not disclosing information which is confidential or where the disclosure is prohibited by law.
* Valuing my colleagues, officers 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.

1. **Disclosable Pecuniary Interests (DPIs)**
   1. You must comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which you have a disclosable pecuniary interest (Appendix 1).
   2. ensure that your register of interests is kept up to date and notify the Proper Officer (Clerk to Council) in writing within 28 days of becoming aware of any change in respect of your disclosable pecuniary interests.
   3. make verbal declaration of the existence and nature of any disclosable pecuniary interest at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent and leave the room for the duration of the debate and the vote on the item of business which affects or relates to the interest.
   4. Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register with the Proper Officer (Clerk to Council) any pecuniary interests.
   5. A member shall register with the Proper Officer (Clerk to Council) any change to interests or new interests within 28 days of becoming aware of it.
   6. A member need only declare the existence but not the details of any interest

which the Proper Officer (Clerk to Council) agrees is a ‘sensitive interest’. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

* 1. “Meeting” means any meeting organised by or on behalf of the council, including –
     1. any meeting of the Council, a Committee, Sub-Committee of Council, or Working Group
     2. in taking a decision as a Councillor
     3. at any briefing by officers; and
     4. at any site visit to do with business of the council

1. **Other Interests**
   1. In addition to the requirements of Paragraph 3, if you attend a meeting at which any item of business is to be considered and you are aware that you have a “non- disclosable pecuniary interest or non-pecuniary interest” in that item, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent and leave the room for the duration of the debate and the vote on the item of business which affects or relates to the interest.
   2. Where a matter arises at a meeting which relates to an interest, the member shall not participate in a discussion or vote on the matter. He/she only has to declare what his/her interest is if it is not already entered in the member’s register of interests or if he/she has not notified the Proper Officer (Clerk to Council) of it.
   3. Where a matter arises at a meeting which relates to an interest which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the Proper Officer (Clerk to Council), the member shall disclose he/she has an interest but not the nature of it.
   4. Where a matter arises at a meeting which relates to an interest in Appendix 2, the member shall not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.
   5. A member only has to declare his/her interest in Appendix 2 if it is not already entered in his/her register of interests or he/she has not notified the Proper Officer (Clerk to Council) of it or if he/she speaks on the matter. If he/she holds an interest in Appendix 2 which is a sensitive interest not already disclosed to the Proper Officer

(Clerk to Council), he/she shall declare the interest but not the nature of the interest.

* 1. You have a “non-disclosable pecuniary interest or non-pecuniary interest” in an item of business of your council where –
     1. a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person or body with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority’s administrative area, or
     2. it relates to or is likely to affect any of the interests listed in the Table in the Appendix to this Code, but in respect of a member of your family (other than a “relevant person”) or a person with whom you have a close association

and that interest is not a disclosable pecuniary interest.

For the avoidance of doubt a report by a Member to Council, Committee, or Sub- Committee on the activities of an outside body to which they are appointed by Council, will not constitute a breach of the Code of Conduct, provided the report does not require a decision that affects the well being or financial position of the organisation

1. **Gifts and Hospitality**
   1. You must, within 28 days of receipt, notify the Proper Officer (Clerk to Council) in writing of any gift, benefit or hospitality which you have accepted as a member from any person or body other than the council.
   2. The Proper Officer (Clerk to Council) will place your notification on a public register of gifts and hospitality.
   3. This duty to notify the Proper Officer (Clerk to Council) does not apply where the gift, benefit or hospitality comes within any description approved by the council for this purpose.

**Appendix 1**

**Disclosable Pecuniary Interests (DPIs)**

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

*Interest Prescribed description*

Employment, office, trade, profession or vacation

Any employment, office, trade, profession or vocation carried on for profit or gain.

|  |  |
| --- | --- |
| Sponsorship | Any payment or provision of any other financial  benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.  This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992). |
| Contracts | Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—   1. under which goods or services are to be provided or works are to be executed; and 2. which has not been fully discharged. |
| Land | Any beneficial interest in land which is within the area of the relevant authority. |
| Licences | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer. |
| Corporate tenancies | Any tenancy where (to M’s knowledge)—   1. the landlord is the relevant authority; and 2. the tenant is a body in which the relevant person has a beneficial interest. |
| Securities | Any beneficial interest in securities of a body where—   1. that body (to M’s knowledge) has a place of business or land in the area of the relevant authority; and 2. either—    1. the total nominal value of the securities exceeds   £25,000 or one hundredth of the total issued share capital of that body; or   * 1. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued   share capital of that class. |

For this purpose –

“the Act” means the Localism Act 2011;

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

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority; “member” includes a co-opted member;

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

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

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

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

**Appendix 2**

An interest which relates to or is likely to affect:

1. Any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;
2. any body –
   1. exercising functions of a public nature;
   2. directed to charitable purposes; or
   3. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
3. any gifts or hospitality which the member has received by virtue of his or her office.

# **PRESS AND MEDIA POLICY**

1. **INTRODUCTION**
   1. The purpose of this policy is to define the roles and responsibilities within the Council for working with the media and deals with the day-to-day relationship between the Council and the media.
   2. It is not the intention of this policy to curb freedom of speech or to enforce strict rules and regulations. Rather, it provides guidance on how to deal with issues that may arise when dealing with the media.
   3. Officers and members should read the Communications Strategy alongside this policy.
2. **KEYS AIMS**
   1. The Council is accountable to the local community for its actions and this can only be achieved through effective two-way communications. The media – press, radio, TV, internet – are crucially important in conveying information to the community so the Council must maintain positive, constructive media relations and work with them to increase public awareness of the services and facilities provided by the Council and to explain the reasons for particular policies and priorities.
   2. It is important that the press have access to the Clerk/ Members and to background information to assist them in giving accurate information to the public. To balance this, the Council will defend itself from any unfounded criticism and will ensure that the public are properly informed of all the relevant facts using other channels of communication if necessary.
3. **THE LEGAL FRAMEWORK**
   1. The law governing communications in local authorities can be found in the Local Government Acts. The Council must also have regard to the governments Code of Recommended Practice on Local Authority Publicity.
   2. The Parish Council’s adopted Standing Orders should be adhered to.
4. **CONTACT WITH THE MEDIA**
   1. The Clerk and Members should always have due regard for the long-term reputation of the Council in all their dealings with the media.
   2. Confidential documents, exempt Minutes, reports, papers, and private correspondence should not be leaked to the media. If such leaks do occur, an investigation will take place to establish who was responsible and appropriate action taken.
   3. When the media wish to discuss an issue that is, or is likely to be, subject to legal proceedings then advice should be taken from the Council’s solicitor before any response is made.
   4. There are a number of personal privacy issues for the Clerk and Members that must be handled carefully and sensitively. These include the release of personal information, such as home address and telephone number (although Member contact details are in the public domain); disciplinary procedures and long-term sickness

absences that are affecting service provision. In all these and similar situations, advice must be taken from the Clerk before any response is made to the media.

* 1. When responding to approaches from the media, the Clerk, Chairman, or the Chairman of Committees are authorised to make contact with the media.
  2. Statements made by the Chairman, or the Chairman of Committees and the Clerk should reflect the Council’s opinion.
  3. Other Councillors can talk to the media but must ensure that it is clear that the opinions given were their own and not necessarily those of the Council.
  4. There are occasions when it is appropriate for the Council to submit a letter, for example to explain important policies or to correct factual errors in letters submitted by other correspondents. Such letters should be kept brief and balanced in tone and correspondence should not be drawn out over several weeks. All correspondence must come from the Clerk.

1. **ATTENDANCE OF MEDIA AT COUNCIL MEETINGS**
   1. The Local Government Act 1972 requires that agendas, reports, and minutes are sent to the media on request.
   2. The media are encouraged to attend Council meetings and seating and workspace should be made available.
   3. Any filming or taping of Council proceedings by the media must be with prior notice to the Clerk and Chairman of the meeting (see Standing Orders).
2. **PRESS RELEASES**
   1. The purpose of a press release is to make the media aware of a potential story, to provide important public information or to explain the Council’s position on a particular issue. It is the responsibility of the Clerk and Members to look for opportunities where the issuing of a press release may be beneficial.
   2. The Clerk or any Member may draft a press release, however they must all be issued by the Clerk in order to ensure that the principles outlined in section three (Legal Framework) are adhered to, that there is consistency of style across the Council and that the use of the press release can be monitored.

**Frampton Cotterell Parish Council Privacy Notice**

**What is Personal Data?**

Personal data is information that is held about any living individual that can be used (either on its own, or in conjunction with other information), to identify that individual.

You have a right to know what is happening with your personal data, and to give consent as to what information we may hold about you. In line with the General Data Protection Regulation (GDPR) which came into effect on 25th May 2018, Frampton Cotterell Parish Council will be open, honest and clear as to why we might want to process some of your data.

**Some Questions You May Have**

* What information do you hold on me?
* Why do you retain this information?
* How do you keep my information safe?
* Do you share my data with anyone else?
* How do you update my information, or delete it securely? The following paragraphs will answer all these questions for you.

**When You Contact Us**

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will not be shared or provided to any third party. We will process your data for legitimate and explicit purposes, collecting only what is necessary.

**The Data Controller**

Frampton Cotterell Parish Council as a corporate body is the formal Data Controller (as registered with the Information Commissioner’s Office).

**The Councils Right to Process Information**

The Council has the right to process information in line with the General Data Protection Regulations Article 6 (1) (a) (b) and (e)

Processing is with consent of the data subject or

Processing is necessary for compliance with a legal obligation or

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

**Information Security**

Frampton Cotterell Parish Council has a duty to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies.

We will only keep your data for the purpose it was collected and only for as long as is necessary. Once we no longer have a reason to keep your data, unless otherwise required to for legislative

purposes, it will be deleted. (You may request the deletion of your data held by Frampton Cotterell Parish Council at any time).

**Children**

We will not process any data relating to a child (under 13) without the express parental / guardian consent of the child concerned.

**Access to Information**

You have the right to request access to the information we have on you. You can do this by contacting the Parish Council Office at The Brockeridge Centre, Woodend Road, Frampton Cotterell, Bristol, BS36 2LQ, or via telephone: 01454 864442, or via email: [clerk@framptoncotterell-pc.gov.uk](mailto:clerk@framptoncotterell-pc.gov.uk)

**Information Correction**

We will make sure that inaccurate data is erased or rectified without delay. If you believe that the information we have about you is incorrect, you may contact us so that we can update it and keep your data accurate. Please contact us as per above to request this.

**Information Deletion**

If you wish Frampton Cotterell Parish Council to delete the information about you, please contact us as per the contact details above to request this.

**Right to Object**

If you believe that your data is not being processed for the purpose it has been collected for, you may object by contacting Frampton Cotterell Parish Council as per the contact details above.

**Rights Related to Automated Decision Making and Profiling**

Frampton Cotterell Parish Council does not use any form of automated decision making or the profiling of individual personal data.

**Conclusion**

In accordance with the law, we only collect a limited amount of information about you that is necessary for correspondence, information and service provision. We do not use profiling, we do not sell or pass your data to third parties. We do not use your data for purposes other than those specified. We make sure your data is stored securely. We delete all information deemed to be no longer necessary. We constantly review our Privacy Policy, Data Protection, Data Management, and Data Retention Policies to keep them up to date in protecting your data. (You can request a copy of our policies from the Parish Council Office at any time).

**Complaints**

If you have a complaint regarding the way your personal data has been processed you may make a complaint to Frampton Cotterell Parish Council at the above address, and to the Information Commissioners Office via telephone: 0303 123 1113, or via email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

# **Recording of Decisions Made By Officers Policy**

* + 1. The Openness of Local Government Bodies Regulations 2014 (2014 SI No. 2095) which came into force on 6 August 2014, require a written record to be kept of certain decisions made by an Officer of a Parish Council acting under delegated powers.

The Regulations also contain provision on filming, recording and reporting of Council and committee meetings; the Parish Council has a separate policy on this.

* + 1. The decisions are those:
       1. made under a ‘specific express authorisation’, or
       2. made under a general authorisation where the effect of the decision is to:
          1. grant a permission or licence,
          2. affect the rights of an individual, or
          3. award a contract or incur expenditure which, in either case, significantly affects the financial position of the Parish Council.
    2. The potentially very wide scope of this provision is in practice cut down by the guidance issued by the Department of Communities & Local Government in their ‘plain English’ guide to the Regulations (available at [https://www.gov.uk/government/publications/openand-accountable-local-government-](https://www.gov.uk/government/publications/openand-accountable-local-government-plain-english-guide) [plain-english-guide](https://www.gov.uk/government/publications/openand-accountable-local-government-plain-english-guide)
    3. The relevant guidance for Parish Councils is as follows:

‘Officers take many administrative and operational decisions on how they go about their day-to-day work within the Council’s rules. These decisions will not need to be recorded. You will not be able to inspect some recorded decisions if the whole or part of the records contain confidential information or any other information where publicity would be prejudicial to the public interest.

Examples of decisions that should be recorded could include:

* + - 1. decisions about awarding contracts above specified individual/total values (the values will vary according to the relevant parish or town council); and
      2. decision to renew a lease to an allotment association.

Where decisions are already required to be published by other legislation, they do not need to be recorded again provided the record published has the date the decision was taken and the reasons for the decision.

Decisions that do not need to be recorded might include the following examples:

* routine administrative and organisational decisions such as the purchase of office supplies or repairs;
* a decision to sign an allotment tenancy agreement;
* decisions to book rooms or sports grounds; and
* decisions to approve works undertaken by a contractor.

These are a few selected examples and not an exhaustive list. It is for the council to decide what information should be recorded on the basis of the national rules.

* + 1. The Clerk currently has authority to incur expenditure up to a value as stated in the Financial Regulations. The Parish Council does not consider that such expenditure is likely to significantly affect the financial position of the Parish Council. Expenditure in excess of these limits must be authorised by a committee with delegated authority or by Full Council and the decision will be recorded in the minutes.
    2. Accordingly, and having regard to, the exemptions set out in the plain English guide Frampton Cotterell Parish Council does not consider that Officers will be taking decisions of such a nature that a written record will be required.
    3. If exceptionally a written record is required of an Officer’s decision the record will be published on the Parish Council’s website and made available for inspection in the Parish Council’s office in the same way as minutes of a committee meeting.
    4. The Parish Council will review this policy annually.

**Purpose**

# **Reserves Policy**

The Council is required to maintain adequate financial reserves to meet foreseeable needs and commitments, and to ensure money is available in the event of an emergency.

Sections 32 and 43 of the Local Government Finance Act 1992 require local authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement.

The Council will hold reserves for three main purposes:

* A working balance to help cushion the impact of uneven cash flows and avoid unnecessary temporary borrowing.
* A contingency to cushion the impact of unexpected events or emergencies.
* A means of building up funds, to meet known or predicted requirements and projects.

The Council has no legal powers to hold revenue reserves other than for reasonable working capital or for specifically earmarked purposes, therefore the year-end general reserve should not be significantly higher than the annual precept.

General Reserve

The use of this is not restricted. These reserves can be used to smooth the impact of uneven cashflows or can be held in case of unexpected events or emergencies. The level held by the Council for the forthcoming year will be based upon a risk assessment of the Council’s main areas of income and expenditure and consider any provisions and contingencies that may be required. This is a matter of judgement.

The current level of general reserves to be held by the Council will be determined at the time of setting the annual budget but should reflect between 3 and 9 twelths of the annual expenditure of the Council as required i.e. to cover 3 – 9 months running costs and should include:

* Salary commitments
* Contractual requirements
* Income levels below budgeted level
* Insurance reserve to enable the Council to meet the excesses of claims not covered by insurance

The use of General Reserves must be authorised by The Council. Where the reserve amount has arisen because of excess funds through cancelled or obsolete activities the Council may elect to use these funds for another purpose for which no other budget is available. The budget should be regularly reviewed.

If, in extreme circumstances, General Reserves were exhausted due to major unforeseen spending pressures within a particular financial year, the Council can draw down from its Specific Reserves to provide shot-term resources.

Earmarked Reserves

These are to be set up to meet known or predicted liabilities, for example:

* Projects identified by the Council e.g., replacing buildings, play equipment or street furniture
* Future election costs
* Devolution of services

All specific Reserves are to be recorded on a central schedule held by the Responsible Financial Officer which lists the various Specific Reserves and the purpose for which they are held.

Reserves should not be used to fund ongoing expenditure. To the extent that Reserves are used to meet the short-term funding gaps, they should be replenished in the following year. However, Specific Reserves that have been used to meet a liability or project would not need to be replenished, having service the purpose for which they were originally established.

Management and Control of Reserves

Movements in Specific Reserves and General Reserves shall be reported to the Council on a monthly basis as part of the normal accounting reports, and on an annual basis as part of the annual accounting report. The use of Reserves shall be approved by the Council having regard to this policy and the Councils’ Financial Regulations.

**General Reserves** will be reviewed each year as part of the budgetary process. The minimum level of General Reserve will be recommended to the Council. This will form part of the recommendations for the Annual Budget and Precept Request to the Council.

**Earmarked Reserves** shall be reviewed on an individual basis. This review will also be undertaken as part of the budgeting process. Approval for the creation, amendment, cessation, or continuance of Specific Reserves will be given by the Council.

This policy may be reviewed by the Finance and Governance Committee but must be approved by the Council.

# **SAFEGUARDING POLICY**

**CHILDREN YOUNG PEOPLE AND VUNERABLE ADULTS**

**Policy Statement**

Everyone has a duty to safeguard children, young people, and vulnerable adults. Frampton Cotterell Parish Council is committed to ensuring that children, young people, and vulnerable adults are protected and kept safe from harm whilst they are engaged in any activity associated with the Parish Council.

This Policy will apply to councillors, its employees, its members, its contractors and hirers.

**Policy aims**

The Parish Council Child Protection Policy is to promote good practice:

* Providing children and young people with appropriate safety and protection;
* Allow all staff /volunteers to make informed and confident responses to specific child protection issues.
* To guide members of Frampton Cotterell Parish Council should any child protection issues or any issues with vulnerable adults arise during their work.

**Definitions:**

Children and Young People Employees and Councillors

* The term children or young person is used to refer to anyone under the age of 18 years.
* The term vulnerable adult is used to refer to anyone over 18
  + Unable to care for themselves
  + Unable to protect themselves from significant harm or exploitation
  + May be in need of Community Care Services
* The term parent is used as a generic term to represent anyone with legal parental responsibility.
* The terms elected members, staff and volunteers is used to refer to employees, councillors, volunteers and anyone working on behalf of and/or representing the Council whether paid or voluntary.

**Policy Objectives:**

* To ensure that where possible all facilities and activities offered by the Parish Council are designed and maintained to limit the risk to children young people and vulnerable adults.
* To promote the general welfare and health and development of children by being aware of child protection issues and to be able to respond where appropriate as a local government organisation.
* To develop procedures in recording and responding to accidents and complaints and alleged or suspected incidents of abuse and neglect.

As the Parish Council does not directly provide care and supervision services to children, young people and vulnerable adults when attending events organised by the council they do so with the consent of a parent, carer, or other responsible adult.

**Responsibilities and Procedures**

* A safeguarding Officer will be The Safeguarding Officer for Frampton Cotterell Parish Council is The Clerk , Mrs Linda Squire [clerk@framptoncotterell-pc.gov.uk](mailto:clerk@framptoncotterell-pc.gov.uk) 01454 864442 or 07925130149 and her responsibilities will include.
* Ensuring that before any Parish Council organised event with children or vulnerable persons the officer will brief participants appropriately.
* Ensuring that members are aware of the risk they may face in certain circumstances whilst carrying out their duties.
* Ensuring that before any volunteers or paid members of staff are recruited to work with children and vulnerable adults they are interviewed and two references taken up.
* Decisions whether any person should be D.B.S. (Disclosure and Banning Service) checked will be made by the Council or the Chairman with the Clerk following a Risk Assessment.
* All new councillors to be provided with a copy of the Safeguarding Policy and are required to acknowledge that they will abide by it.
* Councillors will adhere to the ‘List of recommended Behaviour’ namely. All personnel should be encouraged to demonstrate exemplary behaviour in order to protect themselves from false allegations.

Good practice guidelines

The following are common sense examples of how to create a positive culture and climate. Good practice means:

* A minimum of two adults present when supervising children.
* Adults to wear appropriate clothing at all times
* Always working in an open environment (e.g. avoiding private or unobserved situations and encouraging open communication with no secrets).
* Treating all young people with respect and dignity.
* Always putting the welfare of each young person first, before winning or achieving goals.
* Maintaining a safe and appropriate distance with children (e.g. it is not appropriate for staff or volunteers to have an intimate relationship with a child or to share a room with them).
* Making recreation and sport fun, enjoyable and promoting fair play.

Keeping a written record of any injury that occurs, along with the details of any treatment given.

Practices to be avoided

The following should be avoided except in emergencies. If cases arise where these situations are unavoidable it should be with the full knowledge and consent of someone in charge or the child’s parents.

Practices never to be sanctioned

The following should never be sanctioned. You should never:

* Engage in rough, physical or sexually provocative games, including horseplay
* Allow or engage in any form of inappropriate touching
* Allow children to use inappropriate language unchallenged
* Make sexually suggestive comments to a child, even in fun
* Allow allegations made by a child to go unchallenged, unrecorded or not acted upon
* Avoid spending excessive amounts of time alone with children away from others You should also ensure the parents of the child are informed:
* If you accidentally hurt a child.
* If he/she seems distressed in any manner.
* If a child misunderstands or misinterprets something you have done.

Photography

Staff, elected members and volunteers should be vigilant at all times regarding people using cameras or videos. Written consent must be sought from parents when cameras and other image recorders are used to picture children and young people during Council organised activities.

Responding to allegations of concerns about a member of staff elected member or volunteer from your own observations or due to a complaint.

Keep records in an incident book of any allegation a young person may make to a committee member or volunteer.

Record the following

* The Date and Time.
* The child or young person’s address and date of birth.
* The nature of the allegation.
* Your observations a description of the child or young person’s behaviour, physical and emotional state and any visible injuries.
* Exactly what the child or young person said and what you said.
* Record the child or young person’s account of what has happened as closely as possible.
* Sign and date what you have recorded

The incident book to be presented at the next full council meeting after an incident.

* If there is a child abuse incident it should be reported to the Safeguarding Officer who will be responsible for ensuring that the matter is handled in accordance with the Local Safeguarding Board procedures and referred to the council for further action and future risk assessment.
* Every effort should be made to ensure that confidentiality is of allegations for all concerned. Information should be handles and disseminated on a need to know basis only this is usually Social Services or The Police. It is extremely important that allegations or concerns are not discussed as any breach of confidentiality could be to the child or young person, their family, those who are the subject of allegations and any child protection investigations that may follow.
* The council will ensure that any premises used for activities and events have been inspected at least annually by R.O.S.P.A. or a similar organisation.
* Any contractor working directly for the parish council, being deemed to be working in an area where children or vulnerable adults may be at risk, the contractor will be required to provide their safeguarding policy.

Declaration

Frampton Cotterell Parish Council is fully committed to safeguarding the well- being of children and vulnerable adults by protecting them from physical, sexual, emotional harm and neglect.

All members of the Frampton Cotterell Parish Council should read the Safeguarding Policy. They should be proactive in providing a safe environment for children and vulnerable people who are involved in Parish Council sponsored activities.

The Policy will be reviewed annually in May of each year. Sources

The Children Act 1989 and 2004 Safeguarding Vulnerable Adults Act 2006

South Gloucestershire Safeguarding Children Partnership

# **Social Media Policy**

1. **Introduction**
   1. This policy covers the use of social media, including social networking websites such as Twitter, Facebook, LinkedIn, and YouTube, content communities and blogs.
   2. The policy aims to ensure that the council and its employees are protected when using social media.
   3. Online behaviour should not differ from offline behaviour, specifically when reference is made to the council in any context. Users of social media and other websites must realise that what is published has the potential to be accessed for many years, even after the original content has been removed. The Computer Misuse Act 1990 introduced 3 criminal offences: unauthorised access; unauthorised access with intent to commit a serious offence; and unauthorised modification of computer material.
   4. This policy must be complied with, if not disciplinary action may be taken which could ultimately result in dismissal and in reference to the Members Code of Conduct.
2. **Scope**

The Social Media Policy applies to all employees, members, casuals and volunteers of Frampton Cotterell Parish Council.

1. **Social media in work**
   1. The council encourages interaction with its residents, partner agencies and community groups. If using social media for this purpose act responsibly, respectfully and ensure information is accurate. Remember you are representing the council so be aware of the image you are presenting. All council owned social media accounts and posts should be approved and monitored by the Clerk and Staffing Working Group/Committee. Accounts remain under the ownership of the Council at all times.
   2. Social media should never be used in a way that breaches any other council policies or expected standards of behaviour at work.

3.3. Use extreme caution if disclosing any personal information, as this could lead to identity theft, etc.

* 1. Abide by copyright and [data protection](http://intranet/content/CEandCR/Sections/LegalDemocraticServices/FOI%20front%20pages/DP%20new.htm) legislation.
  2. If you break the law online you will be personally responsible.
  3. If you are approached by the media regarding any content you have published, you must not respond until you have consulted the Clerk.
  4. Use social media positively to project a good image. It is a powerful tool which can be hugely beneficial and provides valuable opportunities to do this. The use of social media should not involve unprofessional or inappropriate content and must not interfere with council employee’s duties or performance.
  5. Employees, members or volunteers may be required to remove content which is considered to breach this policy and any information that will bring the council into disrepute is not to be discussed, referred to or stated on any internet website or any other social media channel.
  6. References must not be provided for employees (current or previous employees) on social networking sites as they may be attributed to the council and create a liability for both the content author and the council. Internet searches carried out for the formal assessment of candidates for recruitment are not permitted.
  7. Council employees, members and volunteers who work with vulnerable adults or children must not use social media either to make social contact with such individuals or to accept invitations from such individuals through social media. This also applies to friends or family of those individuals.

1. **Social media – personal use**
   1. It is wise to approach social networking with a degree of caution as you are joining a global community. Whilst it can have considerable benefits it can also provide access to individual’s personal details from undesirable people/sources. Common sense should be applied - if you are concerned or uncertain about the appropriateness of any statement then you should not post or publish it. It is easy to publish something inadvertently that cannot be retrieved, and that can have far reaching consequences.
   2. When you sign up for social networking websites, if identifying yourself as a council employee it is important you:

* are aware that the image portrayed could adversely affect the Council’s image
* use a disclaimer
* know their obligations (policy, rules etc)
* are respectful.
* use privacy controls - take the time to set these appropriately to ensure the right level of privacy protection is applied for you (the default settings vary from network to network).
  1. Employees, volunteers and members must make it clear when publishing content online that they are speaking on their own behalf by writing in the first person and by using a personal email address. Remember that what is published has the potential to be accessed for many years, even after the original content has been removed.
  2. Information or remarks that will bring the council into disrepute are not to be discussed,

referred to or stated on any internet website or online tool. The council recognises certain comments can amount to ‘protected disclosures’ under whistleblowing laws, which could give protective rights to employees – see **Whistleblowing policy.**

* 1. Publishing personal content should not be made using any Frampton Cotterell Parish Council email addresses or logos unless on a council authorised site.
  2. When communicating with colleagues over social media sites, you are reminded to be respectful and to comply with 8.1.5 of the Code of Conduct to ensure you avoid the use of swearing or inappropriate language that has the potential to offend others.
  3. The internet is merely a facility and the approach to dealing with unacceptable behaviour should not differ because it was carried out online. It is worth bearing in mind the following: ‘Don’t do anything online that you wouldn’t do off line’.
  4. Individuals (including service users, employees or their families) must not be named, described nor have their photos published on any website, without their express permission being given. However this does not apply where colleagues have an association through a social media site in their personal life.
  5. Cyber-Bullying – means ‘any use of information and communications technology to deliberately carry out hostile postings to distress another person.’ As with any other form of bullying - this is not tolerated and will be dealt with under the **Grievance including** [**Bullying and Harassment**](http://intranet/content/CEandCR/Sections/MyHR/Bullying%26Harassment/B%26HHomePage.htm)or [**Managing Employee**](http://intranet/content/CEandCR/Sections/MyHR/EmployeePerformance/MEPStepbyStep.htm)[**Performance Policy**.](http://intranet/content/CEandCR/Sections/MyHR/EmployeePerformance/MEPStepbyStep.htm)

1. **Other considerations**
   1. The Clerk and Staffing Working Group/Committee may need support and guidance in dealing with issues of non- compliance with this policy (HR advice can be sought following agreement from the Staffing Working Group/Committee as services are chargeable).
   2. Regulations, protocols and procedures will need to be developed as necessary to protect the council’s ICT systems.

All information on social media is subject to Freedom of Information requests so be aware of the council’s liabilities when using social media at work or in your personal life.

1. **Links to other policies & guides**

* [Grievance including Bullying and Harassment policy.](http://intranet/content/CEandCR/Sections/MyHR/Bullying%26Harassment/B%26HHomePage.htm)
* Employee [Code of Conduct.](http://intranet/content/CEandCR/Sections/MyHR/CodeofConduct/CodeofConductHomePage.htm)
* [ICT Security policy](http://intranet/content/CEandCR/Sections/ICT/new/files/SGC-SecurityPolicy-Part1.pdf) including the Data Protection Act
* [Managing Employee Performance policy.](http://intranet/content/CEandCR/Sections/MyHR/EmployeePerformance/MEPStepbyStep.htm)
* Whistleblowing Policy
* Member Code of Conduct

1. **Useful Contacts**

[helpline@saferinternet.org.uk](mailto:helpline@saferinternet.org.uk)

# **Volunteer Policy**

**Introduction**

1. This document sets out the policy and procedures relating to the engagement and management of volunteers in activities authorised by Frampton Cotterell Parish Council (FCPC). FCPC recognises that volunteering can benefit the Council, the community, and the volunteers themselves.

**Policy**

1. FCPC maintains a list of volunteers details being name, address, telephone number and/or email, next of kin. Volunteers are asked to notify FCPC of any changes to those details. If volunteers no longer wish to take part they should contact the Clerk to have their details removed from the Volunteer List. The details included in the Volunteer List are presented at Annex A.
2. Volunteers must be competent to carry out a role. The nature of skills and any certification required will depend on the activity.
3. If required, appropriate training will be provided in advance of the volunteer working on site. The minimum level of training should be sufficient to ensure maintenance of the health and the safety of volunteers and any people who might be affected by the work, as far as is reasonable.
4. Volunteers should be informed about the task and its purpose, health & safety requirements, and supervision arrangements before commencement of work.
5. All works undertaken by volunteers take account of the Health & Safety at Work Act.
6. Volunteers working at the sole request of and under the sole control of FCPC are insured under the Parish Council’s Public Liability and Employers Liability cover.
7. Volunteers should carry out only those tasks allocated to them.
8. A visual inspection of the site must be carried out prior to work commencing to ensure that there are no obvious hazards. These inspections are to be recorded.
9. A method of communication for emergency purposes will be established.
10. Volunteers must have due regard to the fact that they are carrying out authorised work on behalf of FCPC and as such are representing the Council in terms of both the quality of work and possible interaction with the public.
11. If a volunteer raises a complaint that cannot be resolved at the time then a complaint should be instigated in accordance with FCPC’s Complaints Procedure.
12. A copy of this Volunteer policy must be given to volunteers the first time they undertake work on behalf of FCPC. The policy will be re-issued to volunteers if any material changes to the policy are made.

**Procedures**

1. A risk assessment must be undertaken before commencement of work. The Clerk is to receive a copy of the risk assessment. An example Risk Assessment is at Annex B.
2. Volunteers must undergo an induction briefing appropriate for the task(s) being undertaken. This should include a description of the work to be undertaken and known issues and risks associated with the site.
3. Volunteers will be expected to sign the briefing sheet to show that:
   * they have received an induction brief;
   * they understand the nature of the work;
   * they recognise the risks associated with the task;
   * they agree to comply with instructions provided during the induction brief; and
   * they do not have any medical issues that would put themselves or others at risk. This document is not intended to form a contract.
4. On completion of the work the person is to forward the completed induction brief to the Clerk

with a completed summary of the work undertaken. Retention of induction briefs will allow FCPC to record work and ultimately acknowledge the contributions to the community made by volunteers.

1. An example Induction Brief and volunteer sign-up sheet is at Annex C.

ANNEX A – Volunteer List

The Frampton Cotterell Parish Council Volunteer List is maintained by the Clerk. All information will be kept safe and confidential.

It is essential that a volunteer advises the activity supervisor or the Parish Clerk of any illness or ailment that could put either themselves or other volunteers at risk of either injury or harm, whether on all tasks or only on specific tasks.

Where a volunteer can no longer support the community s/he should contact the Clerk requesting their details be removed from list.

|  |  |  |
| --- | --- | --- |
| **Volunteer Contact Details** | | |
| Name: |  | |
| Address: |  | |
| Home phone: |  | |
| Mobile: |  | |
| Email: |  | |
| Next of Kin: |  | |
| Phone numbers: |  | |
| Signature: | | Date: |

ANNEX B – example risk assessment sheet

Litter Pick Risk Assessment for Frampton Cotterell Parish Council

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **No** | **ITEM** | **HAZARD** | | **THOSE IN DANGE R** | | **Risk Rate BEFORE control** | | | | **CONTROLS /COMMENTS** | | | **Risk Rating AFTER control** | | | |
| **Severity 1-10** | | **Likelihoo d 1-10** | **RISK RATE** |  | | | **Severity 1-10** | **Likelihoo d 1-10** | | **RISK RATE (RESUL**  **T)** |
| 1 | Traffic | Be aware of traffic on the roads and road safety | | Participa nts | | 8 | | 6 | 48 | Briefing by supervisor at the start of the Activity. Participants’ access restricted to pavement and footpaths.  High visibility vests to be supplied and appropriate traffic warning / controls to be utilised. | | | 8 | 2 | | 16 (A) |
| 2 | Hygien e | Cuts, grazes, germs | | Participa nts | | 4 | | 4 | 16 | Briefing by supervisor at the start of the Activity. | | | 2 | 2 | | 4 (A) |
|  |  |  | |  | |  | |  |  | Protective Gloves to be warn. | | |  |  | |  |
|  |  |  | |  | |  | |  |  | First Aid Kit to cover all cuts with tape following consultation as to allergies to tape etc. | | |  |  | |  |
|  |  |  | |  | |  | |  |  | Warning to avoiding rubbing mouth and eyes whilst working. | | |  |  | |  |
|  |  |  | |  | |  | |  |  | Wash hands and forearms before eating and drinking, etc or going to the toilet. | | |  |  | |  |
| 3 | Slips, Trips, and Falls | Slips, strains, trips and falls due to work on grass verges, near kerbs, lifting objects | | Participa nts | | 6 | | 4 | 24 | Briefing by supervisor at the start of the Activity. Heavy items will not be moved but will be identified and details of location recorded and reported to NSC by supervisor/Clerk. | | | 6 | 2 | | 12 (A) |
| **No** | **ITEM** | **HAZARD** | **PERSON S IN DANGER** | | **Risk Rating before control measures** | | | | | | **MEASURES /COMMENTS** | **Risk Rating after control measures** | | | | |
| **SEVERIT Y1-10** | | **LIKELIHOO D 1-10** | | **RISK RATE** | | **SEVERIT Y 1-10** | **LIKELIHO OD 1-10** | | **RISK RATE (RESULT)** | |
| 4 | Hazard ous Waste | Syringes, liquids in bottles and  gas | Participa nts | | 6 | | 4 | | 24 | | Briefing at the start of the Litter Pick by the supervisor and any items to be identified and  details of location to be | 4 | 2 | | 8 (A) | |

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  | canisters etc |  |  |  |  | recorded then reported by the supervisor/Clerk to the correct NSC Department  Gloves will be issued to participants |  |  |  |
| 5 | Fly Tipping | Waste too heavy or too high volume – unsuitable for manual handling | Participa nts | 4 | 3 | 12 | Briefing at the start of the Litter Pick by the supervisor and any items to be identified and details of location to be recorded then reported by the supervisor/Clerk to the correct NSC Department | 4 | 1 | 4 (T) |
| 6 | Advers e Weathe r | Risk of sunstroke and sunburn from hot weather.  Risk of trips and slips in wet weather. | Participa nts | 3 | 3 | 9 | Consider weather forecast before confirming litter picking event.  Wear appropriate clothing/hat/footwear.  Drink plenty of water. Take suitable rest breaks. | 2 | 1 | 2 (A) |
| 7 | Other Danger s | Giant Hogweed  Skin irritation, rashes blistering | Participa nts | 2 | 6 | 12 | Briefing at the start of the Litter Pick by the supervisor; a photograph shown of the plant to help with identification and any plants identified, details of the location to be recorded then reported by the supervisor/Clerk to the correct NSC Department Gloves issued to participants. | 1 | 2 | 2 (A) |

**RISK ASSESSMENT CARRIED OUT BY: Name ……………….………….Signature: .................................................. Date: …………………**

**Risk Assessment Scoring Matrix**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Likelihood** | **Severity** | | | | | |
| **Multiple Death (10)** | **Single Death (8)** | **Major Injury (6)** | **Lost Time Injury (4)** | **Minor Injury (2)** | **Delay (1)** |
| **Certain (10)** | 100 | 80 | 60 | 40 | 20 | 10 |
| **Very Likely (8)** | 80 | 64 | 48 | 32 | 16 | 8 |
| **Likely (6)** | 60 | 48 | 36 | 24 | 12 | 6 |
| **May Happen (4)** | 40 | 32 | 24 | 16 | 8 | 4 |
| **Unlikely (2)** | 20 | 16 | 12 | 8 | 4 | 2 |
| **Very Unlikely (1)** | 10 | 8 | 6 | 4 | 2 | 1 |

|  |  |  |
| --- | --- | --- |
| ***Score*** | ***Priority*** | ***Action*** |
| **1 – 16** | **LOW** | Action is required to reduce the risk, although low priority. |
| **17 – 36** | **MEDIUM** | Action required to control.  Interim measures may be necessary in the short term. |
| **37 – 100** | **HIGH** | Action required urgently to control risks. Unacceptable Immediate action required |

ANNEX C - FRAMPTON COTTERELL PARISH COUNCIL VOLUNTEER POLICY & PROCEDURES

**FRAMPTON COTTERLL PARISH COUNCIL – [***TASK NAME***] INDUCTION BRIEF AND VOLUNTEER ACKNOWLEDGEMENT**

**Supervisor:……………………………………… Date:……………………………………… Start Time:…………………………………………Finish Time:……………………………..**

**Location:** (To be defined by supervisor)



**Description of Activity:** (To be summarised by supervisor)



**Tools to be Used:** (To be listed by supervisor, taking note of the risks associated with using these tools (for instance cuts and grazes))







**Hazards and Safety Measures:**

* All work undertaken by volunteers shall have regard to the Health & Safety at Work etc. Act 1974 and related health & safety legislation.
* You should not undertake the work defined if you have either an injury or illness that could increase risk of further injury or illness either to you or fellow volunteers. If you are unsure of the likelihood of increased risk due to either injury or illness, you should contact the supervisor before starting work.
* You will not be asked to work at height.
* Rings, bracelets, necklaces, watches and ideally should not be worn – wearing them present risk of injury.
* Appropriate footwear must be worn. Ideally, sturdy boots covering the ankle and providing support on uneven ground should be worn. Open-toed shoes or sandals and footwear with slippery soles must not be worn. Doing so increases risk significantly.
* Loose clothing and long hair should be tied up to avoid it getting caught in the activity.
* Gloves should be worn where appropriate.

**First Aid:**

* When a volunteer is wounded (serious cuts and grazes) undertaking authorised work, the supervisor should be notified as soon as possible. A first aid kit is held by the supervisor.
* In the case of serious injury, immediate first aid should be administered and the supervisor informed.
* The supervisor is expected to carry a mobile telephone and to check that there is a signal at or close to the activity site. Where necessary, the emergency services will be called.

**VOLUNTEER ACKNOWLEDGEMENT**

* I understand the scope of work described by the supervisor and agree to abide by the direction relating to this work that they give.
* I agree to comply with all health and safety direction and training I am given in support of this work.
* I agree that I am fit and healthy to undertake this work.
* I agree to make the supervisor aware of any changes to my contact details or health.

|  |  |  |
| --- | --- | --- |
| Name (Printed) | Contact Details Unchanged (Tick to  confirm) | Signature |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

**POST ACTIVITY COMMENTS**

# **Nesting Bird & Bat Roost Policy**

* 1. Introduction
  2. Hedge cutting and tree pruning needs to be undertaken with care to avoid disturbing nesting birds.
  3. Tree works must be undertaken with care to avoid disturbing bats. All species of bats and roosts in the UK are protected by law and must not be disturbed.
  4. This policy explains the procedure for hedge cutting, mowing and tree works, in keeping with the Wildlife & Countryside Act.
  5. Wildlife & Countryside Act
     1. Under the 1981 Wildlife and Countryside Act, a wild bird is defined as any bird of a species which is resident in or is a visitor to the European Territory of any member state in a wild state.
     2. The Wildlife & Countryside Act states that all birds, their nests and eggs are protected by law and it is thus an offence to:
        + Intentionally or recklessly kill, injure or take any wild bird.
        + take, damage or destroy the nest of a wild bird.
        + take, damage, or destroy the nest of any wild bird listed while that nest is in use or being built.
        + take or destroy an egg of any wild bird.
        + possess any live or dead wild bird or any part of, or anything derived from, such a bird; or an egg of a wild bird or any part of such an egg.
        + disturb any wild bird included in Schedule 1 (appendix 2) while it is building a nest or is in, on or near a nest containing eggs or young or disturb dependent young of such a bird.
        + Use traps or similar items to kill, injure or take wild birds.
     3. In England & Wales it is an offence under the Wildlife & Countryside Act 1981 (as amended) to:
        + Intentionally or recklessly disturb a bat at a roost
        + Intentionally or recklessly obstruct access to a roost
     4. If any of the above acts take place, an unlimited fine can be imposed for criminal offences and up to 6 months imprisonment.
     5. Game birds are not protected by the Wildlife and Countryside Act but are protected by the Game Act 1831 which protect game birds from being taken or killed during the close season.
  6. Conditions for Hedge and Tree cutting works.
     1. Hedge cutting and tree cutting shall not be undertaken during the bird breeding season between 1st March – 31st August.
  7. As the breeding season can be dependent on weather, birds may nest outside of the above dates. Therefore, observations must be made throughout the year before any hedge

or tree work is undertaken.

* 1. If overgrowth or damage to vegetation poses a health and safety risk to the public, tree and hedge works may be undertaken during the breeding season providing no evidence of nesting birds is found upon inspection. In this instance, the habitat and species inspection sheet must be followed before any hedge or tree work is undertaken by employees, volunteers, or contractors of the Parish Council (appendix 1).
  2. The proposed area requiring works during the breeding season must be monitored for a minimum of 30 minutes before work can begin. Nest building behaviour (carrying sticks to hedge/tree), physical nests, chicks, chick feeding behaviour and evidence of eggs must be assessed and noted on the inspection sheet. If any evidence is noted, work must not proceed, and findings reported to the Clerk.
  3. Trees must be visually scoped for bat roost potential before work is undertaken. The scoping for bats form must be completed prior to tree works, including deadwood removal, pruning, felling and health & safety works (appendix 2).
  4. The British Standard BS8956 Surveying for bats in trees and woodland categories shall be followed when classifying roost potential in trees (appendix 3).
  5. If a tree is found to have medium bat potential or above, work must cease and the Parish Council contacted. The parish council will arrange for further bat surveys to be conducted.
  6. If a bat roost is discovered during tree works, work must stop immediately, and the Parish Council alerted. If the roost is disturbed, the police and Bat Conservation Trust shall be informed to resolve the situation.
  7. If contracted tree works must cease due to the discovery of a bat roost and previous bat roost checks were completed fully prior to works and did not show roost potential, the contractor may be compensated for costs associated with the cancellation. The compensation amount and rescheduling of work is to be decided and approved by the Council, or delegated to the Clerk if short time scales are at play for health and safety works (e.g. hours/days rather than weeks).
  8. If a tree requires health & safety works to be completed and has medium or high bat roost potential, temporary fencing shall be erected to divert the public away from the dangerous tree. Ecological advice from a level 2 licensed bat ecologist shall be sought before undertaking the health and safety works.
  9. It is recognised that there will be situations where urgent action may be required to alleviate an immediate danger to public health or public safety that may have an unavoidable impact on protected species. In these situations, applying for a derogation license would be impracticable within the time available. Immediate danger should be interpreted to mean that the structure or tree will fail or collapse, and is at risk of harming the public, within a short timescale (e.g. hours or days rather than weeks).

In the event of a tree with a bat roost or high risk of a bat roost posing an immediate danger, Natural England advises the following:

* + - That the Police are informed of the proposed operation(s) and a written record is kept of the date, the decision, names of persons involved and times and details of the actions.
    - that photographic evidence is kept.
    - keep supporting written evidence from an appropriately qualified person, such as a structural engineer, arboriculturist or tree surgeon.
    - that a licensed/suitably qualified person (level 2 bat licence) is present to deal with any protected species affected by the operation. Animals found during works to the structure should be safely removed and released to a suitable location as near to the original structure as possible.
  1. Considerations for Ground Nesting Birds
     1. Ground nesting birds shall be considered before mowing takes place in areas with long grass and where appropriate, such as the Centenary Field hay meadow, to allow areas of grass to grow throughout the breeding season to provide habitat for ground nesting birds. Where long grass is required to be cut during the breeding season, the nesting bird inspection sheet must be adhered to and a walkover of the site undertaken to check for evidence of nesting.
     2. When work needs to be undertaken by the River Frome, to consider birds nesting nearby and consider conservation work to enhance the possibility for nesting birds.
     3. Communication with members of the public, farmland owners and dog owners shall also be encouraged to raise awareness of ground nesting birds and to encourage responsible dog ownership during the breeding season.
  2. Considerations for structural works (bats)
     1. The Bat Conservation Trust (BCT, 2020) advise that the following works could harm bats or birds nesting in buildings:
        + renovating, converting or demolishing a building
        + repairing or replacing a roof
        + repointing brickwork
        + insulating or converting a loft
        + installing lighting in a roost, or outside if it lights up the entrance to the roost
     2. If bats are found during structural works, the work should stop immediately and a licensed ecological consultant should be consulted.
     3. For large scale works or works that require planning permission, an ecological consultant should be contacted. Bats should be considered at the early stages of work to avoid delay.
  3. Consideration for structural works (birds)
     1. Prior to structural works or maintenance on buildings roofs, repointing, insulating or demolishing, a bird nesting survey sheet (appendix 1) must be completed. If active nests are found or evidence of activity to suggest nesting birds are using the structure, work must cease until the end of bird nesting

season or alternatively the Royal Society for the Protection of Birds (RSPB) and/or an ecological consultant should be contacted for advice.

* + 1. The RSPB (N/A) recommend the following considerations are applied to bird nesting evidence in structures prior to works. This advice applies to NON active nests and entry sites (e.g. outside of nesting season), active nests must not be disturbed as per the Wildlife and Countryside Act:
       - Where possible, leave existing nest holes alone and work around them when carrying out repairs and renovations.
       - If this is not possible, fit an internal nest box behind the replacement material. Position the box and make a hole in the new material at exactly the same location as the original nest site.
       - Utilise the existing roof or fascia and soffit design to create new nest sites. Make appropriately sized holes in suitable locations.
       - In new builds or extensions, fit a pre-fabricated swift brick into the fabric of the wall during construction or put internal nest boxes behind the fascias and soffits.
       - If none of the above are possible, use externally fitted nest boxes.

**References:**

Wildlife and Countryside Act (1981). Available at: <https://www.legislation.gov.uk/ukpga/1981/69/contents> [Accessed 16th June 2023].

Monmouthshire Council (2013), Bats in Buildings: *The Requirements of Monmouthshire County Council*. Monmouthshire.

RSPB (N/A), *Roofs For Wildlife.* Available at: [https://www.rspb.org.uk/birds-and-wildlife/advice/how-](https://www.rspb.org.uk/birds-and-wildlife/advice/how-you-can-help-birds/roofs-for-wildlife/) [you-can-help-birds/roofs-for-wildlife/](https://www.rspb.org.uk/birds-and-wildlife/advice/how-you-can-help-birds/roofs-for-wildlife/) [Accessed 16th June 2023].

BCT (2020), *Bats in Buildings Guidelines.* London.

Appendix 1

# Nesting Bird Inspection Sheet

All nesting bird inspections are to be carried out before hedge, long grass meadow, tree works or structural works commence in keeping with the Wildlife and Countryside Act 1981 and Frampton Cotterell Parish Council’s Nesting Bird Policy.

**Site Location:**

**Date:**

**Description of Works:**

**Reason for Works / HS:**

**Start Time of Inspection …………………………………..**

**Upon a minimum of 30 minutes inspection, has evidence of nesting birds, including nest building behaviours, nests, eggs, feeding young or chicks been found? (if evidence is found then works are to cease and reported to the Clerk):**

**Signed Inspection: …………………………………………**

**Options to defer works or deduction in impacts?**

**Completed Works Undertaken:**

**Operations Start time: …………………………………. finish time: ……………………………………………**

**Signed Operative: ………………………………………..**

Appendix 2

**Assessment of trees for use by bats (form)**

1. Date of visit Site address Grid ref

……………………………

………………………………………………………………………………

……………………………

1. **Tree details:** Tree number TPO/CA?

……………………………

Y / N (please circle)

Approx age Tree species

………………………

………………………

1. **Potential roost features y/n Definite roost features y/n**

Crack/hole/cavity……………………. Dark staining around hole………………… Loose bark/bat box……………………….. Staining around hole…………………………

Location in tree……………………………. Droppings seen……………………………… Feature id………………………………….. Bats seen/heard………………………………

Habitat surroundings

(fields, water etc) ……………………..

1. **Tree Classification (use the British Standard BS8956 - Surveying for bats in trees and woodland categories)** Known or confirmed roost/ High/medium risk/ Low risk/ Negligible/no risk Why?...........................................................................................................................................

**Further action:**

* 1. Inspect tree further? Y / N
  2. Continue with works? Y / N
  3. \* Notification? Y / N If yes, notify who?

Owner? Y / N

Bat contractor? Y / N SNCO? Y / N

Bat group? Y / N

1. **This assessment undertaken by:** (name/date)
2. **If bat incident occurred:**

How it occurred?......................................................................................................................

**Actions taken:**

Appendix 3

**Taken From British Standard BS8956 - Surveying for bats in trees and woodland**

|  |  |  |
| --- | --- | --- |
| **Table 1 – Classification of trees for risk of bat roost presence** | | |
| **Tree category and description**  **(following scoping survey)** | **Secondary (non-specialist) survey recommendations** | **Secondary (specialist) survey recommendations** |
| **Known or confirmed roost** | Initially consider if work to tree(s) can be avoided. If not, a specialist bat roost assessment should be undertaken to establish bat species, numbers and the nature of the roost. | |
| **High/medium risk**  Trees with a suitable potential roost feature, or with several features with some bat roost potential. | * Secondary (non-specialist) assessment to examine potential roost features previously identified. If roosts cannot reasonably be ruled out a bat specialist should be consulted. * Following this assessment the tree could be up-graded or down-graded (see column 1 categories. | * Specialist bat roost assessment should be undertaken if work to a tree cannot be avoided. * Assessment to include techniques such as endoscope use and dusk/pre-dawn surveys should be undertaken. * Following this assessment the tree could be up- graded or down-graded.   . |
| **Low risk**  Trees of sufficient size and age to contain bat roosts but with no obvious potential roost features seen during the scoping survey, or features seen with limited roosting potential only, e.g. small amounts of ivy. | No further assessment is required unless sufficient new evidence is found to upgrade the category. | None |
| **Negligible/no risk**  Trees with apparently no potential to support bats. | |  |
| *NOTE Risk equates to the likelihood of bat roost presence.* | |  |

# **Chemical Pesticide Policy**

1. Introduction
   1. The term ‘pesticides’ is intended as a generic term to include herbicides, insecticides and fungicides.
   2. It is the policy of Frampton Cotterell Parish Council to reduce and aim to eliminate the use of chemical pesticides in the management of all public spaces for which the Council is responsible.
   3. Its employees, contractors and all those responsible for the maintenance of open spaces owned by the Council are required to use non-chemical and mechanical alternatives wherever applicable.
   4. To date, the Parish Council have used chemicals at its open spaces to remove species considered weeds. The increased use of chemical pesticides, herbicides and fungicides can be linked to contaminating water supplies, a reduction in biodiversity and may cause problems with public health.
   5. The Council is dedicated to significantly reducing with the aim to eliminate the use of pesticides on Council owned land and to encourage the reduction of its use across the entire parish.
2. Aims and Objectives
   1. To reduce public exposure to the potentially harmful effects of chemical pesticides in all public spaces owned by the Parish Council.
   2. To reduce the harmful effects of pesticides on biodiversity across the parish.
   3. To improve habitats for wildlife across the parish through chemical reduction/elimination.
   4. To reduce, with the aim to eliminate, the use of pesticides on Council owned land.
   5. To communicate with parishioners, landowners and organisations to encourage use of alternatives to pesticides across the parish.
3. Pesticide Use Conditions
   1. Blanket spraying of pesticides shall not be undertaken on any open space owned by the Parish Council.
   2. Areas around posts, bins and fence lines are to be controlled by strimming. A full health and safety check must be undertaken prior to stimming to ensure no stones or objects are hidden within the vegetation.
   3. All staff, contractors, sub-contractors or volunteers to the Council shall not use pesticides on Council owned land without prior permission and reasoning.
   4. Hand pulling of weeds will be the preferred method of weed control. Where hand pulling is not possible, alternative measures to pesticides should be trialled where budget allows, including hot foam, vinegar, heat control, wire brush and any other alternatives.
   5. Chemical herbicides are not permitted in open spaces for vegetation clearance prior to planting wildflowers. Areas for wildflowers must be harrowed/cleared by machine or by hand in order to clear bare ground for planting.
   6. Where time and budget allow, alternative measures will be trialled and reviewed by Estates Officer and Project Officer. Successful alternatives shall replace any limited pesticide use currently used by the Council with the aim to become pesticide free.
   7. Any contracts involving open spaces must include reference to this policy and contractors to be made aware of the Councils stance on reduction and elimination of pesticides.
   8. Weeds on sports pitches are to be regularly reviewed and hand pulled to reduce infestation.
   9. The Council should consider alternatives to pesticides with the aim to fully eliminate chemical control. The most successful alternative trialled by Glastonbury Town Council is hot foam. As the equipment is expensive, the Council should consider engaging with neighbouring Town and Parish Council to joint purchase and share equipment with the collaborative aim of becoming pesticide free.
4. Exceptions for Pesticide Use
   1. If weeds are not controllable via hand pulling/stimming on sports pitches and alternatives to chemicals are not viable, spot treatment permission may be sought from the Parks and Recreation Committee as a last resort if weeds are causing health and safety and quality issues for sports use. If urgent, the Clerk shall have delegated authority to authorise the use of pesticides but must inform the Parks and Recreation Committee.
   2. At the discretion of the Climate and Nature Committee, spot treatments of weeds on hard standing surfaces, including car parks and pavements where budget and time does not allow for alternative methods may be permitted.
   3. This policy will not affect the Council's obligation to eliminate the presence of Japanese knotweed or other invasive species where there is a duty to do so and where there is no other known means of control. In this instance only stem injection or targeted spot application will be permitted to avoid wider contamination. Prior permission must be sought from the Climate and Nature Committee.
   4. Where alternatives to chemical control are not applicable, chemical control may only be permitted as a spot treatment, stem injection or controlled flat nozzle, such as on hard surfaces in car parks and pavements where weed overgrowth could pose a health and safety risk and permission from the Climate and Nature Committee must be sought prior to application.
5. Community and Stakeholder Engagement
   1. The Council staff shall share content on reducing and eliminating the use of pesticides on social media, the Council website and within the Frome Valley Voice newsletter to encourage residents to reduce pesticide use across the parish.
   2. Councillors and office staff shall engage with local organisations and businesses to encourage them to reduce and/or eliminate pesticide use.
   3. Communications with the community shall state how many weeds are wildflowers that are beneficial to pollinators and biodiversity.
   4. Communications highlighting the Council stance on pesticides to be shared online and via the Frome Valley Voice.

# **GRANTS POLICY**

1. Frampton Cotterell Parish Council is empowered to award grants to groups running projects in Frampton Cotterell or benefiting the parishioners of Frampton Cotterell, for example:
   * play schemes
   * environmental improvements
   * youth projects
   * elderly persons groups
   * cultural activities
   * recreational activities
   * international links
2. Priority will be given to groups which benefit the parish of Frampton Cotterell and which demonstrate a long-term benefit to the community.
3. All applications must be accompanied by the Council’s Grant Application Form which must be fully completed.
4. The scheme can offer support towards community-based projects that can usually be completed within a 12 month period.
5. Applications can only be accepted from non-profit making organisations and societies.
6. The Council would expect organisations to raise a reasonable amount of funds themselves towards a specific project or scheme.
7. Grant applications should be for specific projects and not the general running costs of an organisation, unless this has been agreed in advance.
8. Requests for funds should be clearly seen to benefit a group of people living within the Parish of Frampton Cotterell.
9. For repeat applications detailed evidence must be included on how previous grants have been utilised.
10. Where the Council agrees funding for a specific project, proof of purchase of the goods or services must be provided before the grant is distributed. Written permission must be obtained if there is any change to the use of funds.
11. The Council reserves the right to impose what conditions it wishes as a condition of accepting an application for a grant. The decision of the Council *not* to make a grant shall be final.
12. Applications, including all supporting documents, must be received no later than the closing date shown on the application form, preferably by electronic submission. The Council cannot take any responsibility for applications that have not been received for whatever reason.
13. Upon receipt of properly completed forms and all required attachments (preferably by electronic submission) the Council will consider all grant applications at the end of May each year. All applications will be considered by Frampton Cotterell Parish Council at a scheduled meeting during**.**
14. Grant applications are not normally considered in retrospect.
15. A condition of receiving a grant from Frampton Cotterell Parish Council is the completion and return of the application form **and** evidence of your organisation’s current bank balance and a statement of income and expenditure for the last 12 months.
16. Please enclose a copy of your written constitution and Equal Opportunities statement with your application.
17. If an application is made for a specific item of equipment or services, copies of receipts are required for Council audit purposes and should be returned within 3 months.
18. All opportunities should be taken to recognise assistance from Frampton Cotterell Parish Council. All printed material should include the following statement:

*This group has received financial assistance from Frampton Cotterell Parish Council.*

1. You may in future be approached by Frampton Cotterell Parish Council to contribute items towards a display which depicts activities within the community that have been supported by the Council. In order that your project is represented, please retain photographs, programmes, press cuttings etc. for this purpose.

20 Please enclose with your grant form, evidence of the organisation’s current financial status and a statement of income and expenditure for the last 12 month period.

1. Please complete all questions on the application form. If a question does not apply, then indicate this in your answer. Failure to give the relevant information may delay your application.
2. If you need further clarification or assistance in the completion of the application, then please contact the Parish Clerk.
3. Completed applications should be sent to the Clerk at: [clerk@framptoncotterell-pc.gov.uk](mailto:clerk@framptoncotterell-pc.gov.uk) or Frampton Cotterell Parish Council, The Brockeridge Centre, Woodend Road, Frampton Cotterell, Bristol, BS36 2LQ.

*Reviewed F & G April 2022 Next Review Council May 2023*

# **RISK MANAGEMENT POLICY AND STRATEGY**

**CONTENTS**

* + Introduction
  + What is Risk Management?
  + Why does the Council need a Risk Management Strategy?
  + Implementing the Strategy
  + Roles and Responsibilities
  + Review and monitoring

### POLICY STATEMENT

The Parish Council recognises that it has a responsibility to manage risks effectively in order to protect its employees, assets, liabilities and community against potential losses; to minimise uncertainty in achieving its goals and objectives and to maximise the opportunities to achieve its vision.

Responsibility for effective Risk Management rests with all Members of the Council

Risk management is an integral part of the Council’s management processes. The Council is aware that some risks can never be eliminated fully and it has in place a strategy that provides a structured, systematic and focussed approach to managing risk.

This policy and strategy applies to all Councillors, employees, contractors, or others who may be carrying out operations for and on behalf of the Council, and those who may be affected by their work.

#### Introduction

This document outlines the Council’s Risk Management Strategy. It details:

* What is risk management;
* Why does the Council need a risk management strategy;
* What is the Council’s philosophy on risk management;
* What is the risk management process?
* How will risk management feed into the Council’s existing policies?
* Implementation timetable;
* Roles and responsibilities;
* Future monitoring

The objectives of this strategy are to:

* Continually develop the profile risk management across the Council;
* Integrate risk management into the culture of the organisation;
* Embed risk management as an integral part of all decision-making processes.
* Manage risk in accordance with best practice.

#### What is Risk Management?

**“Risk management** is the identification, assessment, and prioritisation of risk by the coordinated and economical application of resources to minimise, monitor and control the probability and/or impact of unfortunate events or to maximise the realisation of opportunities.”

Responsibility for effective Risk Management rests with all Members of the Council who have ultimate responsibility for Risk Management as risks threaten the achievement of policy objectives.

In the context of Risk Management Members must;

* exercise leadership,
* consider and adopt current and future risk management policies and strategies, and
* support and monitor the risk management process.

The Chairman has overall responsibility for securing adherence to the Council’s policy on Risk Management.

Risk management is an essential feature of good governance. An organisation that manages risk well is more likely to achieve its objectives. Risk management applies to all aspects of the Council’s work not just health and safety.

Risks is not restricted to potential threats but can be connected with opportunities. Risk can be classified into various types but it is important to recognise that the direct financial losses

may have less impact than the indirect costs such as disruption of normal working for all the categories described. Examples include:

**Strategic Risk** - long-term adverse impacts from poor decision-making or poor implementation. Risks damage to the reputation of the Council, including in the labour market, and loss of public confidence.

**Compliance Risk** - failure to comply with legislation, laid down procedures or the lack of documentation to prove compliance. Risks expose to prosecution, judicial review, employment tribunals and the inability to enforce contracts.

**Financial Risk** - fraud and corruption, waste, excess demand for services, bad debts. Risk of additional audit investigation, objection to accounts, reduced service delivery, dramatically increased Precept levels/impact on Council reserves.

**Operating Risk** - failure to deliver services effectively, malfunctioning equipment, hazards to service users, the general public or staff, damage to property. Risk of insurance claims, higher insurance premiums, lengthy recovery processes. Risks to the relationship of mutual trust and confidence between the Council and its Staff

Not all risks are insurable and even where insurance is available, premiums may not be cost effective and the monetary consideration might not be an adequate recompense. The emphasis by Council should always be on eliminating or reducing risk before costly steps to transfer risk to another party are considered.

#### Why does the Council need a Risk Management Strategy?

Council is fully committed to effective Risk Management, adopting best practices in the identification, evaluation and control of risks, in order to

* integrate risk management into the culture of the Council,
* eliminate or reduce risks to an acceptable level,
* anticipate and respond to changing social, environmental and legislative requirements,
* prevent injury, sickness, damage and reduce the cost of risk, and
* raise awareness of the need for Risk Management.

Risk management will strengthen the ability of the Council to achieve its objectives and enhance the value of services provided. The Risk Management Strategy will help to ensure that the Council understands risk and adopts a consistent approach to identifying and prioritising risks, enabling Council to choose the most appropriate method of dealing with each risk.

Risk management is an integral part of the Council audit process and is an important element in demonstrating good governance and continuous service improvement. There is a

requirement under the Accounts and Audit Regulations 2015 to establish and maintain a systematic strategy, framework and process for managing risk.

#### Implementing the Strategy

Risk management is an on-going activity which requires that all risks should be systematically identified and managed in the most cost-effective manner within overall resources available. Risks and their control are collated into a Risk Register. All projects, changes to services or any partnership agreements will include risks identification and the measures to eliminate or control risks will be documented in agenda reports/briefing papers to be considered by the Council and its committees.

**Risk Identification**

Identifying and understanding the hazards and risks facing the Council is crucial if informed decisions are to be made about policies or service delivery methods. The risks associated with these decisions can then be effectively managed. Each risk identified by the Council is recorded in the Council Risk Register.

**Risk Analysis**

Once risks have been identified the impact and likelihood of risks occurring is systematically accessed and their consequences and appropriate control measures are put in place. If a risk is seen to be unacceptable, then steps need to be taken to control or respond to the risk. Action will be taken to address any risks where risk impact is judged to be major. Residual risks will be subject to monitoring. Action will be taken to minimise residual risk in all cases as resources permit.

**Risk Control**

Risk control is the process of taking action to minimise the likelihood of the risk event occurring and/or reducing the severity of the consequences should it occur. Typically, risk control requires the identification and implementation of revised operating procedures, but in exceptional cases more drastic action will be required to reduce the risk to an acceptable level.

Options for control include:

* **Elimination** – the circumstances from which the risk arises are removed so that the risk no longer exists.
* **Reduction** – loss control measures are implemented to reduce the impact/ likelihood of the risk occurring.
* **Transfer** – the financial impact is passed to others e.g., by revising contractual terms.
* **Sharing** - the risk is shared with another party.
* **Insuring** - insure against some or all of the risk to mitigate financial impact.
* **Acceptance** – documenting a conscious decision after assessment of areas where the Council accepts or tolerates risk.

**Risk Monitoring**

The risk management process does not finish with putting any risk control procedures in place. The effectiveness in controlling risk must be monitored and reviewed. It is also important to assess whether the nature of any risk has changed over time.

The information generated from applying the risk management process will help to ensure that risks can be avoided or minimised in the future. It will also inform judgements on the nature and extent of insurance cover and the balance to be reached between self-insurance and external protection.

#### Roles and Responsibilities

Risk management must be embedded into the everyday culture and performance management process of the Council. The roles and responsibilities below are designed to ensure that risk is managed effectively across the Council and its operations, and responsibility for risk is located in the right place.

**Elected Members**

Responsibility for effective Risk Management rests with all Members of the Council who have ultimate responsibility for Risk Management. Members will lead and monitor the approach to risk management adopted by the Council, including.

* + Approval of the Risk Management Strategy.
  + Review and monitor Risk Register.
  + Analyse key risks in reports on major projects, ensuring that all future projects and services undertaken are adequately risk assessed and managed.
  + Consider and endorse of the Annual Statement of Internal Control.
  + Assessment of risks whilst setting the budget.

**Clerk/CEO & Officers**

Responsible for overseeing the implementation of the detail of the Risk Management Strategy. The Parish Clerk/CEO &Officers:

* + provide advice as to the legality of policy and service delivery choices;
  + provide advice on the implications for service areas of the Council’s aims and objectives;
  + update the Council on the implications of new or revised legislation;
  + report progress to Council.

**Responsible Finance Officer (RFO)-** currently the Clerk/CEO is also the RFO The RFO will:

* + Assess and implement the Council’s insurance requirements;
  + Assess the financial implications of strategic policy options;
  + Provide assistance and advice on budgetary planning and control;
  + Ensure that the financial information system allows effective budgetary control;

**Finance & Governance Committee**

This committee will ensure continuous review and improvements to the Risk Management Policy and Strategy and will oversee regular reviews of the Risk Register with reports to Council.

**Internal Auditor**

Internal Audit provides an important scrutiny role as the auditor carries out an independent audit with written reports detailing recommendations as appropriate. This contributes to good governance arrangements with the Council having the necessary risk management systems in place to effectively manage all significant business risks.

Internal Audit helps the Council to improve and implement proper arrangements to manage both its financial and operational risk, including adequate and effective systems of internal control to reduce or eliminate the likelihood of errors or fraud.

The Council will ensure appointment of independent and competent internal auditors.

**Training**

The Council will aim to ensure that both Members and staff have the skills necessary. to identify, evaluate and control the risks associated with the services they provide. and receive risk management training as appropriate.

**Relationship between the Clerk/CEO, Officers & RFO and the Council**

The Council will ensure that it maintains a relationship of mutual trust and confidence with the Clerk/CEO, Officers & RFO.

#### Review and Monitoring

This Strategy will be reviewed by council on an annual basis at the Annual Council meeting as part of the Council’s continuing review of its policy documents, Standing Orders and Financial Regulations.

It is crucial that the Risk Register is reviewed and updated annually. New risks will emerge and need to be controlled. Feedback from Internal and External Audit can identify areas for improvement, as can the sharing of best practice via professional bodies, the Society of Local Council Clerks and relevant local Council forums.

The adoption of a sound risk management approach has a number of benefits. Most importantly, it assists in demonstrating that the Council has in place policies and processes to effectively manage its resources. In addition, it indicates a commitment to continuous service improvement and effective corporate governance.

In accordance with the Freedom of Information Act 2000, the Risk Management Strategy and Risk Register will be posted on the Council’s Website Frampton Cotterell Parish Council (www.framptoncotterell-pc.gov.uk) and available for inspection at the Council Offices.

**RISK ASSESSMENT MATRIX**

LIKELIHOOD

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **LIKELY** | **4** | **8** | **12** | **16** |
| **OCCASIONAL** | **3** | **6** | **9** | **12** |
| **SELDOM** | **2** | **4** | **6** | **8** |
| **UNLIKELY** | **1** | **2** | **3** | **4** |
|  | **MINOR** | **MODERATE** | **SUBSTANTIAL** | **MAJOR** |

IMPACT

|  |  |
| --- | --- |
| **MAJOR** | **SUBSTANITAL** |
| *Examples:*   * Death * Medium/long term loss of service capability * Adverse national publicity * More than 10 people involved. * Litigation almost certain and difficult to defend. * Financial loss in excess of £150,000 * Breaches of law punishable by imprisonment * Long term adverse effects of loss of key staff and key staff knowledge and expertise, including the likelihood being able to find replacements. | *Examples:*   * Extensive, permanent injuries, long term sickness * Short/medium term loss of service capability * Adverse local publicity * Up to 10 people involved. * Litigation to be expected. * Financial loss between £50,000 and £100,000 * Breaches of the law punishable by fines only * Loss of key staff and key staff knowledge and expertise including the inconvenience of finding replacements |
| **MODERATE** | **MINOR** |
| *Examples:*   * Medical treatment required/long term injury. * Short term disruption to service capability * Needs careful public relations. * No more than 5 people involved. * High potential for complaint, litigation possible * Financial loss between £5,000 and £50,000 * Breaches of regulations/standards * Adverse effects to key staff including the likelihood of finding replacements | *Examples:*   * No injuries beyond first aid level * No significant disruption to service capability * Unlikely to cause any adverse publicity. * No more than 2 people involved. * Unlikely to cause complaint/litigation. * Financial loss below £5,000 * Breaches of local procedures/standards * Adverse effects to key staff affecting their efficiency/effectiveness. |

# **Allotments Policy**

**Keeping Chickens**

Under the 1950’s allotment act, allotment holders are allowed to keep hens or rabbits on their plot. The Parish Council have limited this to Chickens only. For the health of the chickens and to reduce the number of rats attracted, the Parish Council have put the following rules in place.

Please remember that two thirds (66.6%) of your plot must be used for growing.

If you have never kept chickens before you must learn how to keep them properly. There is plenty of information on the internet or at your local library. There are already plot holders with chickens who are more than happy to give any advice you may want, if you ask.

You must also look at how much keeping your chickens will cost. There will be the cost of buying your birds and a house and run to keep them in. Then they must have proper food, bedding, feeders, and drinkers. You will need to buy disinfectant suitable for keeping your chicken house clean and products for preventing and controlling parasites. If your animal is ill, you may have vets’ fees to pay as well. If you drive to your allotment every day to see to your chickens, there is the cost of fuel to consider.

**It is not an excuse under animal welfare law to say that you cannot afford to look after your chickens properly.** Think very hard about whether you can afford to keep them first.

**The chickens you keep on your plot must always be kept for your own use and not for any business or profit.** The average family would not need more than 3 or 4 hens.

Cockerels are **not** permitted at any time.

Chickens or Chicks must be purchased from a reputable source that vaccinates them to stop infections

Each chicken needs approximately 2 square feet of space in the hen house and 4 square feet of space in the run.

All hens must be able to stand, turn round and stretch their wings when inside. They also need enough space to perch or sit down without interference from other birds, when they are together.

The hen house must be warm, dry, well ventilated, and secure. Enough fresh air should be provided by means of doors or other apertures, the birds should be protected from draughts, it is recommended that the entry doors face due south wherever possible.

The floor must be easy to clean, wood shavings or straw will need to be topped-up or replaced when needed. This is especially important when it’s wet, as the floor coverings are used for foraging and dust bathing.

Perches should be around 3 to 5 cm wide with rounded edges and at the right height for the size of the bird. Hens like to perch and sleep together at night, so there should be enough room inside the hen house for all the birds to roost at the same time. At least 15 cm should be allowed for each bird, with enough room between the perches so that they can get up and down without hurting themselves. The nest boxes themselves should be draught-free, quiet, and enclosed with a good layer of clean dry nesting material of straw or wood shavings.

Hens must have continuous daytime access to open air runs, which, if possible, should be moved regularly to avoid ‘fowl sick’ or muddy conditions that could lead to ill health or discomfort.

There should be overhead cover, such as small trees or a purpose-built shelter which will give the birds protection from the sun but also from bad weather and any possible predators. The birds should be able to always access the shelter, except when the huts are being cleaned

When there is an outbreak of avian flu chickens are required to stay under cover, so some sort of complete cover is required for the run

* All livestock is subject to strict welfare codes enforced by the RSPCA and DEFRA and covered by the Animal Welfare Act.
* You are responsible for the control of vermin.
* The chicken house must be cleaned regularly.
* All necessary fire precautions must be taken.
* All chickens must be inspected at least once a day.
* The tenant must allow the Allotment Officer and/or an animal welfare representative to inspect the chickens at any time.
* The tenant must leave emergency contact details.

**Health**

The chickens need:

* A suitable environment
* A suitable diet.
* The chance to show normal patterns of behaviour
* A place to live with or apart from, animals of their own kind.
* Protection from pain, injury, suffering and disease
* Protection from predators.
* A draught free environment but with adequate ventilation.
* Warmth in the colder months and shade during the summer.
* Perches and roosting areas that are easily accessible to the birds.
* An adequate number of nesting boxes. .
* A surface that allows the chickens to take dust baths.

Any sick or injured chicken must be removed immediately, and the correct and appropriate treatment provided Any national disease prevention and/or control programmes must be adhered to.

Red mite is a real problem to chickens and once you have them in the coop are near impossible to get rid of normally the chicken house requires burning. They like dark conditions in crevices of chicken houses etc. There is a specialist chicken bedding which is treated with pine oil that deters the mite.

If we have good reason to believe that you have failed to meet the needs of the chickens kept on your allotment or caused a nuisance to nabouring plot holders, we may take steps to end your tenancy.

**Feeding and watering**

Clean fresh water must be available. chickens drink a great deal so water will need filling more often than food. Food and water containers should be kept clean and in good condition. Hen feed and bedding should be stored in vermin proof containers. Plastic containers are not permitted as rats can chew through these very quickly. Enough food should be given to ensure the chickens are properly fed but not too much, as to attract vermin. The chickens should be visited at least once a day. During the winter months make sure that drinking water is not frozen.

**Planning for fire and flood**

Plot holders who keep chickens should plan for what they will do to prevent/deal with: Fire

All materials that catch light easily, like straw, hay, waste bedding, empty bags, etc must be stored well away from where animals are kept. A way of controlling any small fire - a bucket of water or dry sand should be kept close to the run. The water should be kept topped up and covered to prevent water loss the sand should be covered to keep it dry.

**Outbreak of disease**

From time to time there can be outbreaks of animal diseases that affect your area or even the whole country. The diseases can be quickly passed on by contact and through the air. If you keep chickens, even one or two, it is a good idea to register with the Great Britain Poultry Register. Then, if there is an outbreak of disease, you will be contacted to tell you about it and be given advice on how to deal with it

**Construction of the chicken coup and run**

The Council ask that weld mesh is used in the construction of the run and hen house and that the weld mesh base is dug down into the ground and then covered with soil. The base should be fastened to the side walls with secure fixings to help stop the intrusion of vermin. The lower half of the run should have a double skin e.g., Weld mesh and aviary panels.

The entrance to the house/run must have adequate locks that cannot be easily pushed open.

**When your tenancy ends**

When your tenancy with us ends (and however it ends) you must remove any animal housing that **you have used** on your plot while you have been a tenant. This is to reduce the risk of disease being passed on. If buildings/runs are not removed by the tenant, the Parish Council can charge the cost of removing them to the tenant.

Adopted at Finance & Governance Committee Meeting of 9th June 2022

Next Review May 2023

# Small Items of Equipment Loaning Policy

Introduction

Frampton Cotterell Parish Council’s objective for this policy is to allow community groups, parish council volunteers and residents to loan small items of equipment up to the value of

£250 from the parish council.

Loan Conditions

* 1. Equipment is to be loaned to local community groups, parish council volunteers and residents. The decision to loan will be made at the discretion of the Clerk/delegated officer and on a first come, first serve basis.
  2. Bookings must be made in advance by contacting the parish council offices to ensure availability of equipment.
  3. Borrowers of equipment will be required to sign an Equipment Loan Form (appendix 1) to record the loan and accept responsibility for items borrowed.
  4. By completing and signing the Small Equipment Loan Form, borrowers are agreeing to indemnify Frampton Cotterell Parish Council against claims that are caused by using or misusing equipment loaned.
  5. Equipment loans shall be for agreed durations as recorded on the Small Equipment Loan Form. Loan duration shall be decided by the Clerk/delegated officer and be dependant on demand.
  6. Extensions to loan duration must be approved by the Clerk or delegated officer.
  7. Setting up of equipment is the responsibility of the borrower unless prior agreements made.
  8. Equipment shall only be used for its intended purpose.
  9. If equipment is lost or damaged, the borrower will be expected to replace, repair, or pay for the damages to the equipment up to a limit of £250.
  10. If damage has occurred it will be agreed at the point of return, the Council will then ensure the equipment is repaired and the borrower will be invoiced for payment.

Return and recovery of equipment

* 1. Equipment must be collected and returned to the council offices (Brockeridge Centre).
  2. Any loan equipment is to be inspected by officers prior to loaning.
  3. Any loan equipment is to be inspected by officers on return to ensure items are returned in their entirety and in acceptable condition

Small Equipment Loaning Policy Approved by Finance & Governance Committee On 14th July 2022

Next Review May 2023

**Appendix 1: Loan form and declaration**

**Small Equipment Loan Form and Declaration**

|  |  |  |
| --- | --- | --- |
| **Equipment loaned** | **Purpose** | **Duration of loan** |
|  |  |  |

I agree to use the equipment issued to me in accordance with this usage policy:

Name (PRINT)

Tel:

Email:

Signature

Date

Equipment Returned

Damages Recorded and agreed:

Signed: Date:

Small Equipment Loaning Policy Approved by Finance & Governance Committee On 14th July 2022

Next Review May 2023

Introduction

# Playground Risk Management Policy

This strategy has been prepared to formally recognise the maintenance and inspection regime of Frampton Cotterell Parish Council’s play and leisure facilities and the assets within these facilities. The policy will outline the legal responsibilities of the authority and how the Parish Council will meet these responsibilities through a system of inspection, assessing risk and responses to faults and risks. Playgrounds by their very nature should provide a degree of risk and challenges to the users. The policy will therefore summarise the Parish Council’s objectives in providing challenging play while identifying an acceptable degree of risk.

Legal Requirements

* There is no specific legislation on play safety. However, the key legislation is the:
* Health & Safety at Work Act 1974
* Management of Health and Safety at Work Act 1992
* Occupiers Liability Act 1957and 1984
* Health and Safety at Work Regulations 1999

The Parish Council and their staff have a duty to take actions to ensure the safety of people at work and members of the public who may be affected by the facilities provided. It is governed by the test of “reasonable practicability”. In other words, it is reasonable to correct major hazards; it is unreasonable to spend considerable resources on minor faults where risk is negligible and potential injury very minor.

Industry Standards and Guidance

These standards and Safety Guidelines are not a legal requirement but are considered to be good professional working practice.

**EN1176**

EN1176 is the European Standard which replaced the old British Standards. The standard it not retrospective and provides advice on design layout and the inspection of playground equipment. Contained within the guidance are the following key recommendations:

That if the equipment is not safe, access by the public should be prevented The equipment must be inspected and maintained

An inspection record should be maintained for 21 years

Civil Legislation

In the event of a serious accident, claims are based on negligence: that is, the department responsible for play took or failed to take some action which made the accident worse or more likely to happen than would otherwise have been the case. The defence will be based on Frampton Cotterell Parish Council’s Risk Management Policy with evidence such as records of inspections and maintenance, compliance with the Standards and relevant risk assessments.

The policy will set out the methodology that the Council will use in managing and maintaining the playgrounds within their control. The policy will take into account the authority’s legal responsibilities and outline a method of inspections and maintenance given the resources available to the authority.

Balancing Risks and Benefits

* The Parish Council will always try and ensure the following are offered:
* Natural elements
* Fabricated and natural materials and tools
* Challenging
* Free movement
* Stimulating
* Variety
* Play with identity
* Varied social interaction
* Exploration
* Develop skills
* Youth disadvantaged
* The Parish Council will ensure these points are adhered to in the development of new and existing play provision. In providing these environments the Council will manage the level of risk so that children are not exposed to unacceptable risks and hazards.

Playground Inspection Methodology

The Parish Council is responsible for three areas that will adhere to the guidance set out in this document. The areas include playgrounds, basketball court and skate ramp. The responsibility for the operational regular inspection of the play and leisure facilities will be carried out by the Estates and Amenities Officer/and or outsourced qualified company.

Currently the responsibility for litter picking all sites is the Estates and Amenities Officer. Council Officers will repair/replace any obvious hazard or arrange for a contractor to conduct repairs and made the area safe until complete.

This section of the strategy will identify the Council’s methodology in managing the authority’s assets following:

* Inspections Frequency and Type
* Inspection Type Definitions
* Assessing the Level of Risk
* Summary of Risks

Inspection Frequency & Type

The table below details the frequency of inspections and the inspector responsible for carrying out the on-site inspections. The inspector and frequency rates are currently feasible given resources available to Frampton Cotterell Parish Council.

|  |  |  |
| --- | --- | --- |
| **FREQUENCY OF INSPECTION** | **INSPECTION TYPE** | **INSPECTOR** |
| Weekly | Operational | Estates & Amenities  Officer |
| Monthly | Operational | Chosen Contractor |
| Annual | Annual Detailed | RoSPA |
| Bespoke | Reactive | Estates & Amenities Officer in conjunction with chosen contractor if  required |

All inspections will be carried out and the results safely stored in line with our Retention of Documents Policy.

The Parish Council will ensure all inspectors receive the appropriate training to carry out the inspections of play and leisure facilities.

Inspection Type – Definitions

Routine Visual Inspections – EN 1176-7.6.2a – LOOK AND SEE

It includes the identification of obvious hazards resulting from use, weather and vandalism, broken parts or bottles, litter, graffiti, equipment misuse.

Through existing contract arrangements contractors working on behalf of the Parish Council will arrange the litter clearance and grounds maintenance in accordance with a performance quality standard. Obvious hazards as described above will be reported to the Parish Clerk.

Visual inspections are not recorded in the same manner but if a defect is found, immediate action will be taken to resolve it by the Estates & Amenities Officer.

Operational Inspection – EN1176-7.6.2b – POKE AND PROD

Operational inspections provide a more detailed inspection to check the operation and stability of all equipment and surfaces especially for wear.

It is recommended that inspections should be carried out every 1-3 months. Initially all areas will receive a monthly operational inspection. Frequency of operational inspectors may alter to a period of no longer than 3 months in certain areas. In using resources better, the Council may alter frequencies of the operational inspections and this decision will be dependent on the grading of the area which will consider factors such as popularity, profile. Season and equipment type.

Check repairs carried out by others; rust and rot; bearings Cleanliness

Equipment Ground Clearance Exposed Foundations

Sharp Edges Missing Parts

Excessive wear (of moving parts) Structural Integrity

Soft Landing surface (holes and shrinkage)

Inspectors will be trained to RPII Operational Inspector’s level enabling them to perform an operations Inspection.

Annual Main Inspection – EN1176-76-7.6.2C

These inspections will be carried out every 12 months, not exceeding 14 months. The annual inspections are to be carried out by an independent inspector.

Operational and annual inspections, whether carried out by a Council employee or contractor working on behalf of the Council can be inspected and recorded using the same method and system.

Bespoke Inspections

These inspections can be carried out by the Estates and Amenities Officer/Councillors, or an independent inspector. The inspection method is carried out using the same inspection system as all other inspections carried out by in house and external contractors. Typically, bespoke inspections are a consequence of an enquiry from a parishioner, an accident in a play facility, in response to an urgent request or to carry out a post installation inspection of new equipment. Bespoke inspections are also carried out as a method of verifying and checking existing inspections.

Accidents, Enquiries and Claims

The Parish Council will record all accidents and enquiries relating to the play areas and facilities within them. The details of the enquiry, complaint or accident will be recorded within the same system used for issuing and recording inspections. Recording incidents in this manner will enable the authority to illustrate a clear chain of information from the inspection, the associated risk, details of works and repairs carried out and any information related to an accident or enquiry. This information will enable the authority to defend itself against claim and also be an effective management tool for future improvements.

The Priority Approach

The criteria used to prioritise the play areas will take into account the location of the facility, the play value of the equipment and space along with the popularity of the area. Therefore, the resources (inspection regime, budget allocation, section 106 and other funding and project proposals) allocated to the management of play and leisure facilities will be indicative of the criteria used in prioritisation. The more popular and well used playgrounds will receive a higher frequency of inspection and a priority in regard to maintenance and repairs.

Using techniques approved by Play England, the Parish Council will categorise and prioritise the play areas within the Authority’s management into the following:

Destination

A larger space or facility which children and young people are willing to travel longer distances or travel independently. Also, where they can get to safely and spend time in play and informal recreation with their peers and have a wide range of play experiences.

Community

A larger space which can be reached safely by children beginning to travel independently and with friends, without accompanying adults and for adults with young children to walk with ease.

Doorstep

A small space, within sight of home, where children, especially young children, can play with known adults.

The Council will also commit to making spaces for girls where they can feel included, encouraging girls out of their homes to a safe, well-lit environment.

Assessing Level of Risk

The level of risk will be assessed by the Council’s Officer, contractor, or independent inspector with sufficient knowledge. Inspectors will be qualified to carry out risk assessments in addition to the specific play inspection.

Methodology

The risk assessment utilises the 5x5 methodology and risk is assigned as a product of probability and severity.

Risk Score = Probability x Severity

A final quantitative risk rating of immediate, high, medium or low is then obtained from an outcome matrix based upon the final score.

Risk Rating

Having obtained a risk score, the qualitative risk rating is obtained using the following matrix. Probability is a measure of the likelihood of an event happening. In managing play risk, the probability score will also take into consideration the location (is the area well used by children) and the popularity of individual pieces of equipment within that location.

These factors will combine to produce a score for the likelihood from injury from the hazard identified.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Probability** | **Severity** |  |  |  |  |
|  | 1 | 2 | 3 | 4 | 5 |
| 1 (Rare) | 1 | 2 | 3 | 4 | 5 |
| 2 (Unlikely) | 2 | 4 | 6 | 8 | 10 |
| 3 (Possible) | 3 | 6 | 9 | 12 | 15 |
| 4 (Likely) | 4 | 8 | 12 | 16 | 20 |
| 5 (Certain) | 5 | 10 | 15 | 20 | 25 |

|  |  |  |
| --- | --- | --- |
| **Rating** | **Risk** | **Action** |
| 1-9 | Low | Monitor situation, action required in the event of any deterioration or exceptional circumstances likely to affect risk rating e.g., review of risk assessment following an accident. Action will be required on some situations where indicated. |
| 10-15 | Medium | Monitor situation, action required as soon as practicable and within defined time frame, to reduce risk to lowest practicable level e.g., provision of suitable fencing and gates around play area. |

|  |  |  |
| --- | --- | --- |
| 16-24 | High | Immediate action required to remove risk or reduce to its lowest reasonably practiced level e.g., replacement of severely worn swing chains. |
| 25 | Immediate | Immediate action required and access by the public must be prevented. |

|  |  |
| --- | --- |
| **Severity Score** | **Severity of injury** |
| 1 Very Low | No injury likely   * Damaged or soiled clothing, minor bruising |
| 2 Slight | Minor injury   * Laceration or bruising requiring first aid only |
| 3 Moderate | Injury requiring medical intervention   * Laceration requiring stitches * Sprain, fracture of small bones of hand or foot |
| 4 High | Serious injury including hospitalisation for observation   * Concussion * Fracture of long bones of leg/arm * Back/neck injuries * Fractured skull |
| 5 Very High | Severe injury involving the potential for permanent disability   * Amputation * Loss of Sight * Spinal Injury * Fatality |

Summary of Risks: Acceptable Risks, Actions & Time Frames

|  |  |
| --- | --- |
| Immediate | Action advised to be undertaken immediately and the operator or appropriate representative must be notified from the site by telephone |
| High | May continue in use. Action required should be indicated in the inspection. Remedial action to be carried out within 3 months. Earlier intervention will be carried out if repairs are standard and there is no requirement to order specialised parts. |

|  |  |
| --- | --- |
| Moderate | May continue in use until the budget is available to undertake the necessary action and/or repairs to form a planned maintenance schedule. |
| Low | May continue in use but should be monitored and may still require remedial action. The necessary action should be indicated in the inspection report where appropriate. |

# PROJECT GOVERNANCE POLICY

The Parish Council is responsible for the delivery of local projects and to ensure that good governance is followed during the process.

Direction

The Council will ensure that it sets a strategic direction that aligns with the need of the Council to make robust and informed decisions.

Oversight

The Council will ensure that the project is conforming to the plan and will continue to follow all policies and procurement constraints to deliver the project

Project Sponsor

The Council will ensure, if appropriate that a Steering or Working Group is formed to select projects/ oversee projects / and agree to recommend projects to Full Council to gain full approval. The Clerk will be responsible to ensure the day-to-day tasks are conducted but the responsibility to manage and oversee the project overall and consider larger decisions for the approval of Council will lie with the Steering or Working Group.

Terms of Reference

A term of reference will be set out by the Steering or Working Group for approve of Full Council before any business is transacted. These will be distributed to all parties involved in the group for clarification of the scope of business to be considered.

Communication, Engagement & Consultation and Stakeholder Management

The Steering or Working Group will ensure a Project Communication Plan is drawn up to suit the needs of the project. **Appendix 1** delivers the requirements that each group will follow ensuring that effective communication, engagement with the community/stakeholders etc., and good consultation takes place.

Business Case

The group will ensure that a business case to demonstrate cost, benefit analysis is performed. This will prevent work being performed on a particular project only to realise there is not budget or funding. It will also demonstrate if there is in fact a need for the project in the community

Funding/Grants

The Council will ensure that, whenever possible, it maximises all funding opportunities open to the Council to prioritise projects and avoid any funding clashes. If funding is not available and a loan is considered the Council will follow the process of applying, including consulting the community, therefore informing the parish of the potential impact on the budget/precept.

Project Management

The Council will ensure robust project management of all projects. It will ensure to foster good management practice to be able to deliver on time, quality, and all objectives.

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**Appendix 1**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Theme** | **Topic** | **Target** | **Tool** | **Tone** | **Timing** | **Test** | **Teller** | **Tick**  |
| Project title and what the project is about | What is the story or message to be communicated | Who is to receive this information? | What medium will be used to communicate this information. Age range should be considered when using social media platforms and or other means. | Are you informing or consulting? Are you courting ideas or opinion? Are you asking or requiring them to do something? | Consider the timing of your communications. Are they regular and if so, state the frequency? Will they be adhoc in which case consider a space on the website or fb that you can provide updates too. Consider the best time to inform/engage or communicate. The project could be seasonal for  instance. | How will you measure and assess the feedback?  Consider the type of reply require. | Who is responsible for all comms? Who is responsible? | Who will have authority to oversee and sign off each communication? |

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# MEMORIAL BENCH AND PLAQUE POLICY

Frampton Cotterell Parish Council supports the needs and principles of allowing memorial benches within the parish and is mindful that these facilities are enjoyed by a wide range of people. Therefore, the Parish Council will ensure that the issue is managed and regulated for the mutual benefit of all.

1. It is the intention that the policy only covers broad common issues and is not meant to be exhaustive. The content of this policy will be revised as necessary to meet changing circumstances.
2. All applications for memorial benches and/or plaques should be completed on the official request from and signed by the donor.
3. The donor will be expected to meet the cost of purchasing and installing of the bench/and or plaque(s).
4. The Parish Council will limit the number of memorial benches in particular areas.
5. The Parish Council will inform the donor when the bench is to be installed.
6. Details to be inscribed on a plaque should be included on official request form and signed by the donor.
7. The Parish Council will perform basic maintenance requirements to the bench throughout its lifecycle.
8. If major maintenance is required, the donor will be consulted and invited to meet/contribute towards the cost if a viable repair can be made. If repairs are not viable, the donor will be consulted regarding disposal or replacement.
9. The Parish Council reserves the right to remove any memorial benches that have been damaged and are in the view of the Parish Council beyond economical repair or have not been repaired within 4 weeks of the notification to the donor.
10. The Parish Council accepts no liability for damage to any memorial bench from vandals, third parties or whilst the Parish Council carries out routine maintenance.
11. Benches and plaques will be of the type, colour, design and size specified by the Parish Council to be in keeping with the intended location.
12. When any bench/plaque reaches the end of its natural life, the original donor will be contacted wherever possible, and asked whether they wish to purchase a replacement.
13. Any maintenance carried out by a third party will be in strict agreement with the Parish Council.
14. Up to 3 plaques per bench will be accepted.
15. Plaques for tree guards will be accepted until there is no more room.
16. Only plaques will be permitted to be displayed on tree guards.

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**REQUEST FORM**

Full Name:

Address:

Postcode: Telephone

Email:

(Please ensure that you notify of any change of name or address or contact details)

**MEMORIAL BENCH REQUEST**

Proposed Location of bench:

(Please note that the Parish Council can only grant permission to site benches on land owned by the Council – see Council website for details)

I agree that, once approval has been granted that I will cover the costs involved in purchase and installation of the bench.

**DEDICATORY PLAQUE**

Name of person for dedication:

Proposed inscription:

Is your plaque request for an existing bench **YES/NO** (please delete as appropriate) Is your plaque for a new bench **YES/NO**

Is your plaque for a tree guard **YES/NO**

I agree that, once approval has been granted that I will cover the costs involved in purchase and installation of the plaque.

Signed: Dated:

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# Frampton Cotterell Parish Council Play Areas Strategy and Replacement Policy

This policy outlines the Council’s strategy to the play equipment either owned or managed by the council. The Council adopted its Play Provision and Play Strategy in 2015 and this should be used as a reference document going forward. This will be updated as and when it is considered appropriate to do so. Play areas covering this policy are: The Park, Ridings Road and The Brockeridge Centre.

Vision

Ideally play areas should be designed to be bespoke, make use of natural elements where appropriate, provide a wide range of play experiences, be inclusive, meet community needs, provide for different age ranges, be challenging and exciting within acceptable safety limits, be well integrated into the park landscape with space to run around, be sustainable and well maintained and be adaptable to changing circumstances.

Replacement Policy

The Council will ensure that all play areas (equipment, surfacing and fencing) are maintained in a safe and clean condition through a combined programme of regular safety inspections, frequent grounds maintenance visits according to need and biennial condition inspections and risk assessments.

Minor economical repairs will be undertaken as soon after the council is made aware of any damage or unacceptable wear.

Where the council is made aware, either by inspection or public reporting, that a piece of equipment is damaged beyond economical repair the item will be removed as soon as possible.

The Parks and Recreation committee will recommend to Council what action is to be taken based upon the following:

* Is the area scheduled for a major re-development in the foreseeable future?
* Is it appropriate to replace like for like?
* Is a different piece of equipment more suitable for the play area in line with the play area strategy?
* Is the space best left empty?

Where the inspector reports that a piece of equipment no longer meets current British and/or European standards but has been risk assessed as safe then the WG will seek to replace at earliest opportunity as per the above criteria.

Ongoing or major redevelopment of a play area

The Parks and Recreation committee will have responsibility to will access the suitability of each play area on a regular basis.

Where it is decided that a site does not warrant major investment the Working Group may still consider that additional or replacement equipment would be appropriate for the play area. This maybe because of the suitability or age of some of the existing equipment or a change in the accepted concepts of how play areas should be equipped. Any proposal for new equipment should consider the following criteria:

* Suitability for inclusivity and multiple age ranges
* Meets the overall vision for the play area as well as the surroundings environment

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* Constructed to a good standard with ability to carry out routine maintenance and safety checks.

Where it is decided that a site does warrants major investment the Working Group will gain approval from Council that a specific play area proposal be developed.

In addition, the following must also be considered as part of such approval:

* What level of budget is available to develop the site.
* Is the proposal suitable for grant funding.

Prior to any detailed proposal being formulated the Council will under a level of consultation Consultation should include all or some of the following: -

Ward Councillors, Friends’ groups, local schools, residents and other organisations representing local stake-holders. The nature of the consultation will vary according to the particular situation and the impact of the development on the local community.

Methods could include all or some of the following:

* a drop in session
* leafleting local residents who live nearby the proposed development
* distribution of questionnaires to be completed by local adults and chlldren
* posting of notices within the Council’s open spaces inviting residents to respond to an on-line consultation on the Council’s website/social media platforms

Any proposal must have considered and demonstrated the following:

* Suitability for inclusivity and multiple age ranges
* Meets the overall vision for the play area as well as the surroundings environment
* Constructed to a good standard with ability to carry out routine maintenance and safety checks

Records

The following site register will be kept for each play area:

* + A copy of the parish play policy
  + A site plan
  + Full equipment details
  + Documentation of the planning and development of the site
  + Inspection, maintenance, and forward planning programme
  + Details of reported accidents and serious incidents

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# Litter Bin Policy

Introduction

The Council has no legal duty to provide litter and dog waste bins, but it does have a duty to keep Council owned land clear of litter and refuse as far as is practicable. Sine changes to the classification of waste, dog waste can be put into litter bins, and disposed of in the same way.

The Council provides litter bins across the land owned and leased by the Council for example, The Park, School Road, The Centenary Field, Mill Lane, Ridings Road and The Brockeridge Centre grounds, Woodend Road.

Bins are traditionally provided, maintained, and emptied as a means of controlling litter or dog waste problems. Whilst the Council is committed to providing sufficient bins to help discharge its responsibilities under the Environmental Cat 1990, bins will only be in areas where it can be demonstrated that there is a genuine need for one.

* + - The Council must agree all locations
    - Purpose of this Document
    - The purpose of this policy is to detail how the Council will:
    - Deal with request for new bins
    - Empty and maintain existing bins
    - Replace existing bins

Requests for New Bins

All requests for new bins must be received in writing to the Parish Clerk. The request must demonstrate why there is the need for a bin and include:

* + - Plan of the proposed location for the bin
    - A draft risk assessment identifying any hazards that the placement of a bin may cause to members of the public or Council staff.

Due to the costs of installing, maintaining and emptying bins, all requests for new bins will be assessed by the Council using the following process:

Site survey:

A site survey, will be conducted by a member of the Council staff who will consider the following criteria:

* + - Suitability of the proposed location – taking account of the need to reduce street clutter, particularly in more sensitive locations such as a Conservation Area or public realm spaces.
    - Scale of the litter, dog waste problem. Will a bin make a real impact on litter, or can this be addressed in other ways?
    - Proximity to potential problem points
    - Number and location of existing bins in the area
    - Accessibility for the bin – in terms of the bin and ensuring the bin itself is not a hazard or barrier for pedestrians including prams and wheelchairs for example
    - Cost of purchase and installation
    - Cost of emptying the bin
    - The possibility of valid objections from neighbours

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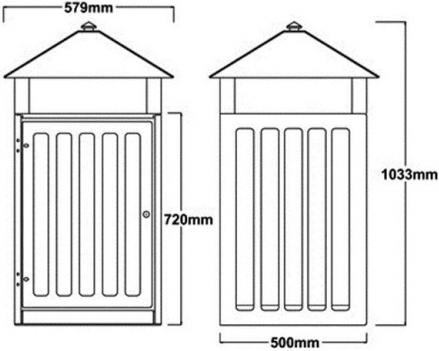
Bin Style

The Council conducted an audit of all bins owned by the Council in 2021. The report allowed the Council to prioritise the replacement of litterbins in order of age and life expectancy, ensuring all areas that are served by both a litterbin and a dog bin would be replaced with one litter bin thus reducing the costs for emptying the bins.

The Council’s preferred bin is the

Sentinel Park Litter Bin - 107 Litre

The Council hopes to deliver this new bin roll out over a three-year (2021-2023) period. All bins will be emptied on such a frequency that will prevent them overflowing. This will be based on their location and related to the intensity of use. The frequency will also vary according to the time of year and extraordinary events. Monitoring will ensure that these frequencies are sufficient.





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##### New Litter Bin Assessment Form

|  |  |
| --- | --- |
| Bin Requested by |  |
| Location of requested bin |  |
| Risk Assessment |  |
| Suitability of Location |  |
| Scale of Litter Problem |  |

Arrangements Approved or Rejected………………………………………………………………………………………………….

Assessment Completed by ………………………………………………………………………………………………………………….

Date ………………………………………

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# HABITUAL OR VEXATIOUS COMPLAINANTS POLICY

1. **Background**
   1. This document sets out guidance and procedures to help deal with people who repeatedly complain to the Council or who complain in an unreasonable way.
   2. There are times when nothing further can be done to solve a real or perceived problem and continual contact with the person complaining is time consuming and costly for the Council.
   3. This document explains how to decide if a complaint should be classed as habitual or unreasonable. It then gives advice about how the complaint should be recorded. Finally, options are listed to help process such complaints or cease contact with particular complainants.
2. **Introduction**
   1. This policy identifies situations where a complainant or complainants, might be considered to be ‘habitual or vexatious’ and ways of responding to these situations.
   2. In this policy the term habitual means ‘done repeatedly or as a habit’. The term vexatious means ‘irritating, annoying or causing distress’. This policy is intended to assist in identifying and dealing with persons who seek to be disruptive to the Council through pursuing an unreasonable course of conduct.
   3. It is recognised that complainants can use repeated FOI or Subject Access Requests as a means of perpetuating a complaint which has been determined and therefore the term complaint in this policy includes requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998 as well as those made under the Council’s complaints procedure.
   4. Habitual or vexatious complainants can be a problem for Council staff. The difficulty in handling such complainants is that they are time consuming and wasteful of resources in terms of Officer time and displace scarce human resources that could otherwise be spent on other Council priorities. Whilst the Council endeavours to respond with patience and sympathy to the needs of all complainants there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.
3. **Habitual or Vexatious Complainants**
   1. For the purpose of this policy the following definition of habitual or vexatious complainants will be used:

Habitual-“The repeated and/or obsessive pursuit of:

* + 1. unreasonable complaints and/or unrealistic outcomes; and/or
    2. reasonable complaints in an unreasonable manner.”

Vexatious- “ denoting an action or bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant”, namely the Parish Council, individual members of the council or members of staff.

* 1. Where complaints continue and are considered to be habitual or vexatious in accordance with the criteria set out in Schedule A and taking into account the considerations set out in Schedule B, the Clerk in consultation with the Chairman and Vice Chairman of the Council (or the Chairman of the Staffing Committee) will inform the individual formally that the Council considers that his/her behaviour falls under the terms of the habitual and vexatious complaints policy.

A copy of the Policy will be sent to the individual with a letter giving details of any restrictions which will apply. Schedule C details the options available for dealing with such complainants.

The letter should also state the length of time the restrictions are to apply and that any legitimate new complaint made in an acceptable manner will always be considered.

Once a complainant has been determined to be habitual or vexatious, their status will be kept under review for one year. If a complainant subsequently demonstrates a more reasonable approach then their status will be reviewed.

Where there is dispute about action taken or not taken by the Council the complainant may refer the matter to the Local Government Ombudsman.

* 1. The Council will be notified of vexatious or habitual complainants under Exempt Confidential items at Full Council meetings.

**Schedule A - Criteria for Determining Habitual or Vexatious Complainants**

Complainants (and/or anyone acting on their behalf) may be deemed to be habitual or vexatious where previous or current contact with them shows that they meet any of the following criteria:

Where complainants:

1. Persist in pursuing a complaint where the Council’s complaints process has been fully and properly implemented and exhausted.
2. Persistently change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions whilst the complaint is being addressed. Care must be taken, however, not to disregard new issues which are significantly different from the original complaint as they need to be addressed separately.
3. Are repeatedly unwilling to accept documented evidence given as being factual or deny receipt of an adequate response in spite of correspondence specifically

answering their questions or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.

1. Repeatedly do not clearly identify the precise issues which they wish to be investigated, despite the reasonable efforts of staff to help them specify their concerns, and/or where the concerns identified are not within the remit of the Council to investigate.
2. Regularly focus on matters which are not sufficiently serious to an extent which is out of proportion to their significance and continue to focus on these points. It is recognised that determining what is ‘not sufficiently serious’ can be subjective and careful judgement will be used in applying this criterion.
3. Have threatened verbally, or used physical violence towards employees at any time. This will, in itself, cause personal contact with the complainant and/or their representative to be discontinued and the complaint will, thereafter, only be continued through written communication. A complainant who threatens either verbally or in writing or uses actual physical violence towards an employee will be regarded as a vexatious complainant. The complainant will be informed of this in writing together with notification of how future contact with the Council is to be made. It should also be noted that Frampton Cotterell Parish Council in consultation with the affected individuals will refer any actual or threatened verbal or physical abuse to Avon & Somerset Police for investigation.
4. Have, in the course of addressing a registered complaint, had an excessive number of contacts with the Council – placing unreasonable demands on employees. A contact may be in person, by telephone, letter, email or fax or any other means. excessive contact will be determined taking into account the specific circumstances of each individual case.
5. Have harassed or been verbally abusive towards employees dealing with the complaint. Employees recognise that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. Some complainants may have a mental health problem and there is a need to be sensitive in circumstances of that kind.
6. Are known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved.
7. Make unreasonable demands on the Council and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the Council’s complaints procedure or normal recognised practice.
8. Make unreasonable complaints which impose a significant burden on the resources of the Council and where the complaint:
   * clearly does not have any serious purpose or value; or
   * is designed to cause disruption or annoyance; or
   * has the effect of harassing the Council; or
   * can otherwise fairly be characterised as obsessive or manifestly unreasonable
9. Make repetitive complaints and allegations which ignore the replies which have been supplied in previous correspondence.

**Schedule B - Considerations prior to taking action under the policy**

Different considerations will apply depending on whether the investigation of the complaint is ongoing or whether it has been concluded. To some extent the latter is easier to deal with. It is in effect the complainant simply refusing to take no for an answer, and the Council has the option of ending all communication with the complainant, and where appropriate referring the complainant to the Ombudsman. However, where the complaint is ongoing there needs to be some continuing contact with the complainant.

The decision to designate someone as a habitual and vexatious complainant is onerous and could have serious consequences for the individual. Before deciding whether the policy should be applied the Clerk, Chairman and Vice Chairman of the Council (or the Chairman of the Staffing Committee) should be satisfied that:

* the complaint is being or has been investigated properly;
* any decision reached on it is the right one;
* communications with the complainant have been adequate; and
* the complainant is not now providing any significant new information that might affect the Council’s view on the complaint or that the way in which the complainant has acted is unreasonable.

**Schedule C - Options for Dealing with Habitual or Vexatious Complainants**

The options below can be used singularly or in combination depending on the circumstances of the case and whether the complaint process is ongoing or completed.

1. A letter to the complainant setting out responsibilities for the parties involved if the Council is to continue processing the complaint. If terms are contravened, consideration will then be given to implementing one or more actions as indicated below.
2. Decline contact with the complainant, either in person, by telephone, by fax, by letter, by email or any combination of these, provided that one form of contact is maintained. This may also mean that only one named person will be nominated to maintain contact (and a named deputy in their absence). The complainant will be notified of these persons.
3. Notify the complainant, in writing, that the Council has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and

continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising the complainant that they are being treated as a habitual or vexatious complainant and as such the Council does not intend to engage in further correspondence dealing with the complaint. Advise the complainant that any further communication from them about the matter will be read and placed on file without acknowledgement.

1. Temporarily suspend all contact with the complainant, in connection with the issues relating to the complaint being considered habitual or vexatious, while seeking advice or guidance from its legal advisers or other relevant agencies. This temporary suspension of contact may include the blocking of e-mails from the complainant to those who may have been subjected to harassment.

**Legal References**

Under the Freedom of Information Act 2000 Section 14 (1) public authorities do not have to comply with vexatious requests.

The Council also has a legal duty under the Health & Safety at Work Act 1974 to ensure, so far as is reasonably practicable, the health , safety and welfare at work of its employees and members.