



Woughton Community Council

STANDING ORDERS 2024

1. **RULES OF DEBATE AT MEETINGS**
 - a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.
 - b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
 - c A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.
 - d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
 - e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
 - f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
 - g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chair of the meeting, is expressed in writing to the Chair.
 - h A councillor may move an amendment to **their** own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
 - i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chair of the meeting.
 - j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair of the meeting.
 - k One or more amendments may be discussed together if the Chair of the meeting considers this expedient but each amendment shall be voted upon separately.
 - l A councillor may not move more than one amendment to an original or substantive motion.

- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the Chair of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since s/he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the Chair of the meeting and their decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or

ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.

s Before an original or substantive motion is put to the vote, the Chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.

t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the Chair of the meeting.

2. **DISORDERLY CONDUCT AT MEETINGS**

a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.

b If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct, any councillor or the Chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

c If a resolution made under standing order 2(b) is ignored, the Chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. **MEETINGS GENERALLY**

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

● a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**

● b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.** The Council shall endeavour to provide 7 days notice of a meeting wherever possible.

- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
Wherever possible, the Council shall provide 7 days notice of meetings.
 - d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
 - e Notice shall be published on the Council website and on an appropriate notice board no less than 3 working days and wherever possible, 7 days before the meeting.
 - f Members of the public can access any documents for each meeting on the website, any other unrelated documents can be emailed to members of the public by request subject to the Freedom of Information regulations that have been adopted by Woughton Community Council.
 - g Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
 - h The period of time designated for public participation at a meeting shall not exceed 15 minutes on each agenda item unless directed by the Chair of the meeting.
 - i Subject to standing order 3(f), a member of the public shall not speak for more than 2 minutes on each agenda item.
 - j In accordance with standing order 3(h), a question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.
 - k A person shall raise their hand when requesting to speak (except when a person has a disability or is likely to suffer discomfort).
 - l A person who speaks at a meeting shall direct their comments to the Chair of the meeting.
 - m Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.

- n Subject to standing order 3(n), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.
- o A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- p The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- q **Members of the Public and the Press can also view the meeting proceedings via the Woughton Community Council Facebook or YouTube page, If a Member of the public wishes to ask question(s) on any item(s) on the agenda via remote attendance, then they should contact either the Parish Manager or Committee & Member Services Officer to access the meeting via the online meeting system with at least 24 hours' notice before the start of the meeting.**
- r Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Vice-Chair of the Council.
- s The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.
- t Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.
- u The Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.

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

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

- w **Voting will be carried out either by a show of hands once the voting has been concluded the result of the vote will be announced.**

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

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

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

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

committee meeting.

- aa **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
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bb A meeting shall not exceed a period of 2 hours.

4. **COMMITTEES AND SUB-COMMITTEES**

a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**

c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

- i. The Council may appoint standing committees or other committees as may be necessary, and:
shall determine their terms of reference;
- ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
- iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
- iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
- v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 4 hours before the meeting that they are unable to attend;
- vi. shall, after it has appointed the members of a standing committee, appoint the Chair of the standing committee;
- vii. shall permit a committee other than a standing committee, to appoint its own Chair at the first meeting of the committee;

- viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
- ix. shall determine if the public may participate at a meeting of a committee;
- x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee or a sub-committee.
Meetings of the Councils Committees and Sub Committees shall meet in public unless confidential matters legally exempted are to be discussed and notices of all such meetings shall be displayed and published in the same way as for meetings of the Full Council.

5. ORDINARY COUNCIL MEETINGS

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair of the Council.**
- f **The Chair of the Council, unless s/he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chair of the Council, unless s/he resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**

- h **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, s/he shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, s/he shall preside at the annual meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Chair of the Council and Vice-Chair of the Council at the annual meeting, the business shall include:
 - i. **In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of **his** **their** acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. **Election of Leader**
 - iii. **Election of Ambassador**
 - iv. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - v. Receipt of the minutes of the last meeting of a committee;
 - vi. Consideration of the recommendations made by a committee;
 - vii. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - viii. Review of the terms of reference for committees;
 - ix. Appointment of members to existing committees;
 - x. Appointment of any new committees in accordance with standing order 4;
 - xi. Review and adoption of appropriate standing orders and financial regulations;
 - xii. Review of arrangements (including legal agreements) with other

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local authorities, not-for-profit bodies and businesses.

- xiii. Review of representation on or work with external bodies and arrangements for reporting back;
- xiv. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
- xv. Review of inventory of land and other assets including buildings and office equipment;
- xvi. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- xvii. Review of the Council's and/or staff subscriptions to other bodies;
- xviii. Review of Member Allowances
- xix. Review of the Council's complaints procedure;
- xx. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
- xxi. Review of the Council's policy for dealing with the press/media;
- xxii. Review of the Council's employment policies and procedures;
- xxiii. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xxiv. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

6. COUNCIL, COMMITTEES AND SUB-COMMITTEES

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

- d If the Chair of a committee [or a sub-committee] does not call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the committee [or the sub-committee], any 2 members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

7. PREVIOUS RESOLUTIONS

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. VOTING ON APPOINTMENTS

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

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

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 7 clear days

before the meeting.

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

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

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular committee or sub-committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;
 - viii. to require a written report;
 - ix. to appoint a committee or sub-committee and their members;
 - x. to extend the time limits for speaking;
 - xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
 - xii. to not hear further from a councillor or a member of the public;
 - xiii. to exclude a councillor or member of the public for disorderly conduct;

- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

11. **MANAGEMENT OF INFORMATION**

See also standing order 20.

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

12. **DRAFT MINUTES**

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

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with

standing order 10(a)(i).

- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

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

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

13. **CODE OF CONDUCT AND DISPENSATIONS**

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. They may sit on seats reserved for members of the public. They may return to the meeting after it has considered the matter in which he had the interest.
- c Unless s/he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council’s code of conduct. They may return to the meeting after it has considered the matter in which he had the interest.

- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required
- h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - ii. **granting the dispensation is in the interests of persons living in the Council's area; or**
 - iii. **it is otherwise appropriate to grant a dispensation.**

14. **CODE OF CONDUCT COMPLAINTS**

- a Upon notification by Milton Keynes City Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member

to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).

- c The Council may:
- i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the Milton Keynes City Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

15. **PROPER OFFICER**

- a The Proper Officer shall be the Council manager, with responsibility being delegated to **the Responsible Financial Officer** to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
- i. **at least three clear days, and wherever possible 7 days before a meeting of the council, a committee or a sub-committee,**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;
 - ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming **their** withdrawal of it;
 - iii. **convene a meeting of the Council for the election of a new**

Chair of the Council, occasioned by a casual vacancy in their office;

- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;
(see also standing order 23);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the Chair or in their absence Vice-Chair (if there is one) of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of Planning committee;
- xvi. manage access to information about the Council via the publication scheme; and

- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(see also standing order 23).

16. RESPONSIBLE FINANCIAL OFFICER

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

17. ACCOUNTS AND ACCOUNTING STATEMENTS

- a “Proper practices” in standing orders refer to the most recent version of “Governance and Accountability for Local Councils – a Practitioners’ Guide”.
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council’s financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council’s receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council’s aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council’s receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability

return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £30,000 (inc. VAT) but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of

tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;

- iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015.**
- g. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**
19. **HANDLING STAFF MATTERS**
- a A matter personal to a member of staff that is being considered by a meeting of Council OR the **Policy** (Operations) and Resources committee is subject to standing order 11.
 - b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the Chair of

Operations and Resources committee if s/he is not available, the vice-chair of the Policy and Resources committee of absence occasioned by illness or other reason and that person shall report such absence to the Operations and Resources committee at its next meeting.

- c The chair of the Operations and Resources committee or in **their** absence, the vice-chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Council Manager. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Operations and Resources Committee.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chair of the Operations and Resources committee or in **their** absence, the vice-chair of the Operations and Resources committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Operations and Resources committee.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Council Manager relates to the chair or vice-chair of the Operations and Resources committee, this shall be communicated to another member of the Operations and Resources committee, which shall be reported back and progressed by resolution of the Operations and Resources committee.
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g The council shall keep all records relating to employees secure. All paper copies shall be secured and electronic records shall be password protected, encrypted or stored in limited access files within the agreed company drive.
- h In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

20. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 21.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**

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

21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

See also standing order 11.

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

22. RELATIONS WITH THE PRESS/MEDIA

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

23. EXECUTION AND SEALING OF LEGAL DEEDS

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

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

24. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

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

25. RESTRICTIONS ON COUNCILLOR ACTIVITIES

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

26 STANDING ORDERS GENERALLY

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order 9 above.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.

Last review date:	May 2024
Next review date:	May 2025
Lead:	Council Manager
Overseeing Committee:	Full Council
Approved:	
Review cycle:	Annually (as part of the Annual Meeting)



Woughton Community Council

Scheme of Delegation

2024

1) Introduction / Overarching aims

1.1) This scheme of delegation sets out the principal governance structure of the Council and the decision making process, utilising the power of delegation set out in the Local Government Act Section 101. The scheme allows the Proper Officer, Responsible Financial Officer, officers under direction and all levels of committee to act with delegated authority in specific circumstances detailed. The scheme is overseen by the Council and should be reviewed on an annual basis, taking into account the changing nature of the committee structure.

1.2) The scheme provides clarity and transparency in the decision-making process and ensures that decisions are made at the appropriate level within the organization. The scheme can be used to identify the powers delegated to each decision-making body within the organization, including elected officials, committees, and officers. It specifies the extent of their decision-making powers, including financial decision making powers, policy-making authority, and procedural responsibilities.

1.3) The scheme of delegation also identifies matters that are reserved for specific decision-making bodies or are subject to further approval and outlines the criteria for referring matters to higher authorities and specify the procedures for doing so.

1.4) This scheme assumes that Woughton Community Council maintains the General Power of Competence, as defined in the Localism Act 2011.

Policy

2. Council and Committees

2.1) General

2.2) The Full Council has the authority to make any decisions allowed in law. This includes if the Council qualifies to determine that the Council has the General Power of Competence.

2.3) The Full Council may not delegate the following decisions

- a) The Power to designate itself as having the power of general competence.
- b) Decisions relating to the Annual budget and Precept (Council Tax level)
- c) Decisions to borrow or make investments.
- d) Decisions relating to membership of committees (though a committee may determine the membership of a subcommittee)
- e) Any decisions to sanction or otherwise place restrictions on a member of the Council.
- f) The formal appointment of the Proper Officer or Responsible Financial Officer
- g) The approval of any Neighbourhood Plan.

- h) Decisions to commit expenditures in excess of £30,000 except those relating to the employment of staff.

2.4) Notwithstanding the above a Committee of the Council or an Officer or a Member may make recommendations to the Council on these matters.

2.5) Specific

2.51) Committees of the Council may interchange under headings within the financial year any budgets within their purview and terms of reference subject to approval by Full Council

2.52) Committees of the Council may determine expenditure within their purview and budgets sums up to £30,000

2.53) The Council or Committees may delegate by resolution any matter on which it has powers to a Sub Committee or to the Council Manager subject to 6 below

2.54) The Council Manager may further delegate to any another officer any powers delegated to them, provided that the Council Manager keeps and maintains a record of such delegations granted.

2.55) The Council Manager shall delegate to the Responsible Financial Officer those matters determined as being the responsibility of the RFO in the financial regulations.

2.56) The Council Manager or other Officer delegated by him/her shall have the power to commit expenditure up to £10,000 subject to

- a. The expenditure being within the approved budget and within current policy.
- b. That the proposed expenditure is not significant or likely to be controversial, unless the appropriate lead member is consulted.
- c. That the appropriate lead member is consulted on all items of expenditure over £2,000

2.6) Employment

2.61) The Full Council reserves to itself the power to confirm appointments to the positions of Council Manager and Responsible Financial Officer

2.62) The Council Manager may arrange for a Panel of officers which may include him or her to approve appointments to any other position.

2.63) Decisions to increase or decrease the number of employees or the staffing establishment in terms of Full Time Equivalents shall be taken by a relevant committee unless such decisions fall within the approved budgets when such decisions may be taken by the Council Manager in consultation with the appropriate lead member.

2.64) The terms of employment of Officers and other HR policies shall be determined by the Operations and Resources Committee who shall consult where appropriate with the recognised trade unions through an approved process.

2.65) The Council Manager shall have the power, in consultation with the appropriate lead member to suspend any officer but may not dismiss except through a procedure to be approved by the Operations and Resources Committee which will include a process for appeal.

- 2.66) Where an officer gives notice that he or she wishes to terminate their employment the Council Manager may take appropriate steps to advertise or otherwise arrange for a replacement subject to the powers of confirmation being as above

2.7) Policy Advice

- 2.71) Prior to taking a decision the Council or Committee of the Council shall seek the professional advice of the Council Manager or Responsible Financial Officer or any other officer designated by him/her. Such advice may be given in the form of a written report or by verbal advice.
- 2.72) The Council shall not take any decisions to borrow money or make financial investments or to approve the budget without a report from the Responsible Finance Officer on the risks associated with such a decision, the sufficiency of reserves and the robustness of the budget and any proposals.
- 2.73) The Council or its committees shall not take any decisions which may have legal implications without seeking the advice of the Proper Officer who in turn may seek the advice of the National Association of Local Councils or other body or independent legal advice if this is merited.

3. Proper Officer

3.1) The Council's 'Proper Officer' is a statutory appointment and is entrusted to the office of the Clerk (at WCC, this role is covered by the Council Manager). The Proper Officer is responsible in law for ensuring that the Council's records, assets, and processes are kept in good order, regularly reviewed, and reported to Council. Specifically, duties of the Proper Officer include:

- Receiving declarations of acceptance of office.
- Receiving and recording notices disclosing interests.
- Receiving and retaining plans and documents.
- Sign notices and documents on behalf of the Council.
- Receive copies of bylaws made by a principal local authority.
- Certify copies of bylaws made by the Council
- Draft and publish agenda papers in consultation with the relevant chairperson.
- Sign summons to attend ordinary meetings of the Council.
- Retain custody of the Council's seal for use by resolution.

4. Responsible Financial Officer

4.1) The Responsible Financial Officer (RFO) is a statutory appointment under S151 of the Local Government Act 1972 and at WCC is a separate officer from the Clerk / Council Manager. The RFO is accountable to the Council and holds responsibility for determining the Council's form of accounts, ensuring that accounts and maintained in accordance with the Accounts & Audit Regulations in force at any given time. In addition, duties of the RFO include:

- Accountability for the management of budgetary information, reporting and management of reserves.
- Accountability for the timely and proper report of all cashbooks and reconciliations to the

Council

- Ensuring investments are carried out in accordance with the Council's Treasury & Investment Policy.
- Maintaining a sound system of internal control and convening the Financial Scrutiny Panel, including implementing the recommendations of the panel.
- Discharging all responsibilities in relation to the Local Government Pension Scheme.
- Completion and certification of the Annual Governance & Accountability Return.
- Ensuring the obligations of the Accounts & Audit Regulations are met.
- Publishing all relevant financial information as per Transparency Code requirements.

5. Council Clerk

5.1) The role of the Council Clerk is that of 'chief executive' or 'head of paid service'. The title of 'Clerk' is an historic office that is widely retained by Local Councils. At WCC, this role is covered within the Council Manager remit. The office holds responsibility for presiding over administrative and operational matters, but not matters of policy approval which is reserved for the Council. The Clerk is responsible for issuing directions and orders to staff as the principal line manager and is accountable to the Council as a body corporate. The Clerk holds delegated authority to undertake the following matters on behalf of the Council:

- Day to day administration of services, together with routine inspection and control
- Day to day supervision and control of all staff employed by the Council
- Personnel matters including capability and disciplinary procedures as per policy.
- Deployment of council resources to discharge the statutory duties of the Council and agreed committee business plans.
- Providing comments to local press and media on behalf of the Council in consultation with relevant stakeholders, specifically the Leader of the Council.
- Authorisation to respond immediately to any correspondence, requiring or requesting information or relating to previous decisions of the Council, but not correspondence requiring an opinion to be taken by the Council or its Committees
- Authorisation of routine recurring expenditure within the agreed budget lines.
- Authorisation of expenditure on any general works within the agreed budget lines.
- Authorisation of emergency expenditure outside of an agreed budget in accordance with Financial Regulations, with any such emergency expenditure to be reported to the Council at the earliest opportunity.
- Proposition of new policies and initiatives for consideration by the Council.

In addition, the Council delegates responses to planning and licensing applications that fall outside the meeting schedule (i.e. have a response date falling prior to the next scheduled meeting), with the understanding that, if controversial or significant, an extra meeting can be called.

5.2) Delegated actions of the Clerk to the Council shall be in accordance with Standing Orders, Financial Regulations, and this Scheme of Delegation and in line with directions given by the Council from time to time.

6) Financial Regulations

"BUDGETARY CONTROL AND AUTHORITY TO SPEND

1.32. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the council for all items over £25,000
- a duly delegated committee of the council for items over the limit of £10,000 or
- The Council Manager, in conjunction with Chair of the Council or Chair of the appropriate committee and the appropriate Lead Member for any items above £2000 but below £10,000
- The Council Manager or other Officer delegated by the Council Manager, for amounts less than £2000 except where the expenditure or item is thought significant, controversial, or sensitive. In such cases the appropriate lead member should be consulted.

1.36. In cases of extreme risk to the delivery of council services, the Council Manager may authorise revenue expenditure on behalf of the council which in the Council Manager's judgement it is necessary to carry out. Such expenditure includes repair, replacement, or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £20,000. The Clerk shall report such action to the Council Chair as soon as possible and to the council as soon as practicable thereafter."

Linked policies (i.e. to be read in conjunction with).

- Standing Orders
- Financial Regulations
- Investment Strategy
- Staff Handbook

Last review date:	May 2024
Next review date:	May 2025
Lead:	Council Manager
Overseeing Committee:	Full Council
Approved:	
Review cycle:	Annual



2024/2025

Financial Regulations

Woughton Community Council

Responsible Finance Officer
WCC

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**WOUGHTON COMMUNITY COUNCIL
FINANCIAL REGULATIONS**

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GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders¹ and any individual financial regulations relating to contracts.
 - 1.2. The council is responsible by law for ensuring that its financial management is adequate and effective, and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
 - 1.3. The council's accounting control systems must include measures:
 - for the timely production of accounts;
 - that provide for the safe and efficient safeguarding of public money;
 - to prevent and detect inaccuracy and fraud; and
 - Identifying the duties of officers.
 - 1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.
 - 1.5. **At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.**
 - 1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
 - 1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.
 - 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council.
 - 1.9. The RFO;
 - acts under the policy direction of the council;
 - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of the council its accounting records and accounting control systems;
-

- ensures the accounting control systems are observed;
 - maintains the accounting records of the council up to date in accordance with proper practices;
 - assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
 - Produces financial management information as required by the council.
 - As far as practicably possible the RFO should consult with an appropriate lead member, before exercising any significant change or power afforded by these regulations.
- 1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.
- 1.11. The accounting records determined by the RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
 - a record of the assets and liabilities of the council; and
 - Wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12. The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and as accurately and reasonably as possible;
 - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
 - procedures to ensure that uncollectable amounts, including any bad debts are submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
 - Measures to ensure that risk is properly managed.
- 1.13. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:

- setting the final budget or the precept (council tax requirement);
- approving accounting statements;
- approving an annual governance statement;
- borrowing;
- writing off bad debts;
- declaring eligibility for the General Power of Competence; and
- addressing recommendations in any report from the internal or external auditors,

Shall be a matter for the full council only.

1.14. In addition, the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve any grant or a single commitment in excess of £25,000; and
- In respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

1.15. In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in *Governance and Accountability for Local Councils - a Practitioners' Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

1.16. These financial Regulations should be read in conjunction with the Councils Standing Orders, Scheme of Delegation and Tendering Procedures.

ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

1.17. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.

1.18. **On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairperson, who is named an official member of the Finance and Resources committee shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification.**

This activity shall on conclusion be reported, including any exceptions, to and noted by the council Finance and Resources Committee.

- 1.19. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- 1.20. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- 1.21. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 1.22. The internal auditor shall:
 - be competent and independent of the financial operations of the council;
 - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - Have no involvement in the financial decision making, management or control of the council.
- 1.23. Internal or external auditors may not under any circumstances:
 - perform any operational duties for the council;
 - initiate or approve accounting transactions; or
 - Direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 1.24. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 1.25. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.

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

ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

- 1.27. The RFO shall review its three-year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of October each year including any proposals for revising the forecast.
- 1.28. The RFO must each year, by no later than October prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the council and subsequently subject to public consultation.
- 1.29. The council shall consider annual budget proposals in relation to the council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 1.30. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 1.31. The approved annual budget shall form the basis of financial control for the ensuing year.

BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 1.32. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
- the council for all items over £25,000
 - a duly delegated committee of the council for items over the limit of £10,000 or
 - The Council Manager, in conjunction with Chair of the Council or Chair of the appropriate committee and the appropriate Lead Member for any items above £2000 but below £10,000
 - The Council Manager or other Officer delegated by the Council Manager, for amounts less than £2000 except where the expenditure or item is thought significant, controversial or sensitive. In such cases the appropriate lead member should be consulted.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Council Manager, and where necessary also by the appropriate Lead Member.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

- 1.33. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').
- 1.34. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year, without agreement of Finance and Resources Committee and Full Council.
- 1.35. The salary budgets are to be reviewed at least annually in September for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Council Manager and the appropriate Lead Member. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.
- 1.36. In cases of extreme risk to the delivery of council services, the Council Manager may authorise revenue expenditure on behalf of the council which in the Council Manager's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £20,000. The Council Manager shall report such action to the Chair of council as soon as possible and to the council as soon as practicable thereafter.
- 1.37. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
- 1.38. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 1.39. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of £1000 or 15% of the budget.
- 1.40. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

- 1.41. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.

- 1.42. The RFO shall prepare a schedule of payments requiring retrospective authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to the Operations and Resources committee. The committee shall review the schedule for compliance and, having satisfied itself shall authorise payments retrospectively by a resolution of the Finance and Resources. The approved schedule shall be ruled off and initialled by the Chairperson of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.
- 1.43. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.
- 1.44. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available Operations and Resources committee.
- 1.45. The Council Manager and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
- a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Council manager and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of Finance and Resources committee.
 - b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of Finance and Resources committee.
 - c) Fund transfers within the councils banking arrangements provided that a list of such payments shall be submitted to the next appropriate meeting of Finance and Resources committee.
 - d) In extenuating circumstances when the RFO determines that it is in the best interest of the Council.
- 1.46. For each financial year the Council Manager and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council, or a duly authorised committee) may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered

to, provided also that a list of such payments shall be submitted to the next appropriate meeting of Operations and Resources committee.

- 1.47. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members of the Operations and Resources committee on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.
- 1.48. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant in excess of £30,000 shall before payment, be subject to ratification by resolution of the council.
- 1.49. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
- 1.50. The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.
- 1.51. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by the RFO and an appropriate Member.

INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- 1.52. The council will make safe and efficient arrangements for the making of its payments.
- 1.53. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Council Manager or RFO shall give instruction that a payment shall be made.
- 1.54. All payments shall be effected by online banking arrangement (BACS, or faster payments) or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council (or duly delegated committee).
- 1.55. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or appropriate committee shall be signed by two members of council, and countersigned by the RFO, in accordance with a resolution instructing that payment. If a member, who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest in the matter in respect of which the payment is being made, that Councillors shall be required to consider Standing Orders, and thereby determine whether it is appropriate and/or permissible to be a signatory to the transaction in question.
- 1.56. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.

- 1.57. Cheques or orders for payment shall not normally be presented for signature other than at the Operations and Resources Committee (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the Operations and Resources committee.
- 1.58. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to council as made. **The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.**
- 1.59. If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.
- 1.60. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made.
- 1.61. If thought appropriate by the council payment for certain items may be made by cheque provided evidence is retained showing which members approved the payment.
- 1.62. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chair of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.
- 1.63. 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.
- 1.64. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 1.65. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.

- 1.66. Where internet banking arrangements are made with any bank, RFO shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. **The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.**
- 1.67. Access to any internet banking accounts will be directly to the access page (which may be saved under “favourites”), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 1.68. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by two of the Council Manager, the RFO or an appropriate member. A programme of regular checks of standing data with suppliers will be followed.
- 1.69. Any Debit Card issued for use will be specifically restricted to the Council Manager, the RFO and the Service Manager and will also be restricted to a single transaction maximum value of £1000 unless authorised by council or finance committee in writing before any order is placed.
- 1.70. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the Operations and Resources committee. Transactions and purchases made will be reported to the Operations and Resources Committee.
- 1.71. **Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Council Manager and RFO or as otherwise delegated and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used unless is extenuating circumstances whereby this is previously agreed by the Council manager or RFO to expensed back upon submission of proof of payment and expenses form.**
- 1.72. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.
- a) The RFO shall maintain a petty cash float of **£200** for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept substantiating the payment.
 - b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
 - c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.

PAYMENT OF SALARIES

- 1.72. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.
- 1.73. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.
- 1.74. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the council.
- 1.75. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
 - a) by any councillor who can demonstrate a need to know;
 - b) by the internal auditor;
 - c) by the external auditor; or
 - d) By any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 1.76. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 1.77. An effective system of personal performance management should be maintained for the senior officers.
- 1.78. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 1.79. Before employing interim staff, the council must consider a full business case.

LOANS AND INVESTMENTS

- 1.80. All borrowings, loans and investments shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.

- 1.81. Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.
- 1.82. The RFO will provide an electronic copy of each bank statement to the Chair of the Council if requested.
- 1.83. All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.
- 1.84. **The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.**
- 1.85. All investments of money under the control of the council shall be in the name of the council.
- 1.86. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 1.87. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

INCOME

- 1.88. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 1.89. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.
- 1.90. The council will review all fees and charges at least annually, following a report of the RFO.
- 1.91. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.
- 1.92. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 1.93. The origin of each receipt shall be entered on the paying-in slip.
- 1.94. Personal cheques shall not be cashed out of money held on behalf of the council.

- 1.95. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 1.96. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

ORDERS FOR WORK, GOODS AND SERVICES

- 1.97. An official order or letter shall be issued for all work, goods and services in excess of £100 unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 1.98. Order books shall be controlled by the RFO.
- 1.99. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11.1 below.
- 1.100. A member may not issue an official order or make any contract on behalf of the council.
- 1.101. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

CONTRACTS

- 1.102. Procedures as to contracts are laid down as follows:
 - a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
 - i. for the supply of gas, electricity, water, sewerage and telephone services;
 - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
 - v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Council Manager and RFO shall act after

consultation with the Chair and Vice Chair of The Operations and Resources Committee; and

- vi. For goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where it is intended to enter into a contract exceeding £25,000 in value for the supply of goods or materials or for the execution of works or specialist services, other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Council Manager or RFO shall invite tenders from at least three firms to be taken from the appropriate approved list.
- c. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- d. Such invitation to tender shall state the general nature of the intended contract and the Council Manager and RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Council Manager/RFO in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- e. All sealed tenders shall be opened at the same time on the prescribed date by the Council Manager and RFO in the presence of at least one member of council.
- f. Any invitation to tender issued under this regulation shall be subject to any relevant Standing Order and shall refer to the terms of the Bribery Act 2010.
- g. If less than three tenders are received for contracts above £25,000 or if all the tenders are identical the council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- h. When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Council Manager or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £1000 the Council Manager or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.

(These arrangements may be waived in relation to goods and services procured through Milton Keynes Council if, in the opinion of the RFO, these represent value for money)

- i. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- j. Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires

further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.

- k. The European Union Procurement Directive shall apply and the terms of the Public Contracts Regulations 2006 and the Utilities Contracts Regulations 2006 including thresholds shall be followed and works shall be published on the Contracts site.

PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS (PUBLIC WORKS CONTRACTS)

- 1.103. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 1.104. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.
- 1.105. Any variation to a contract or addition to or omission from a contract must be approved by the council and Council Manager to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.

STORES AND EQUIPMENT

- 1.106. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 1.107. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 1.108. Stocks shall be kept at the minimum levels consistent with operational requirements.
- 1.109. **The RFO shall be responsible for periodic checks of stocks and stores at least annually.**

ASSETS, PROPERTIES AND ESTATES

- 1.110. The Council Manager shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.

- 1.111. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £500.
- 1.112. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 1.113. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 1.114. Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.
- 1.115. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

INSURANCE

- 1.116. Following the annual risk assessment (per Regulation 17), the RFO shall affect all insurances and negotiate all claims on the council's insurers.
- 1.117. The Council Manager shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 1.118. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 1.119. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim and shall report these to council at the next available meeting.
- 1.120. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the council, or duly delegated committee.

RISK MANAGEMENT

- 1.121. The council is responsible for putting in place arrangements for the management of risk. The Council Manager shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy

statements and consequential risk management arrangements shall be reviewed by the council at least annually.

- 1.122. When considering any new activity, the RFO shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 1.123. It shall be the duty of the council to review the Financial Regulations of the council from time to time. The RFO shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.

- 1.124. The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

Last review date:	May 2024
Next review date:	May 2025
Lead:	Responsible Financial Officer
Overseeing Committee:	Full Council
Approved:	
Review cycle:	Annually (as part of the Annual Meeting)

Woughton Community Council - Asset Register 2024/25

Landscaping	£140,920.00
Youth	£61,175.56
Environment	£14,575.00
HQ	£20,910.00
Community Food	£10,023.00
IT Stuff	£15,570.00
Community Venues	£13,210.00
Other	£73,100.00
Wellbeing Room	£1,675.00
Community Garden	£34,423.00
Total	£349,483.56



Certificate of Employers' Liability Insurance (a)

(Where required by regulation 5 of the Employers' Liability (Compulsory Insurance) Regulations 1998, one or more copies of this certificate must be displayed at each place of business at which the Policyholder employs persons covered by the Policy)

Policy Number:	100723637BDN/LCO02430
Name of Policyholder:	Woughton Community Council
Date of commencement of insurance	01/04/2024
Date of Expiry of insurance	31/03/2025

We hereby certify that subject to paragraph 2:

1. the policy to which this certificate relates satisfies the requirements of the relevant law applicable in Great Britain, Northern Ireland, the Isle of Man, the Island of Jersey, the Island of Guernsey and the Island of Alderney, or to offshore installations in territorial waters around Great Britain and its Continental Shelf (b)
2. the minimum amount of cover provided by this Policy is no less than £5 million (c)

Signed on behalf of
Aviva Insurance Limited
(Authorised Insurers)

A handwritten signature in black ink, appearing to read "Adam Winslow", written over a horizontal line.

Authorised Signatory
Adam Winslow
Chief Executive Officer, UK & Ireland General Insurance

Notes

- a. Where the employer is a company to which regulation 3(2) of the Regulations applies, the certificate shall state in a prominent place, either that the policy covers the holding company and all its subsidiaries, or that the policy covers the holding company and all its subsidiaries except any specifically excluded by name, or that the policy covers the holding company and only the named subsidiaries
- b. Specify applicable law as provided for in regulation 4(6) of the Regulations.
- c. See regulation 3(1) of the Regulations and delete whichever of paragraphs 2(a) or 2(b) does not apply. Where 2(b) is applicable, specify the amount of cover provided by the relevant policy.

It is recommended that you retain a copy of each Employers' Liability certificate issued to you

Brokers Certificate of Public and Products Liability Insurance

Name and Address of Insured	Woughton Community Council Woughton Community Council Hub Garraways, Coffee Hall Milton Keynes MK6 5EG
Insurers	Aviva Insurance Ltd, Pitheavlis, Perth PH2 0NH
Policy Number	LCO02430
Period of Insurance	From: 01 April 2024 To: 31 March 2025
<p>In our capacity as Insurance Brokers we hereby certify that the above named are currently insured for the above period. The limits of indemnity currently provided are as follows:</p> <p><u>Public and Products Liability</u></p> <p>£10,000,000 any one incident (or in total during any one period of insurance in relation to Products Liability)</p>	
<p>The cover provided is in accordance with the terms and conditions agreed with the insurer. Details can be provided on request. The information provided is accurate at the date of issue. No obligation is imposed on the Broker to advise of any alterations.</p>	
Broker Details	Clear Insurance Management AGM House, 3 Barton Close, Grove Park, Enderby, Leicester LE19 1SJ
Signed	
Name	Kevin Richards – Cert CII – Head of Technical Broking
Date of Issue	25 March 2024

Woughton Community Council

POLICY ON BUSINESS CONTINUITY MANAGEMENT

Introduction

Business Continuity Management (BCM) is about identifying those parts of Woughton Community Council (WCC) that we cannot afford to lose – such as services, information, premises, and staff – and planning how to maintain these if an incident occurs.

Any incident, large or small, whether it is natural, accidental, or deliberate, can cause major disruption to WCC. The aim is to plan, rather than wait for it to happen, in order to get back to business in the quickest possible time, thus avoiding delays which could mean loss of valuable business or loss of stakeholder confidence.

Background

The Civil Contingencies Act 2004 places a duty on a **principal authority** (i.e. Milton Keynes Council) to ensure that it is prepared, as far as reasonably practical, to continue to provide critical functions / assistance in the event of a disruption. Whilst this is not a statutory duty for a Town, Community or Parish Council, it is the intention of Woughton Community Council (the Council) to recognise the importance of producing and maintaining a Business Continuity Plan (a BCP) for implementation in the event of disruption to the day to day running of the Council. This paper provides a framework detailing the steps towards developing and maintaining this plan, with process and policy that sits behind this.

BCM Programme Management

Effective programme management will ensure that BCM capability is established and maintained within WCC by:

- assigning responsibilities;
- establishing and implementing BCM in the organisation; and
- ongoing management

a) Responsibilities

In order to instil a sense of value and ownership in the organisation and workforce, the following responsibilities will apply:

- The Council Manager will be accountable for BCM under delegated responsibility from the Council.
- The Operations Manager will be responsible for taking the programme forward.
- The relevant Council Committees will monitor their element of BCM management, with the Operations and Resources Committee taking oversight responsibility.

b) Establishing and implementing BCM in the organisation

The Senior Management Team will ensure that BCM is established and implemented by:

- communicating the programme internally

- arranging appropriate training
- ensuring activities are completed.
- testing of BCM arrangements

c) Ongoing management

The Senior Management team will:

- ensure that business continuity plans and related documents are regularly reviewed and updated.
- promote business continuity across the organisation.
- keep the BCM programme updated through lessons learnt and good practice.

Risk Assessment

The existing Risk Register will inform a risk assessment which looks at the likelihood and impact of a variety of risks that could cause a business interruption e.g.

- Loss of staff
- Loss of systems
- Loss of utilities
- Loss of, or access to, premises
- Loss of key suppliers
- Disruption to transport

By assessing these, risk reduction activities can be prioritised.

Determining BCM Strategy

Having determined the recovery time for each critical activity, a strategy is required for meeting it. Whilst as detailed elsewhere, WCC has limited 'duties', ensuring ongoing support and service delivery is preferred. Possible tactics are:

a) People

- Inventory of staff skills not utilised within their current role – to enable redeployment
- Process mapping and documentation – to allow staff to undertake roles with which they are unfamiliar
- Multi-skill training of each individual
- Cross-training of skills across a number of individuals
- Succession planning
- Use of third party support, backed by contractual agreements
- Geographical separation of individuals or groups with core skills can reduce the likelihood of losing all those capable of undertaking a specific role

b) Premises

- Relocation of staff to other accommodation
- Displacement of staff performing less urgent roles
- Remote working – either from home or other locations
- Use premises provided by other organisations
- Alternative sources of equipment

c) Technology

- Maintaining the same technology at different locations that will not be affected by the same business disruption
- Holding older equipment as emergency replacement or spares

d) Information

- Ensure data is backed up and is kept off site
- Essential documentation is stored securely e.g. fire-proof safe
- Copies of essential documentation are kept elsewhere

e) Suppliers and Partners

- Storage of additional supplies at another location
- Identification of alternative suppliers
- Encouraging or requiring suppliers/partners to have a validated business continuity capability
- Significant penalty clauses on supply contracts

f) Stakeholders

- Mechanisms in place to provide information to stakeholders
- Arrangements to ensure vulnerable groups are accommodated

April 2024

BUSINESS IMPACT ANALYSIS

What, where, when, who. Assess what is needed to deliver.

PEOPLE

- What is the optimum number of staff required to carry out critical activities?
- What is the minimum staffing level required to provide some sort of service?
- What skills/level of expertise is required to undertake these activities?

PREMISES

- What locations do critical activities operate from?
- What alternative premises are there?
- What equipment is essential to carry out critical activities?

TECHNOLOGY

- What IT is essential to carry out critical activities?
- What systems and means of voice and data communication are required to carry out critical activities?

INFORMATION

- What information is essential to carry out critical activities?
- How is this information stored?

SUPPLIERS AND PARTNERS

- Who are priority suppliers/partners depended on to undertake critical activities?
- Are key services contracted out – to whom and for what?
- Are there any reciprocal arrangements with other organisations?

EQUIPMENT AND RESOURCES

- What are essential pieces of equipment or wider resources that are key to your service delivery?
- How easy would it be to replace / cover / manage without these?
- Could you continue to deliver services without them?

Business Continuity Planning

To effectively plan, risk manage and ensure as limited disruption as possible, a Business Continuity Plan (BCP) will be created. This will include:

- Individual service assessments from key directorates:
 - o Community
 - o Youth
 - o Landscape
 - o Environment
 - o Community Centres
 - o Democracy
 - o HQ
- Whole organisational elements, such as IT, telephony, systems, policies
- Any external considerations and partnerships that may be impacted.

These will then be collated into the wider BCP, with detailed responses to cover immediate, short-term, medium-term and longer terms actions.

It should be noted that, unlike the principal authority, WCC doesn't provide any services that are 'statutory' in nature, other than the minimal standards needed for any local council (3 meetings per year, completion of relevant documentation, etc.).

Despite this, WCC DOES have some contractual agreements that will need to be met. It should be noted that this means that our services are NOT 'essential' in a legal sense, but due to the support they offer our residents, are considered 'essential' by the council.

Whilst ceasing to deliver for a short period is unlikely to have significant impact (unlike, for example, waste collection or safeguarding services at principal level), long term loss of services would be felt.

This plan should run alongside the 'Risk Register', which lists all relevant risks, mitigation in place and further actions that may be needed. To avoid replication, the BCP should build upon this, detailing:

- Specific risk / occurrence
- Mitigation that is in place to reduce impact
- Immediate actions (i.e. within 24 hours)
- Short term actions (i.e. within a week)
- Medium term actions (i.e. within a month)
- Long term actions (within 3 months)

This should also detail who is responsible for the actions, who oversees the plan as a whole (with specific directorates or within the council as a whole)

Appendices - Service Level Contingency Plans

This continuity plan works alongside the existing 'Risk Register', building upon the information included within. The items below are specifically around whole organisation elements, with service specific plans attached as addendums towards the end of this document.

This plan will need to be reviewed and updated alongside the risk register, creating a suite of approaches that identify and address risks and actions needed across the council.

This plan will sit under the Operations Committee, overseen at Officer level by the Council and Operations Manager, with support from the senior team (service managers).

Organisational Contingency Plan

Ref	Specific Risk Area	Controls in place	Officer / committee responsible	Immediate actions (24 hours)	Short term actions (within a week)	Medium term actions (within a month)	Long term actions (within 3 months)
1	Building(s) rendered wholly or partly unusable due to fire, flood, infestation, or another event The Hub Offices No 95 – see service specific Landscape Depot – see service specific	Effective building design, fire systems, security systems, regular checks, pest control, business continuity plan, emergency plan, insurance	Council Manager / Operations	Inform all officers and councillors Move officers to WFH / available meeting place Contact insurance company* Inform partner organisations and contractors (e.g. IT) Inform residents via website / social media Secure building, equipment, IT, etc. either via removal or security fencing / personnel, etc	Arrange contractors to undertake repairs Set up mail redirect Refer to Operations BCP	Manage repairs / replacement building	Return to normal
2	Vehicles: Landscape Van Landscape Mowers Environment EV Tractor, Trailer - Vehicles involved in accident, damaged through fire / vandalism or otherwise unusable	Suitable vehicle checks in place daily. Insurance is in place. Parked in CCTV area. Driving policy is enforced. Checks in place	Landscape Manager / Council Manager / Services	Inform insurance company and relevant officers. Arrange collection / repairs	If necessary, hire alternative vehicles If 'write offs', research replacement vehicles	Take proposal to committee for actions Action ratified decisions	Continue as usual.
3	Equipment failure – IT or comms equipment (telephony system) fails for more than a day, leading to inability to provide services / contracts effectively. Public unable to contact us. Officers / members unable to	Multiple backup systems in place, ensuring that information is securely stored and accessible from other venues. Alternative premises available with IT in place in event of systemic failure. Both landline and mobile phones in case one single system failure. IT based telephony also possible if necessary.	Ops Manager / Operations	Contact IT provider for urgent action Use alternative equipment to share situation with public (via website / social media) Make use of alternative systems (e.g. mobile phones) and provide information of short-term contact numbers	Unlikely to be an issue for this long, but review of systems, reason for failures, prevention of further occurrences to take place.	Review IT provision to ensure alternatives aren't better. Change provision if appropriate	Any long term proposals to committee / council for ratification.

	communicate effectively. Lack of access to Company Drive / Shared information. Email communications being missed, Potential for essential and urgent communications to be overlooked, leading to additional damage to reputation / activities / etc.						
4	Staff absence / long term sickness - Financial impact on council, inability to deliver agreed services / contracts, reputation risks with partners / public, impact on key areas of responsibility (e.g. cleanliness, provision of youth activities, etc.)	Current staffing provision allows for sufficient 'cover' in the event of most service-based staff. Senior Managers absence can be managed in the short-term through 'upgrading' of other officers and use of external support. Systems in place to ensure effective support / management of absences where appropriate.	Ops Manager / Operations	Unlikely to be any direct impact within first 24 hours – check on individuals calendars and checks made when absence is notified (e.g. when phone call is made to report illness). If no contact is made, access to relevant calendar can be arranged, but likely to be unnecessary on first day.	Dependent on officer – see Service based BCP for details. If Council Manager or Ops / RFO are absent, covered by service managers and officers. Advice can be sought via BMKALC, Chair of Council and other Clerks (e.g. CPPC, WBPC).	For up to a month, an 'acting up' arrangement could be made with existing officers (e.g. RFO is Acting Clerk) and / or additional hours / duties passed to other officers (with associated recompense). This, combined with external advice	Longer than a month would mean looking for a 'locum' approach – this may be that 'acting up' is made more permanent, with backfilling accordingly, or buying in a locum clerk to cover. This would be a decision made by council (whole council) dependent on prognosis and specific situation.
5	Loss of monies due to fraud, theft, bank failure, etc. meaning council is unable to meet fiscal liabilities	Finances spread across institutions to reduce risk – sufficient within different providers to enable three months delivery (six months delivery in total – sufficient to continue until next precept payment) Suitable safety precautions in place – audit trails, signatory demands, etc.	RFO / Operations	Immediate hold on all payments and spending (excepting essential) Liaison with banking provider(s) and other financial institutions (e.g. CCLA) Liaison with MKCC regarding any precept payments due Reports made to police, action fraud, etc. depending on relevance	Review of all banking and financial arrangements, signatories, etc. Investigation into circumstances and any officer / councillor involvement	Reports made to any relevant authorities and actions noted from investigation	Review of all spending and services, reducing where necessary and making changes to spending patterns accordingly. This may include loss of staff, loss of specific services and a temporary change in approach whilst income and fiscal security is improved.
6	Proper Officer isn't available	Relatively easy to manage in the very short term, but decisions may be needed urgently in the absence of Proper Officer or suitable deputy. Scheme of delegation in place, good communication channels, managers and councillors kept abreast of situations and issues and support available from BMKALC, NALC, SLCC and others in the event that urgent advice and / or support is needed, and no suitable decision maker is present.	Council Manager / Full Council	In the absence of the Council Manager, RFO / Ops Manager deputises. Chair of Council / Leader of Council for liaison and agreement if controversial or possible significant impacts. In the absence of both CM and RFO, managers will liaise with each other and / or councillors to reach agreement, contacting CM / RFO if possible If no managers, officers to contact Chair of Council / Vice Chair of Council /	In the absence of the Council Manager, RFO / Ops Manager deputises. Chair of Council / Leader of Council for liaison and agreement if controversial or possible significant impacts. In the absence of both CM and RFO, managers will liaise with each other and / or councillors to reach	Appoint as detailed in 4 above. Nominate agreed sub committee of the council for weekly agreement and devolved decision making. Look for locum cover	Locum cover necessary.

				Leader / Chair of Committee for advice, alongside BMKALC, etc. if necessary	agreement, contacting CM / RFO if possible If no managers, officers to contact Chair of Council / Vice Chair of Council / Leader / Chair of Committee for advice, alongside BMKALC, etc. if necessary		
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Community Services Contingency Plan

Ref	Specific risk area	Controls in place	Officer/com mittee responsible	Immediate actions (24hrs)	Short term actions (within a week)	Medium term actions (within a month)	Long term actions (within 3 months)
CS1	Staff absence – Events Coordinator, Café/Fridge Coordinator, Advice Officers	All these roles are regularly covered in the short term ie. holiday cover	Community Services Manager	Cover as normal ie. holiday cover	Cover as normal ie. holiday cover	Cover as normal ie. holiday cover	Look at temporary employment
CS2	Building closed/partially closed, affecting fridge, café, larder, advice service		Council Manager	Possible to use other parts of building that aren't closed. If entire building closed, it is possible to run limited services from the trailer/other meeting places	Possible to use other parts of building that aren't closed. If entire building closed, it is possible to run limited services from the trailer/other meeting places	Possible to use other parts of building that aren't closed. If entire building closed, it is possible to run limited services from the trailer/other meeting places	Return to normal
CS3	Equipment failure – chilled storage	Fridges checked daily as part of fridge sessions	Community Services Manager/Fridge Coordinator	Use other chilled storage on site. Use other chilled storage within fridge network	Use other chilled storage on site. Use other chilled storage within fridge network	Replace chilled storage with new equipment subject to approval from council	Return to normal
CS4	Equipment failure – cooking	Checked during use	Community Services Manager/Fridge Coordinator	Use other cooking options – portable hobs, microwaves, staff cooker	Use other cooking options – portable hobs, microwaves, staff cooker	Replace cooking equipment with new, subject to approval from council	Return to normal
CS5	Equipment failure – miscellaneous café/fridge	Checked during use	Community Services Manager/Fridge Coordinator	This relates to relatively small items (less than £50 value) and readily available. Purchase replacements through budget	Return to normal	Return to normal	Return to normal
CS6	Equipment failure - events	Checked during use	Community Services Manager/Community Development	Hire replacement equipment	Hire replacement equipment	Replace equipment with new, subject to approval from council	Return to normal

			& Events Coordinator				
CS7	Community fridge runs out of food	Monitored during session	Community Services Manager/Fridge Coordinator	Collect food from other fridges	Collect food from other fridges	Return to normal	Return to normal
CS8	Café runs out of food	Monitored during session	Community Services Manager/Fridge Coordinator	Use frozen food reserves and money from café 'float'	Use frozen food reserves and money from café 'float'	Use frozen food reserves and money from café 'float'	Return to normal

Youth Services Contingency Plan

Ref	Specific Risk Area	Controls in Place	Officer / Committee responsible	Immediate actions (24hrs)	Short term actions (1 week)	Medium term actions (1 month)	Long term Actions
YS 01	Youth team staff absence- due to sickness or other. Resulting in failure to deliver services as planned and impact of rest of team, the project outcomes, the public & partners. Financial impact of cover staff, cancellations, wasted resources. Risk to reputation/ reliability of service & WCC more widely.	When staffed at full capacity, there is some room for cover. *we do not currently have this level of capacity and all absence is felt acutely	Youth Manager / Services	Inform Operations manager of absence and affected staff. Youth Manager to redeploy staff where possible to cover. If cover not possible, project to be cancelled, Council Manager and public informed through all channels	Inform Operations manager of absence and affected staff. Youth Manager to adjust and redeploy staff where possible to enable greatest cover of service delivery. Prioritising projects as necessary. If cover not possible, project to be cancelled, Council Manager and public informed through all channels & be led by Operations Manager in terms of bank staff	Youth Manager to liaise with Operations Manager & Operations Manager to develop a plan to back fill hours or instigate fixed term contracts for replacement staff if cover not manageable	Youth Manager to liaise with senior management and instigate an agreed recruitment process.
YS 02	Youth Manager absence- due to sickness or other.	Most actions can be carried out in the short term between the Council Manager and/ or the Senior Youth Officer.	Council Manager/ Services	Inform Ops Manager Senior Youth Officer will cover or arrange cover for projects or cancel & inform Council Manager as necessary.	Senior Youth Officer to liaise with Council, Council Manager & Ops Manager as necessary for support.	See Service Based Contingency Plan	Senior Management team to take on responsibility and develop action plan, keeping Senior Youth Officer informed
YS 03	Senior Youth team absence- due to sickness or other.	In the absence of both YM & SYO	Council/ Ops Manager. Services	Any projects unstaffed or without pre-arranged teams in place will be closed by Council Manager and public informed.	Any projects unstaffed or without pre- arranged teams in place will be closed by Council Manager and public informed. Work started to look at resources remaining and a	Reduced service provision offer, utilising remaining officers. Support from wider organisation (e.g. line management via CM,	If likely to be longer, reappointment of staff on temp contracts to ensure safe delivery and re-expansion of services

					revamped / rescheduled / reprovisioned service plan	support from Community Team, etc.)	
YS 04	IT/ Comms Equipment failure- Central or youth specific telephony or IT Comms systems failure, resulting in inability to communicate within and across teams and with eh public.	Defer to the multiple back up systems in place. Defer to using Comms and IT systems at the HUB. If all systems are down. Refer to Operations Manager for guidance	Youth Manager/ Operations Manager Operations	Contact IT provider for urgent action. Use alternative equipment to share situation with public (via website / social media) Make use of alternative systems (e.g. mobile phones) and provide information of short-term contact numbers	Unlikely to last this long but if issues continue review systems, reasons for failures and implement changes to prevent reoccurrence		
YS 05	Equipment/ resources failure- inability to secure planned resources or equipment for project or damage or fault to equipment/ resources.	Each setting has designated resources for project. Team are adaptive through training.	Youth Manager/ SYO	If resources are a necessity to deliver the project session may need to be adapted or postponed. Expect team to adapt session plan	Utilise the time to move resources between settings, chase orders and secure replacements. Adapt session plans in short term	As before. If long term delivery is likely to be impacted. Budget use should be considered to replace to continue service delivery	
YS 06	No95- being unusable - either fully or partially, either due to fire, water or other damage. Scheduled repairs/ maintenance or human error in bookings/ comms.	Fire, Flood & Security systems in place. Regular checks and maintenance. Checks enforced	Youth Manager/ Operations Manager	Report to Operations Manager Adapt session location if possible. Relocate Staff and transfer of necessary resources. Action insurance as necessary for damages Action inspection and repairs	Most sessions are weekly and so are equivalent to 24 hrs. However, for those with daily usage an alternative will be implemented, or projects cancelled (hirer's refunded). Contractors should be booked and insurance claims ongoing Manage repairs/ replacements		Unlikely but the service delivery and associated staffing & resources will need to be reassessed. Project priorities made to continue potential reduced service delivery in line with service plan. Should return to usual service delivery
YS 07	WCC Buildings- being unusable, either fully or partially due to fire, water or other damage. Scheduled repairs/ maintenance or Human error in bookings/ comms.	Fire, Flood & Security systems in place. Regular checks and maintenance. Checks enforced	Youth Manager/ Caretaker Manager & Operations Manager	Report to Operations Manager Youth Manager to Adapt session location if possible. Relocate Staff and transfer of necessary resources. Ops Manager to Action inspection and repairs	Arrange contractors. Manage repairs and replacements. Manager insurance as necessary		Return to usual service
YS 07	Vehicles- breakdown, accidental or criminal damage = inaccessible or unusable	Suitable vehicle checks in place daily. Insurance is in place. Parked in CCTV area. Driving policy is enforced. Checks in place	Council Manager	Inform insurance company and relevant officers. Arrange collection / repairs	If necessary, hire alternative vehicles If 'write offs', research replacement vehicles	Take proposal to committee for actions Action ratified decisions	Continue as usual
YS 08	Partner's operational failure/ breakdown. Project delivery at risk due to factors a partner controls failing: staff, facilities, resources etc	Clarity around joint working. SLA to be implemented and checks enforced. Exit strategies created for when reconciliation not possible	Youth Manager/ Council Manager Services	Record actions and referring to SLAs have conversations to implement actions quickly.	Escalate as necessary	Implement exit strategies and seek alternatives or put in place alternatives.	

Landscape Contingency Plan

Loss of Staff.

If staff are off due to holiday/sickness operatives are trained accordingly so that the Landscape team can still operate at a reduced level. Staff are trained or undergoing training to improve their skill set to enable rotation of staff. If long term sickness or injury is predicted operatives could be available from various employment agencies. Timescale for replacement staff is potentially a week to get an agency worker in. Potentially looking at 1 to 2 months to replace full time employee and ongoing for training. If necessary, 'buying in' external contractors to cover whilst arrangements are made could also be investigated.

Loss of premises.

In the event of loss of premises due to fire or other emergency circumstances we could call on one or two of our neighbouring parishes to accommodate equipment and tools for an interim period. None of this is written in stone, but we have good relationships with the neighbouring parishes. These premises would not be a long-term issue so repairs or relocation could be sought with rental units in surrounding areas within a couple of months being investigated and occupancy.

Loss of suppliers or partnerships.

The suppliers we use are multi-functional, so we do not rely on any one specific company for supply of spares and/or repair. We have several contracts with suppliers where parts or repairs can be acquired or made to get the operations back on track in as little time as possible. At this moment in time our network of suppliers is as such that if one company were to go into liquidation, we could have conversations with another within a day or two to secure future service.

Loss of equipment.

Any loss of equipment can be replaced quickly as we have a network of suppliers who can get replacement kit within 24 hours of being ordered. Some of the bigger equipment such as mowers, chipper and vehicles would take longer to replace but in the interim period hire machines/vehicles would be available to have continuity in our service.

Democracy Contingency Plan

Loss of staff.

The only specific staff member is the Committee and Member Services Officer (CMSO). In the absence of this person, the relevant work would be covered by the Council Manager and other members of the senior team. This happens periodically at the current time and is relatively straightforward to manage.

In the event that both CMSO and the Council Manager were absent, meetings could still be held with councillors managing the delivery. Advice regarding the publishing of agendas and minutes could be offered by BMKALC, NALC or neighbouring parishes. A locum clerk (via an agency or through 'borrowing' an officer from a local council) would be an acceptable alternative in the short term.

Community Centres Contingency Plan

Loss of staff.

The Community Centres team includes four (4) officers who are all expected to work across parish where necessary. Additional hours and travel costs would be offered to enable suitable coverage in the event that one officer was absent for any length of time. The Caretaker Manager is also in touch with 'ad hoc' options, which could be bought in if necessary.

Loss of building.

If any one of our community buildings became unusable, space in others would be investigated and offered as a short-term option, whilst repairs were undertaken. This would include any of the community centres, the Chambers and No 95. If there was a longer-term issue, we would work with the renters to source alternative premises, but WCC would not be liable for any losses or issues arising.

Issues within buildings (e.g. loss of heating, loss of water) would be addressed dependent on individual circumstances. Loss of heating could be mitigated through use of electric heaters. Loss of water could be mitigated through provision of bottled water (although toilet usage may be an issue). Renting suitable equipment if not in place would also be an option.

Last review date:	May 2024
Next review date:	May 2025
Lead:	Council Manager
Overseeing Committee:	Full Council
Approved:	
Review cycle:	Annually (as part of the Annual Meeting)

Woughton Community Council

Councillors Allowances and Expenses Policy 2024

Introduction / Overarching aims

This policy is made under the terms of the Local Authorities (Members Allowances) (England) Regulations 2003.

This policy takes into consideration the recommendations made by the Independent Remuneration Panel appointed by the Principal Authority (Milton Keynes City Council) and further recommendations following consultation during 2023.

Woughton Community Council currently has 19 councillors, who serve a four-year term of office and, as long as they have been elected, are entitled to these allowances. Expenses are payable to ALL councillors, excluding those that have been co-opted.

Policy

Basic Allowances

- All elected councillors receive a basic allowance of **£916 per annum (as of May 2024)**. This is paid in two instalments and is subject to both tax and National Insurance contributions where applicable.
- If a councillor ceases to be a councillor before the end of their term of office, payment of the allowance ceases, and a pro rata calculation is made to ensure the councillor receives the right amount of allowance. If necessary, an adjustment for under or overpayment may have to be made and the council reserves the right to recover any overpayment of Basic Allowance.
- ~~A Basic Allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and parishioners. It is also intended to cover incidental costs, such as use of their homes for council business, telephone rental and call costs.~~
- **The Basic Allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at meetings. It is also intended to cover incidental costs, such as the use of their homes for council business, telephone rental and broadband charges.**

Special Allowances

- The council pays a specific allowance to the Chair of the Council, to reflect the additional demands and responsibilities that this office confers. This amount is double that of a councillor's basic allowance - **£1832 per annum (as of May 2024)**.

- The council also pays an additional specific allowance to the Leader of the Council, reflecting again the additional demands and responsibilities. This is paid at the same rate as the Chair of the Council. This reflects the special nature of this council, in having a Leader (un-prescribed in legislation).
- These allowances are paid in two instalments and are subject to tax and National Insurance contributions where applicable. **Councillors may choose to be paid through the WCC 'PAYE' scheme or make a declaration that they are responsible for all relevant declarations relating to this allowance.**
- ~~—The Ambassador is allocated £100 annually towards specific expenses related to the role.~~
- In the event that a councillor who is receiving a specific allowance is unable to carry out the duties associated with the role for a period of three months or more, the council will consider the circumstances with the option of ceasing the specific allowance and making a retrospective payment to a deputising councillor who is stepping onto the position, continuing this payment until the original councillor is able to resume the role.

Co-opted members of the council

- Under legislation, any member who has been co-opted onto the council is unable to be paid any allowances. They are, however, able to claim expenses, as detailed below.

Expenses

Woughton Community Council is committed to ensuring that ALL members of our community who are eligible to stand as councillors are able to do so. If elected or co-opted onto the council, the council is also committed to support access and attendance for all. The expenses policy noted below reflects this commitment.

Child Care and Dependents Allowance

Due to legislation, the council is unable to pay for childcare or dependents care costs. It is important that it is recognised that this legislation is considered to be unhelpful by the council and we continue to make representations to government through our national bodies to try and address this situation.

Travel and Subsistence

Where possible, travel and subsistence should be planned in advance and paid for via the Responsible Finance Officer. Where this isn't possible (e.g. where a private vehicle is used or a meal is bought whilst away from the offices), the following policy applies.

Councillors will be reimbursed for travel at the current rates agreed by the National Joint Council (NJC) for reimbursement of council officers.

Councillors will be reimbursed the full costs of travel *using the most appropriate means* at standard class, whilst carrying out approved duties. A valid receipt **MUST** be provided.

Councillors who are undertaking Approved Duties may claim for reasonable costs for meals. These are currently set at:

- Breakfast – up to £5.00 (if working away between 6am - 9am)
- Lunch – up to £8.00 (if working away between 12 noon – 2pm)
- Evening meal – up to £12 (if working away between 6pm – 10pm)

Please note that these allowances are only payable if working away throughout the duration of these hours and only if no food is provided (e.g. if on a training course that includes lunch, no additional allowance is payable).

Information Technology and Communications

Councillors will be provided with suitable information technology equipment (e.g. laptop, tablet or similar), which will remain the property of the council and will be subject to the same restrictions as the basic allowance (i.e. is only provided whilst undertaking the role, to be returned if a suspension takes place and at the end of a councillor's tenure).

Councillors are able to claim for a contribution towards the costs of broadband provision at their homes. This is intended to enable them to undertake their councillor role whilst at home and is limited to a maximum of £10 per month.

If a councillor ceases to be a councillor before the end of their term of office, payment of the broadband allowance ceases and a pro rata calculation is made to ensure the councillor receives the right amount of allowance. If necessary, an adjustment for under or overpayment may have to be made and the council reserve the right to recover any overpayment of the broadband allowance.

Time scales for claiming

All claims for any expenses and allowances must be made within three months. Any claim falling outside this timescale can only be authorised in exceptional circumstances with the approval of the Chair of Council, Chair of Operations and Resources Committee and Responsible Finance Officer.

Dual Authority Roles

Councillors cannot receive an allowance from more than one authority (e.g. MKC) for the same duties. In the event that a parish councillor who is also a Ward Councillor is undertaking duties on behalf of both authorities, the claim should be made to Milton Keynes Council.

Forgoing Allowances

A councillor may forgo all or part of any allowance which they are entitled to, provided they have given written notice to the ~~Committee and Member Support Officer~~. **Council Manager and RFO.**

Suspension and Withholding Allowances

In the event of a councillor being suspended from duty following an investigation by the Monitoring Officer, allowance will not be paid to the councillor concerned during the period of suspension. If necessary, a pro-rata payment will be made and any under or overpayment adjusted accordingly. The council reserves the right to reclaim any overpaid allowances.

This policy will be reviewed annually and will be linked to recommendation(s) from the Independent Review Panel and Milton Keynes Council policies.

Approved duties

Approved duties, for which Travel and Subsistence Allowances, (*Childcare and Carers Allowances*) are payable include:

- Full Council meetings
- Committee Meetings (where the councillor is a member of that committee)
- A meeting of an ‘outside body’ where the councillor has been nominated to be the councils representative
- A meeting which has been authorised by either the Full Council or a Committee of the council and agreed within the written minutes
- Attendance at training, conferences, seminars and other councillor development activities, as agreed with Operations Committee or Full Council
- Council ‘Awaydays’
- Provision of councillor surgeries, roadshows, casework or similar
- Attendance at external meetings pertinent to the councillor’s role, after agreement from Council Manager, Committee and Member Support Officer, Chair of Council or Chair of Committee.
- Other duties, as agreed with the Council Manager, Committee and Member Support Officer, Chair of Council or Chair of Committee.

Last review date:	May 2024
Next review date:	May 2025
Lead:	Council Manager
Overseeing Committee:	Full Council
Approved:	
Review cycle:	Annually (as part of the Annual Meeting)

Woughton Community Council

Councillor and Officer Protocol 2024

Introduction / Overarching aims

The purpose of this Protocol is to guide councillors and officers of the council in their relations with one another. The Protocol's intention is to build and maintain good working relationships between councillors and officers as they work together. Employees who are required to give advice to councillors are referred to as "officers" throughout.

A strong, constructive, and trusting relationship between councillors and officers is essential to the effective and efficient working of the council.

This Protocol also seeks to reflect the principles underlying the Code of Conduct which applies to councillors and the employment terms and conditions of officers. The shared objective is to enhance and maintain the integrity (real and perceived) of local government.

The following extract from the Local Government Association guidance on the 2020 Model councillor Code of Conduct states that:

"Both councillors and officers are servants of the public and are indispensable to one another. Together, they bring the critical skills, experience and knowledge required to manage an effective local authority.

At the heart of this relationship, is the importance of mutual respect. councillor-officer relationships should be conducted in a positive and constructive way. Therefore, it is important that any dealings between councillors and officers should observe reasonable standards of courtesy, should show mutual appreciation of the importance of their respective roles and that neither party should seek to take unfair advantage of their position or seek to exert undue influence on the other party.

Councillors provide a democratic mandate to the local authority and are responsible to the electorate whom they represent. They set their local authority's policy framework, ensure that services and policies are delivered and scrutinise local authority services.

Chairs and vice chairs of committees have additional responsibilities. These responsibilities will result in increased expectations and relationships with officers that are more complex. Such councillors must still respect the impartiality of officers and must not ask them to undertake work of a party-political nature or compromise their position with other councillors or other officers.

Officers provide the professional advice and managerial expertise and information needed for decision making by councillors and to deliver the policy framework agreed by councillors. They are responsible for implementing decisions of councillors and the day-to-day administration of the local authority.

The roles are very different but need to work in a complementary way.

It is important for both sides to respect these differences and ensure that they work in harmony. Getting that relationship right is an important skill. That is why the code requires councillors to respect an officer's impartiality and professional expertise. In turn officers should respect a councillor's democratic mandate as the people accountable to the public

for the work of the local authority. It is also important for a local authority to have a councillor-officer protocol which sets out how this relationship works and what both councillors and officers can expect in terms of mutual respect and good working relationships.”

This Protocol covers:

- The respective roles and responsibilities of the councillors and the officer;
- Relationships between councillors and officers;
- Where/who a councillor or an officer should go to if they have concerns;
- Who is responsible for making decisions.

This policy uses the ‘Civility and Respect’ template, with some minor adjustments to reflect the specific needs of Woughton Community Council. This was developed by representatives from NALC, SLCC, OneVoice Wales and other sector leaders.

Policy

BACKGROUND

This Protocol is intended to assist councillors and officers, in approaching some of the sensitive circumstances which arise in a challenging working environment.

The reputation and integrity of the council is significantly influenced by the effectiveness of councillors and the officer working together to support each other’s roles.

The aim is effective and professional working relationships characterised by mutual trust, respect and courtesy. Overly close personal familiarity between councillors and officers is not recommended as it has the potential to damage this relationship

ROLES OF COUNCILLORS AND OFFICERS

The respective roles of councillors and officers can be summarised as follows:

- Councillors and officers are servants of the public and they are indispensable to one another, but their responsibilities are distinct.
- Councillors are responsible to the electorate and serve only for their term of office.
- Officers are responsible to the council. Their job is to give advice to councillors and to the council, and to carry out the council’s work under the direction and control of the council and relevant committees.

Councillors

Councillors have four main areas of responsibility:

- To determine council policy and provide community leadership;
- To monitor and review council performance in implementing policies and delivering services;
- To represent the council externally; and
- To act as advocates for their constituents.

All councillors have the same rights and obligations in their relationship with the officer, regardless of their status and should be treated equally.

Councillors should not involve themselves in the day to day running of the council. This is the officer's responsibility, and the officer will be acting on instructions from the council or its committees, within an agreed job description.

In line with the councillors' Code of Conduct, a councillor must treat others with respect, must not bully or harass people and must not do anything which compromises, or is likely to compromise, the impartiality of those who work for, or on behalf of, the council.

Officers can expect councillors:

- to give strategic leadership and direction and to seek to further their agreed policies and objectives with the understanding that councillors have the right to take the final decision on issues based on advice
- to act within the policies, practices, processes and conventions established by the council
- to work constructively in partnership with officers acknowledging their separate and distinct roles and responsibilities
- to understand and support the respective roles and responsibilities of officers and their associated workloads, pressures and reporting lines
- to treat them fairly and with respect, dignity and courtesy
- to act with integrity, to give support and to respect appropriate confidentiality
- to recognise that officers do not work under the instruction of individual councillors or groups
- not to subject them to bullying, intimidation, harassment, or put them under undue pressure.
- to treat all officers, partners (those external people with whom the council works) and members of the public equally, and not discriminate based on any characteristic such as age, sex, race, sexual orientation, gender identity, disability or religion.
- not to request officers to exercise discretion which involves acting outside the council's policies and procedures
- not to authorise, initiate, or certify any financial transactions or to enter into any contract, agreement or undertaking on behalf of the council or in their role as a councillor without proper and lawful authority
- not to use their position or relationship with officers to advance their personal interest or those of others or to influence decisions improperly
- to comply at all times with the councillors' Code of Conduct, the law, and such other policies, procedures, protocols and conventions agreed by the council.
- respect the impartiality of officers and do not undermine their role in carrying out their duties
- do not ask officers to undertake work, or act in a way, which seeks to support or benefit a particular political party or gives rise to an officer being criticised for operating in a party-political manner
- do not ask officers to exceed their authority where that authority is given

Chairs and vice-chairs of council and committees

Chairs and vice-chairs have additional responsibilities as delegated by the council. These responsibilities mean that they may have to have a closer working relationship with employees than other councillors do. However, they must still respect the impartiality of officers and must not ask them to undertake work or anything else which would prejudice their impartiality.

Officers

The primary role of officers is to advise, inform and support all members and to implement the agreed policies of the council.

Officers are responsible for day-to-day managerial and operational decisions within the council, including directing and overseeing the work of any more junior officers. Councillors should avoid inappropriate involvement in such matters.

In performing their role officers will act professionally, impartially and with neutrality. Whilst officers will respect a councillor's view on an issue, the officer should not be influenced or pressured to make comments, or recommendations which are contrary to their professional judgement or views.

Officers must:

- implement decisions of the council and its committees which are lawful, which have been properly approved in accordance with the requirements of the law and are duly recorded. This includes respecting the decisions made, regardless of any different advice given to the council or whether the decision differs from the officer's view.
- work in partnership with councillors in an impartial and professional manner
- treat councillors fairly and with respect, dignity and courtesy
- treat all councillors, partners and members of the public equally, and not discriminate based on any characteristic such as age, sex, race, sexual orientation, gender identity, disability or religion.
- assist and advise all parts of the council. Officers must always act to the best of their abilities in the best interests of the authority as expressed in the council's formal decisions.
- respond to enquiries and complaints in accordance with the council's standards protocol
- be alert to issues which are, or are likely to be, contentious or politically sensitive, and be aware of the implications for councillors, the media or other sections of the public.
- act with honesty, respect, dignity and courtesy at all times
- provide support and learning and development opportunities for councillors to help them in performing their various roles in line with the council's training and development policy
- not seek to use their relationship with councillors to advance their personal interests or to influence decisions improperly
- comply, at all times, with the Officers' Code of Conduct, and such other policies or procedures approved by the council

Officers have the right not to support councillors in any role other than that of councillor, and not to engage in actions incompatible with this Protocol.

In giving advice to councillors, and in preparing and presenting reports, it is the responsibility of the officer to express his/her own professional views and recommendations. An officer may report the views of individual councillors on an issue, but the recommendation should be the officer's own. If a councillor wishes to express a contrary view they should not pressurise the officer to make a recommendation contrary to the officer's professional view, nor victimise an officer for discharging his/her responsibilities.

There are exceptional circumstances where a councillor can fulfil the role of officer, for example where there is a vacancy. This can only be done if the councillor is not paid for the role and should only ever be short-term while the council seeks to fill a vacancy. There will need to be a particular clear understanding of when the councillor is acting as a councillor and when acting as the Proper Officer.

The Relationship: General

Councillors and officers are indispensable to one another. However, their responsibilities are distinct. Councillors are accountable to the public, whereas officers are accountable to the council as a whole.

At the heart of this Protocol is the importance of mutual respect and civility. Councillor/officer relationships are to be conducted in a positive and constructive way. Therefore, it is important that

any dealings between councillors and officers should observe standards of courtesy and that neither party should seek to take unfair advantage of their position nor seek to exert undue influence on the other party.

Individual councillors should not actively seek to undermine majority decisions of the corporate body, as this could then bring them into conflict with officers who have been charged with promoting and implementing the council's collectively determined course of action.

Councillors should not raise matters relating to the conduct or capability of an officer, or of officers collectively, in a manner that is incompatible with this Protocol at meetings held in public or on social media. This is a long-standing tradition in public service. An officer has no means of responding to criticisms like this in public.

A councillor who is unhappy about the actions taken by, or conduct of, an officer should:

- avoid personal attacks on, or abuse of, the officer at all times
- ensure that any criticism is well founded and constructive
- ensure that any criticism is made in private
- take up the concern with the chair

Neither should an officer raise with a councillor matters relating to the conduct or capability of another councillor or officer or to the internal management of the council in a manner that is incompatible with the objectives of this Protocol.

Potential breaches of this Protocol are considered below.

Expectations

All councillors can expect:

- A commitment from officers to the council as a whole, and not to any individual councillor, group of councillors or political group;
- A working partnership;
- Officers to understand and support respective roles, workloads and pressures;
- A timely response from officers to enquiries and complaints;
- Officer's professional and impartial advice, not influenced by political views or personal preferences;
- Timely, up to date, information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities or positions that they hold;
- Officers to be aware of and sensitive to the public and political environment locally;
- Respect, courtesy, integrity and appropriate confidentiality from officers and other councillors;
- Training and development opportunities to help them carry out their role effectively;
- Not to have personal issues raised with them by officers outside the council's agreed procedures;
- That officers will not use their contact with councillors to advance their personal interests or to influence decisions improperly.

Officers can expect from councillors:

- A working partnership;
- An understanding of, and support for, respective roles, workloads and pressures;
- Leadership and direction;
- Respect, courtesy, integrity and appropriate confidentiality;

- Not to be bullied or to be put under undue pressure;
- That councillors will not use their position or relationship with officers to advance their personal interests or those of others or to influence decisions improperly;
- That councillors will at all times comply with the council's adopted Code of Conduct.

Some general principles

Close personal relationships between councillors and officers can confuse their separate roles and get in the way of the proper conduct of council business, not least by creating a perception in others that a particular councillor or officer is getting preferential treatment.

Special relationships with particular individuals are not recommended as it can create suspicion that an employee favours that councillor above others.

The Proper Officer (usually called the Clerk) is the head of paid services and has a line-management responsibility to all other staff. Communications should be made directly with the Proper Officer, unless it is agreed by the Proper Officer that such communications may take place directly with other officers over a particular matter. Councillors should not give instructions directly to the Proper Officer's staff without the express approval of the Proper Officer.

COUNCILLORS' ACCESS TO INFORMATION AND TO COUNCIL DOCUMENTS

Councillors are free to approach officers to provide them with such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as members 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 Officer.

The legal rights of councillors to inspect council documents are covered partly by statute and partly by the common law.

The common law right of councillors is based on the principle that any member has a prima facie right to inspect council documents so far as their access to the documents is reasonably necessary to enable the member properly to perform their duties as a member of the council. This principle is commonly referred to as the "need to know" principle.

The exercise of this common law right depends therefore upon the councillor's ability to demonstrate that they have 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 be determined by the officer.

In some circumstances (e.g. a committee member wishing to inspect documents relating to the functions of that committee) a councillor's "need to know" will normally be presumed. In other circumstances (e.g. a councillor wishing to inspect documents which contain personal information about third parties) a councillor will normally be expected to justify the request in specific terms. Any council information provided to a councillor must only be used by the councillor for the purpose for which it was provided i.e. in connection with the proper performance of the councillor's duties as a member of the council.

For completeness, councillors do, of course, have the same right as any other member of the public to make requests for information under the Freedom of Information Act 2000.

CORRESPONDENCE

Correspondence between an individual councillor and an officer should not normally be copied (by the officer) to any other councillor. Where exceptionally it is necessary to copy the correspondence to another councillor, this should be made clear to the original councillor. In other words, a system of "silent copies" should not be employed. Acknowledging that the "BCC" system of e-mailing is used, it should be made clear at the foot of any e-mails if another councillor has received an e-mail by adding "CC councillor X."

Official letters or emails on behalf of the council should normally be sent out under the name of the officer, rather than under the name of a councillor. It may be appropriate in certain circumstances (e.g. representations to a Government Minister) for a letter or email to appear over the name of the chair, but this should be the exception rather than the norm. Letters or emails which, for example, create obligations or give instructions on behalf of the council should never be sent out in the name of a councillor.

Correspondence to individual councillors from officers should not be sent or copied to complainants or other third parties if they are marked “confidential”. In doing so, the relevant officer should seek to make clear what is to be treated as being shared with the councillor in confidence only and why that is so.

PRESS AND MEDIA

Councils are accountable to their electorate. Accountability requires local understanding. This will be promoted by the council, explaining its objectives and policies to the electors and customers. Councils use publicity to keep the public informed and to encourage public participation. The council needs to tell the public about the services it provides. Good effective publicity should aim to improve public awareness of the council’s activities. Publicity is a sensitive matter in any political environment because of the impact it can have. Expenditure on publicity can be significant. It is essential to ensure that decisions on publicity are properly made in accordance with the Code of Recommended Practice on Local Authority Publicity and the council’s Media Protocol.

The officer may respond to press enquiries but should confine any comments to the facts of the subject matter and the professional aspects of the function concerned. On no account must an officer expressly or impliedly make any political opinion, comment or statement.

Any press release that may be necessary to clarify the council’s position in relation to disputes, major planning developments, court issues or individuals’ complaints should be approved by the officer.

The chair (or chair of a committee) may act as spokespersons for the council in responding to the press and media and making public statements on behalf of the council but should liaise with the officer on all forms of contact with the press and media. The council may also appoint individual councillors as spokespeople where there is an area of particular expertise but this should only be done with the agreement of the council.

The council must comply with the provisions of the Local Government Act 1986 (“the Act”) regarding publicity. All media relations work will comply with the national Code of Practice for Local Government Publicity. The Code is statutory guidance and the council must have regard to it and follow its provisions when making any decision on publicity.

The LGA has produced useful guidance on the Publicity Code - <https://www.local.gov.uk/publications/short-guide-publicity-during-pre-election-period>

For more detailed information and guidance regarding the role of councillors in connection with the use of social media, reference should be made to the council’s Social Media Protocol where there is one in place.

IF THINGS GO WRONG

Procedure for officers:

From time to time the relationship between councillors and the officer (or other employees) may break down or become strained. Whilst it is always preferable to resolve matters informally, it is important that the council adopts a formal grievance protocol or procedure.

The principal council’s monitoring officer may be able to offer a mediation/conciliation role or it may be necessary to seek independent advice. The chair of the council should not attempt to deal with grievances or work related performance or line management issues on their own. The council should delegate authority to a small group of councillors to deal with all personnel matters.

The law requires all employers to have disciplinary and grievance procedures. Adopting a grievance procedure enables individual employees to raise concerns, problems or complaints about their employment in an open and fair way.

Where the matter relates to a formal written complaint alleging a breach of the councillors' Code of Conduct the matter must be referred to the principal council's monitoring officer in the first instance in line with the Localism Act 2011. The council may however try to resolve any concerns raised informally before they become a formal written allegation.

Procedure for councillors:

If a councillor is dissatisfied with the conduct, behaviour or performance of the officer or another employee, the matter should be reported to the chair and then raised with the officer in the first instance. If the matter cannot be resolved informally, it may be necessary to invoke the council's disciplinary procedure.

Linked policies (i.e. to be read in conjunction with).

- Code of Conduct (councillors)
- HR policies (officers)

Last review date:	May 2024
Next review date:	May 2025
Lead:	Council Manager
Overseeing Committee:	Full Council
Approved:	
Review cycle:	Annually (as part of the Annual Meeting).

Woughton Community Council

COMMENTS, COMPLIMENTS AND COMPLAINTS POLICY 2024

Policy

1. The following procedure will be adopted for dealing with complaints about the Council's administration or its procedures. Complaints about a policy decision made by the Council will be referred back to the Council, or relevant Committee, as appropriate, for consideration.
2. This procedure does not cover complaints about the conduct of a member of the Community Council. Any complaint that a Councillor may have breached the Council's adopted code of conduct should be referred to the Monitoring Officer Milton Keynes Council, Civic Offices 1 Saxon Gate East Central Milton Keynes MK9 3HE.
3. If a complaint about procedures, administration or the actions of any of the Council's employees is notified orally to a Councillor, or to the Council Manager to the Council, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.
4. The complainant will be asked to put the complaint in writing (letter/e-mail) to:

Council Manager
The Council Hub,
The Local Centre,
Coffee Hall,
Milton Keynes,
MK6 5EG

Telephone (01908) 395681

email: reception@woughtoncommunitycouncil.gov.uk.

The complaint will be dealt with within 14 days of receipt. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is.

5. If the complainant prefers not to put the complaint to the Council Manager (because the matter relates to the Council Manager, for example) he or she should be advised to write to the Chairperson.
6. On receipt of a written complaint, the Council Manager (except where the complainant is about his or her own actions) or Chair of Council (if the complaint relates to the Council Manager), will seek to settle the complaint directly with the complainant. This will not be done without first notifying any person complained about and giving him or her opportunity to comment. Efforts should be made to resolve the complaint at this stage.

7. Where the Council Manager or a Councillor receives a written complaint about the Council Manager's actions, he or she shall refer the complaint to the Chair of Council. The Council Manager will be formally advised of the matter and given an opportunity to comment.
8. A periodic report will be tabled at a meeting of Council and the ~~Policy and~~ **Operations and Resources Committee** on the outcome of any complaints and to bring to members' attention any comments and or compliments.
9. Matters relating to Grievance or Disciplinary proceedings that are taking, or are likely to take place, should be dealt with in accordance with the Council's grievance and disciplinary procedures.
10. The Council may consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and public, but any decision on the complaint will be announced at the Council meeting in public.
11. The Council may consider in the circumstances of any particular complaint whether to make any without liability payment or provide other reasonable benefit to any person who has suffered loss as a result of the Council's maladministration. Any payment may only be authorised by the Council after obtaining legal advice and advice from the Council's auditor on the propriety of such a payment.
12. As soon as possible after the decision has been made (and in any event not later than 10 days after the meeting) the complainant will be notified in writing of the decision and any action to be taken.
13. The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered, and the complaint dealt with at the next meeting after the advice has been received

Linked policies (i.e. to be read in conjunction with).

- Grievance Procedure
- Disciplinary Procedure
- Code of Conduct

Last review date:	April 2024
Next review date:	April 2025
Lead:	Operations Manager
Overseeing Committee:	Full Council
Approved:	
Review cycle:	Annually (at Annual Meeting)

Appendix 2 – Complaints Form

Name and Title (Please fill in your full name and title, if any).		
Address		
Postcode		
Telephone Number		
Email address		
How would you like us to contact you? (please tick box(es) below as appropriate)		
Telephone <input type="checkbox"/>	Letter <input type="checkbox"/>	Email <input type="checkbox"/>
Do you consider your complaint to relate to any of the following?		
Race	Yes / No	
Religion / Belief	Yes / No	
Sexual Orientation	Yes / No	
Disability	Yes / No	
Gender	Yes / No	
Age	Yes / No	
Did you speak to a member of staff or Councilor about your complaint? If so, who and what was the outcome?		
What is your complaint? (Please use additional sheets as necessary and provide as much information as possible).		

For Office Use				
Date received:		Date of response		Officer allocated
Outcome:	Resolved (Stage1) <input type="checkbox"/>	Resolved (Stage2) <input type="checkbox"/>	Passed to Committee (date) <input type="checkbox"/>	_/_/_



Woughton Community Council

Information Policy

2024

Introduction / Overarching aims.

Woughton Community Council is subject to the Data Protection Act 2018, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. It complies with the requirements of this legislation.

Many requests for information can be dealt with in the ordinary course of business and do not need to be processed under the above legislation. If the information can be provided immediately, or can be made available routinely, then we will do this. Please check our website, or noticeboard, first to see if the information is available before making any request. It is also worth looking at the Information Commissioner's website at www.ico.org.uk which has guidance for the public on making requests.

The contact details for making a request are – The Clerk, Woughton Community Council, The Council Hub, Garraways, Coffee Hall, Milton Keynes, MK6 5EG, or email: steve.mcney@woughtoncommunitycouncil.gov.uk

Data Protection Act 2018

We will acknowledge receipt of a request for personal information as soon as possible. We will provide a written response as soon as possible and, in any event, within one month of receipt of the request. The time period starts from the day after the request is received to the corresponding calendar date in the next month. If the following month is shorter, it is the last day of the following month. If a corresponding day is a weekend or public holiday it is the next working day.

This period can be extended by a further two months for complex or numerous requests.

You have the right to be:

- told whether any personal data is being processed – so, if we hold no personal data about you, we must still respond to you to let you know this;
- given a description of the personal data, the reasons it is being processed, and whether it will be given to any other organisations or people; and
- given details of the source of the data (if known).

Under the terms of the Data Protection Act 2018, we will provide you with a statement, or copies of data, as long as:

- it is “personal data” as defined in the Data Protection Act 2018;
- it is not exempt from disclosure (see below);
- we have been able to verify your identity; and
- you have not repeatedly requested the information in a short space of time*.

*The Data Protection Act 2018 allows some discretion when dealing with requests that are made at unreasonable intervals. It says we are not obliged to comply with an identical or similar request to one we have already dealt with, unless a reasonable interval has elapsed between the first request and any subsequent ones. Although there is no statutory definition of a reasonable interval as it depends on factors such as how often the data is updated, we will generally consider a reasonable interval to be within the last three months. A search of previous requests will be made to ensure that this is not a similar request to one made previously. Legal advice will usually be sought if a request is to be refused. The Data Protection Act 2018 also provides for refusing on the basis of 'manifestly unfounded or excessive' requests (section 53). The question is whether supplying a copy of the requested information in permanent form would result in so much work or expense as to outweigh the requester's right of access to their personal data.

Exemptions

Possible exemptions include (this list is not exhaustive):

- References given (not received)
- Publicly available information
- Management information (such as restructuring or possible redundancies)
- Negotiations with the requestor
- Legal advice and proceedings
- Third party data

Freedom of Information Act 2000 ("FOI")

Timescales and ways of making requests.

We will respond to an FOI request in 20 working days counting the first working day after the request is received as the first working day. An FOI request can be made by anyone, from anywhere, for any purpose. It must be in writing and there must be a return address to send the information to. We will confirm or deny whether we hold the information within the 20 days. If we do not hold the information we will explain why not. We will let you know if we need longer than 20 days to apply the public interest test and we will tell you at that point what exemptions we are looking at and how long we think we need. If we do need more time to apply the public interest test this will be up to a maximum of a further 20 working days so the total time will be a maximum of 40 working days.

Refusal

We may refuse a request if we consider that:

- it is vexatious (designed to cause disruption or annoyance rather than having a serious purpose, see below)
- to comply would exceed the statutory cost limit (£450 with staff time charged at £25 an hour which is the statutory rate). If we believe it will exceed the cost limit, we will issue a refusal notice and invite the applicant, if possible, to revise the request to make it less expensive.
- it falls within an exemption under the legislation (see below)

Charging

We can charge for photocopying and disbursements and can request these fees in advance by issuing a fees notice within twenty working days of receipt of the request. When the fees notice is issued the time limit for responding stops. If we do not receive the fee within three months we are not obliged to comply with the request.

Clarification

We can seek clarification about what is being requested. The time limit for responding stops whilst we wait for a response to our request for clarification.

Exemptions

The most common exemptions are:

Section 21 – information reasonably accessible to the applicant by other means. There is a duty to confirm or deny whether we hold it and to tell the requestor where they can find it. This is an absolute exemption which means the public interest test does not need to be applied, (see below).

Section 22 – information intended for future publication. This means it is in draft, still being worked on but when completed, or approved, it will be published. The public interest test must be applied here.

Section 31 – prejudicial to law enforcement (preventing crime, collecting tax)

Section 36 – prejudicial to the effective conduct of public affairs

Section 40 – personal data

Section 42 – legal professional privilege

Section 43 - commercial sensitivity

All except section 21 are qualified exemptions requiring the application of the **public interest test**. This means weighing up whether the public interest is best served by disclosing the information, or not disclosing it.

Environmental Information Regulations 2004 (“EIR”)

Environmental information broadly relates to:

- Air, atmosphere, water, soil, land, landscape, plants, animals, biological diversity and genetically modified organisms
- Emissions, discharges, noise, energy, radiation, waste, recycling, and pollution
- Measures and activities such as policies, plans and agreements
- Reports, cost benefit analysis and economic analysis
- The state of human health and safety, contamination of the food chain
- Cultural sites and built structures (the effect of the environment on the human world)
- Planning and development, building control, construction and renovation, floods and flooding issues, land use, traffic, parking, location of mobile phone masts and demolition of buildings.

It covers documents, photos, or maps. There is no distinction between formal approved documents, and anything else. The duty is to make the information **available**. This is not the same as the duty to disclose under FOI.

There are 20 working days to respond to the request. Unlike FOI there is no extension to the time limit for consideration of the public interest test. A further 20 days is permitted though if the request is complex, or there is a large amount of information involved. There is no right to charge for inspection. Cost recovery is permitted provided the reasonable charges are published in advance.

Exceptions

There are exceptions to the requirement to disclose, these exceptions are subject to the public interest test like FOI. The exceptions are,

- personal data
- information not held when the request was made.
- the request is manifestly unreasonable (similar to “vexatious” under FOI but with “manifestly unreasonable” used instead. The courts have treated both in the same way)
- the request is too general.
- information is in draft or is unfinished.
- information is an internal communication.
- disclosure would adversely affect the course of justice or commercial confidentiality.

There is a lot of **considerable** guidance, and case law, on the use of both FOI exemptions and EIR exceptions which can be found on the Information Commissioner’s website at www.ico.org.uk.

Publication Schemes

This is a scheme available via the website, setting out the classes of information that will be made routinely available and any charges. This includes policies and procedures, minutes of meetings, annual reports and financial information. This information is easily and quickly available.

Vexatious Requests

Whilst Woughton Community Council wishes to be open and transparent and to provide as much information as possible about the work it does there are occasions when it might be necessary to decide that a request is “vexatious” within the meaning of the legislation. There have been a number of legal cases which have helped to set out what is meant, legally, by “vexatious” and which have confirmed that parish councils have limited resources and that their obligations under the legislation must be proportionate to those resources.

Public authorities do not have to comply with vexatious requests. There is no requirement to carry out a public interest test or to confirm or deny whether the requested information is held.

The key question is whether the request is likely to cause **a disproportionate or unjustified level of disruption, irritation or distress**. There is no exhaustive list of circumstances. Every case is unique and judged within the context and history of the specific situation.

“Vexatious” Indicators

- Abusive or aggressive language
- Burden on the authority
- Personal grudges
- Unreasonable persistence
- Unfounded accusations
- Intransigence
- Frequent/overlapping requests.
- Deliberate intention to cause annoyance.
- Scattergun approach
- No obvious intent to obtain information.
- Futile requests

Process we will follow to determine if a request is vexatious.

The ~~parish~~ Clerk deals with all requests for information on behalf of Woughton Community Council. If a request is considered to be potentially vexatious the clerk will prepare a summary setting out the context and history to the request. This summary will be reviewed by the Council.

The review

The following will be considered:

- The purpose and value of the request
- Whether the purpose and value justify the impact on the public authority
- The context and history so, for example, if there has been a long and frequent series of requests the most recent request, though not obviously vexatious in itself, will contribute to the aggregated burden.
- Have there been numerous follow-up enquiries no matter what is supplied? This will be balanced against how clear our responses have been, has contradictory or inconsistent information been supplied or is a legitimate grievance being pursued?
- Whether there are alternatives to the vexatious route. If it is too expensive then section 12 (costs in excess of £450) will be used. The Information Commissioner permits the total costs for all requests from one person (or several acting in concert) to be aggregated during a period of sixty days so long as they are requests for similar information.
- Is this a round robin, a “fishing” expedition or part of an orchestrated campaign?

None of these make it vexatious but are factors.

Final Warning

If, having considered all of the above, the Council thinks there is a case for treating the request as vexatious then consideration will be given to a “final warning”. This is a letter, or email, to the person making the request explaining the impact the request(s) are having and asking that their behaviour be moderated. This “final” warning will not be appropriate in all cases but, if it is possible that the person making the request has not appreciated the impact of what they are doing, then it may assist.

Advice and Assistance

In addition, the Council may want to ask the person making the request whether advice and assistance would help in clarifying what exactly they wish the organisation to provide. Again, this may not be appropriate in every circumstance but will be considered.

Report to the Council

The history of the matter will go forward as part of a report to the Council setting out the evidence and reasoning behind the recommendation to propose that the request be treated as vexatious.

The decision to declare a request vexatious will be taken by the Council. This decision should be taken within 20 working days of receipt of the request but as the Council meets regularly (either as Full Council or a committee of the council), this time limit should be achievable in normal circumstances.

Under section 14(1) of the Freedom of Information Act the refusal notice will set out our internal review procedure (if one is available) and the right of appeal to the Information Commissioner’s Office. However, under section 17(6) if the authority has issued a previous refusal notice for a vexatious request (and it would be unreasonable to provide another one) it is not necessary to do so. This will be done where the complainant has already been warned that further requests on the same, or similar topics, will not receive any response.

Please note that if a request is found to be vexatious and further requests are received on the same topic no response will be provided.

Review of Policy

This information policy is part of the Council’s governance structure and will be reviewed as necessary when legislation (or legal cases) means it needs to be updated.

Linked policies (i.e. to be read in conjunction with).

- GDPR and Data Protection
- Scheme of Delegation
- Publication Scheme

Last review date:	April 2024
Next review date:	April 2025
Lead:	Operations Manager
Overseeing Committee:	Operations
Approved:	
Review cycle:	Annual (as part of the Annual Meeting)



Commented [SM2R1]: @Tony Coughlan - we had talked about this and decided on the Information Policy only, but happy to include in the 'refresh' when we put all the new ones on the site.

Woughton Community Council

GDPR and Data Protection 2024

Purpose of the policy and background to the General Data Protection Regulation (GDPR)

This policy explains to councillors, staff, and the public **information** about GDPR.

Personal data must be processed lawfully, fairly and transparently; collected for specified, explicit and legitimate purposes; be adequate, relevant and limited to what is necessary for processing; be accurate and kept up to date; be kept only for as long as is necessary for processing and be processed in a manner that ensures its security.

This policy updates any previous data protection policy and procedures to include the additional requirements of GDPR which apply in the UK from May 2018. The Government have confirmed that despite the UK leaving the EU, GDPR will still be a legal requirement.

This policy explains the duties and responsibilities of the council and it identifies the means by which the council will meet its obligations.

Identifying the roles and minimising risk

GDPR requires that everyone within the council must understand the implications of GDPR and that roles and duties must be assigned. The Council is the data controller (with the Council Manager acting with delegated power) and the RFO is the Data Protection Officer (DPO). It is the DPO's duty to undertake an information audit and to manage the information collected by the council, the issuing of privacy statements, dealing with requests and complaints raised and also the safe disposal of information. This will be included in the Job Description of the Clerk, **or other designated officer**.

Appointing the RFO as the DPO must avoid a conflict of interests, in that the DPO should not determine the purposes or manner of processing personal data.

GDPR requires continued care by everyone within the council, councillors, and staff, in the sharing of information about individuals, whether as a hard copy or electronically. A breach of the regulations could result in the council facing a fine from the Information Commissioner's Office (ICO) for the breach itself and ~~also~~ to compensate the individual(s) who could be adversely affected. Therefore, the handling of information is seen as high / medium risk to the council (both financially and reputationally) and one which must be included in the Risk Management Policy of the council. Such risk can be minimised by undertaking an information audit, issuing privacy statements, maintaining privacy impact assessments (an audit of potential data protection risks with new projects), minimising who holds data protected information and the council undertaking training in data protection awareness.

Data breaches

One of the duties assigned to the DPO is the investigation of any breaches. Personal data breaches should be reported to the DPO for investigation. The DPO will conduct this with the support of the council. Investigations must be undertaken within one month of the report of a breach. Procedures are in place to detect, report and investigate a personal data breach. The ICO will be advised of a breach (within 3 days) where it is likely to result in a risk to the rights and freedoms of individuals – if, for example, it could result in discrimination, damage to reputation, financial loss, loss of confidentiality, or any other significant economic or social disadvantage. Where a breach is likely to result in a high risk to the rights and freedoms of individuals, the DPO will also have to notify those concerned directly.

It is unacceptable for employees, volunteers and members to use IT in any way that may cause problems for the council, for example the discussion of internal council matters on social media sites could result in reputational damage for the Council and to individuals.

Privacy Notices

Being transparent and providing accessible information to individuals about how the Council uses personal data is a key element of the Data Protection Act 1998 (DPA) and the EU General Data Protection Regulation (GDPR). The most common way to provide this information is in a privacy notice. This is a notice to inform individuals about what a council does with their personal information. A privacy notice will contain the name and contact details of the data controller and Data Protection Officer, the purpose for which the information is to be used and the length of time for its use. It should be written clearly and should advise the individual that they can, at any time, withdraw their agreement for the use of this information. Issuing of a privacy notice must be detailed on the Information Audit kept by the council. The council will adopt a privacy notice to use, although some changes could be needed depending on the situation, for example where children are involved. All privacy notices must be verifiable.

Information Audit

The DPO must undertake an information audit which details the personal data held, where it came from, the purpose for holding that information and with whom the council will share that information. This will include information held electronically or as a hard copy. Information held could change from year to year with different activities, and so the information audit will be reviewed at least annually or when the council undertakes a new activity. The information audit review should be conducted ahead of the review of this policy and the reviews should be minuted.

Individuals' Rights

GDPR gives individuals rights with some enhancements to those rights already in place:

- the right to be informed
- the right of access
- the right to rectification
- the right to erasure

- the right to restrict processing
- right to data portability
- the right to object
- the right not to be subject to automated decision-making including profiling.

The two enhancements of GDPR are that individuals now have a right to have their personal data erased (sometimes known as the 'right to be forgotten') where their personal data is no longer necessary in relation to the purpose for which it was originally collected and data portability must be done free of charge. Data portability refers to the ability to move, copy or transfer data easily between different computers.

If a request is received to delete information, then the DPO must respond to this request within a month. The DPO has the delegated authority from the Council to delete information.

If a request is considered to be manifestly unfounded then the request could be refused or a charge may apply. The charge will be as detailed in the council's Freedom of Information Publication Scheme. The council will be informed of such requests.

Children

There is special protection for the personal data of a child. The age when a child can give their own consent is 13. If the council requires consent from young people under 13, the council must obtain a parent or guardian's consent in order to process the personal data lawfully. Consent forms for children age 13 plus, must be written in language that they will understand.

Summary

The main actions arising from this policy are:

- The Council must be registered with the ICO.
- A copy of this policy will be available on the Council's website. The policy will be considered as a core policy for the Council.
- The Council Manager and RFO's Contract and Job Description (if appointed as DPO) will be amended to include additional responsibilities relating to data protection.
- An information audit will be conducted and reviewed at least annually or when projects and services change.
- Privacy notices must be issued.
- Data Protection will be included on the Council's Risk Management Policy.

This policy document is written with current information and advice. It will be reviewed at least annually or when further advice is issued by the ICO.

All employees, volunteers and councillors are expected to comply with this policy at all times to protect privacy, confidentiality and the interests of the Council.

Linked policies (i.e. to be read in conjunction with).

- Information Policy
- Social Media policy
- Security IT policy

- Code of Conduct
- Safeguarding Policy
- Retention and Disposal policy
- General privacy notice

Last review date:	April 2024
Next review date:	April 2025
Lead:	Operations Manager
Overseeing Committee:	Operations
Approved:	
Review cycle:	Annually (as part of the Annual Meeting)



Woughton Community Council

General Privacy Notice

2024

Introduction / Overarching aims

This statement details the Woughton Community Council approach to your personal data, our responsibilities under relevant legislation (including the General Data Protection Regulations – GDPR) and how we, as a Data Controller, will ensure that we maintain the highest standards with regard to data protection and security.

Our aim is to be clear and transparent about how we manage data, ensure regular reviews of our processes and systems, and to provide details to residents, volunteers, councillors, and others so that they are fully informed of our work practices.

Policy

Your personal data – what is it?

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address).

Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data). The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the “GDPR) and other legislation relating to personal data and rights such as the Human Rights Act.

Who are we?

This Privacy Notice is provided to you by Woughton Community Council which is the data controller for your data.

Other data controllers the council works with:

- local authorities and in particular, Milton Keynes Council and other local parish councils
- Community groups, such as faith groups, resident associations and similar
- Charities
- Contractors, such as IT suppliers, maintenance operatives and similar

We may need to share your personal data we hold with them so that they can carry out their responsibilities to the council. If we and the other data controllers listed above are processing your data jointly for the same purposes, then the council and the other data controllers may be “joint data controllers” which mean we are all collectively responsible to you for your data.

Where each of the parties listed above are processing your data for their own independent purposes then each of us will be independently responsible to you and if you have any questions, wish to exercise any of

your rights (see below) or wish to raise a complaint, you should do so directly to the relevant data controller.

A description of what personal data the council processes and for what purposes is set out in this Privacy Notice.

The council will process some or all of the following personal data where necessary to perform its tasks:

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses, and email addresses;
- Where they are relevant to the services provided by a council, or where you provide them to us, we may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition, and dependants;
- Where you pay for activities such as use of a council hall, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers;
- The personal data we process may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sexual life or orientation.

How we use sensitive personal data

We may process sensitive personal data including, as appropriate:

- information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work (employees only);
- your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
- in order to comply with legal requirements and obligations to third parties.

These types of data are described in the GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.

We may process special categories of personal data in the following circumstances:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations.
- Where it is needed in the public interest.

Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

Do we need your consent to process your sensitive personal data?

In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

The council will comply with data protection law. This says that the personal data we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.

- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

We use your personal data for some or all of the following purposes:

- To deliver public services including to understand your needs to provide the services that you request and to understand what we can do for you and inform you of other relevant services;
- To confirm your identity to provide some services;
- To contact you by post, email, telephone or using social media (e.g., Facebook, Twitter, WhatsApp);
- To help us to build up a picture of how we are performing;
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury;
- To promote the interests of the council;
- To maintain our own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to our facilities, services, events and staff, councillors and other role holders;
- To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals, other new projects or initiatives;
- To process relevant financial transactions including grants and payments for goods and services supplied to the council
- To allow the statistical analysis of data so we can plan the provision of services.

Our processing may also include the use of CCTV systems for the prevention and prosecution of crime.

What is the legal basis for processing your personal data?

The council is a public authority and has certain powers and obligations. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of the council’s statutory functions and powers. Sometimes when exercising these powers or duties it is necessary to process personal data of residents or people using the council’s services. We will always take into account your interests and rights. This Privacy Notice sets out your rights and the council’s obligations to you.

We may process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with the use of sports facilities, or the acceptance of an allotment garden tenancy. Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.

Sharing your personal data

This section provides information about the third parties with whom the council may share your personal data. These third parties have an obligation to put in place appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- The data controllers listed above under the heading “Other data controllers the council works with”;
- Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;

- On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

How long do we keep your personal data?

We will keep some records permanently if we are legally required to do so. We may keep some other records for an extended period of time. For example, it is currently best practice to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information. We may have legal obligations to retain some data in connection with our statutory obligations as a public authority. The council is permitted to retain data in order to defend or pursue claims. In some cases the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). We will retain some personal data for this purpose as long as we believe it is necessary to be able to defend or pursue a claim. In general, we will endeavour to keep data only for as long as we need it. This means that we will delete it when it is no longer needed.

Your rights and your personal data

You have the following rights with respect to your personal data:

When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

1) The right to access personal data we hold on you

At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond within one month.

There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

2) The right to correct and update the personal data we hold on you

If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

3) The right to have your personal data erased

If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.

When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

4) The right to object to processing of your personal data or to restrict it to certain purposes only

You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.

5) The right to data portability

You have the right to request that we transfer some of your data to another controller.

We will comply with your request, where it is feasible to do so, within one month of receiving your request.

6) The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained

You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).

7) The right to lodge a complaint with the Information Commissioner's Office.

You can contact the Information Commissioners Office on 0303 123 1113 or via email

<https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Transfer of Data Abroad

Any personal data transferred to countries or territories outside the European Economic Area (“EEA”) will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. [Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from overseas].

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on www.woughtoncommunitycouncil.gov.uk

This Notice was last updated in **May 2024**.

Contact Details

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:

The Data Controller, Woughton Community Council, The Council Hub, Local Centre, Coffee Hall, Milton Keynes, MK6 5EG or via email to: reception@woughtoncommunitycouncil.gov.uk

Last review date:	May 2024
Next review date:	May 2025
Lead:	Operations Manager
Overseeing Committee:	Operations
Approved:	
Review cycle:	Annually or as needed (as part of the Annual Meeting)

WOUGHTON COMMUNITY COUNCIL

FREEDOM OF INFORMATION PUBLICATION SCHEME

In accordance with the provisions of the Freedom of Information Act 2000, the model publication scheme specifies the classes of information which local councils publish or intend to publish.

In some cases, a class of information sets out a range of information which is excluded from publication. Where that is the case the reasons behind the decision to exclude are clearly stated.

In certain classes a limitation on the age of some documents has also been stipulated. For the avoidance of doubt this does not mean information beyond that date cannot be obtained, it simply indicates that it is not available as a matter of course within the publication scheme.

The information contained in each class will be available in a variety of formats:

- in hard copy, on request, from the Council Manager,
- by inspection at the Council offices or other suitable premises by prior appointment or,
- some of the information may be available on the Woughton Community Council website.

Information to be published	How the information can be obtained	Cost
Class1 - Who we are and what we do Organisational information, structures, locations and contacts - <i>This will be current information only.</i>	hard copy website	10p /sheet free
Who's who on the Council and its Committees	As above	As above
Contact details for Council Manager and Council members	As above	As above
Location of main Council office and accessibility details	As above	As above
Staffing structure	As above	As above

Information to be published	How the information can be obtained	Cost
Class 2 – What we spend and how we spend it Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit - <i>Current and previous financial year as a minimum</i>	hard copy website	10p /sheet free
Annual return form and report by auditor	As above	As above
Finalised budget	As above	As above
Precept	As above	As above
Borrowing Approval Letter	As above	As Above
Financial Standing Orders and Regulations	As above	As above
Grants given and received	As above	As above
List of current contracts awarded and value of contract	As above	As above
Members' allowances and expenses	As above	As above
Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)	hard copy website	10p /sheet free
Parish Plan (current and previous year as a minimum)	Hard copy Web site	£1.50 free
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	Hard copy Web site	£1.50 free
Quality status		
Local charters drawn up in accordance with DCLG guidelines		
Class 4 – How we make decisions Decision making processes and records of decisions - <i>Current and previous council year as a minimum.</i>	hard copy website	10p /sheet free
Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings) Agendas of meetings Minutes of meetings Reports presented to Council meetings - <i>nb this will exclude information that is properly regarded as private to the meeting.</i>	As above	As above
Responses to consultation papers	As above	As above
Responses to planning applications	As above	As above
Bye-laws – no byelaws in place		

Information to be published	How the information can be obtained	Cost
<p>Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) <i>Current information only</i></p>	<p>hard copy website</p>	<p>10p /sheet free</p>
<p>Policies and procedures for the conduct of council business:</p> <p>Procedural standing orders Committee and sub-committee terms of reference Delegated authority in respect of officers Code of Conduct Policy statements</p>	<p>As above</p>	<p>As above</p>
<p>Policies and procedures for the provision of services and about the employment of staff:</p> <p>Internal policies relating to the delivery of services Equality and diversity policy Health and safety policy Recruitment policies (including current vacancies) Policies and procedures for handling requests for information Complaints procedures (including those covering requests for information and operating the publication scheme)</p>	<p>As above</p>	<p>As above</p>
<p>Information security policy</p>	<p>As above</p>	<p>As above</p>
<p>Records management policies (records retention, destruction and archive)</p>	<p>As above</p>	<p>As above</p>
<p>Data protection policies</p>	<p>As above</p>	<p>As above</p>
<p>Schedule of charges)for the publication of information)</p>	<p>As above</p>	<p>As above</p>
<p>Class 6 – Lists and Registers <i>Currently maintained lists and registers only</i></p>		
<p>Assets Register</p>	<p>Available by inspection</p>	
<p>Register of members' interests</p>		
<p>Register of gifts and hospitality</p>		

Information to be published	How the information can be obtained	Cost
Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) - <i>Current information only</i>	hard copy website	10p /sheet free
Agency agreements	As above	As above
Community centers and village halls	As above	As above
Seating, litter bins, dog waste bins	As above	As above
Parks, playing fields and recreational facilities	<i>These services are not provided by Woughton Community Council</i>	
Allotments		
Bus shelters		
Markets		
Public conveniences		
Burial grounds and closed churchyards-		
A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)	As above	As above

For information available under the Publication Scheme please contact the Council Manager:

Name: Mr Steve McNay
Council Manager
Woughton Community Council
Woughton Community Hub
The Local Centre
Garraways
Coffee Hall
MK6 5EG

Telephone: (01908) 395681

E-Mail: reception@woughtoncommunitycouncil.gov.uk

Website: www.woughtoncommunitycouncil.gov.uk

The Council Manager will be responsible for maintaining the publication scheme and should be contacted if any issues arise concerning the organisation's compliance with the Freedom of Information Act.

SCHEDULE OF CHARGES

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying @ 10.p per sheet (black & white)	Actual cost
Disbursement cost	Photocopying @ 15p per sheet (colour)	Actual cost
Disbursement cost	Postage	Actual cost of Royal Mail standard 2 nd class

Last review date:	May 2024
Next review date:	May 2025
Lead:	Council Manager
Overseeing Committee:	Full Council
Approved:	
Review cycle:	Annually (as part of the Annual Meeting)



Woughton Community Council

Code of Conduct for Councillors and Co-opted Councillors of Woughton Community Council

2024

This policy is based around the Code of Conduct for Milton Keynes City Council, as the principal authority that would oversee councillor conduct across the city. In line with The Localism Act 2011, S.27 (3) provides that a parish council may adopt the same code of conduct adopted by its principal authority and that this, in turn, is based upon the Local Government Associations Model Code of Conduct, issued in 2020, with guidance issued in 2021.

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations. Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction / Overarching aims

All councils are required to have a local Councillor Code of Conduct.

This Code of Conduct shall be reviewed by the Standards Committee on an annual basis and/or, in response to any review undertaken by the Local Government Association.

Definitions

For the purposes of this Code of Conduct, a "councillor" means a member of Woughton Community Council or a co-opted member of a committee or subcommittee.

A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

a) is a member of any committee or sub-committee of the authority, or;

b) is a member of, and represents the authority on, any joint committee or joint subcommittee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

Policy

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor; or
- your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor.

The Code applies to all forms of communication and interaction, including:

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

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

The Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken. Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

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

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

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

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

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

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

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

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

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

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

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

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a) given to me in confidence by anyone
- b) acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
 - i) I have received the consent of a person authorised to give it;

- ii) I am required by law to do so;
- iii) the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
- iv) the disclosure is:
 - reasonable and in the public interest; and
 - made in good faith and in compliance with the reasonable requirements of the local authority; and
 - I have consulted the Monitoring Officer prior to its release.

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

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

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

5. Disrepute

As a councillor:

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

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

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

6. Use of position

As a councillor:

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

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

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

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

- a) act in accordance with the local authority's requirements; and**
- b) ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

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

Examples include:

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

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

8. Complying with the Code of Conduct

As a councillor:

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

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

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

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

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

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

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

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest.

The register is a public document that can be consulted when (or before) an issue arises.

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

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

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

10. Gifts and hospitality

As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

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

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

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

Integrity

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

Objectivity

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

Accountability

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

Openness

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

Honesty

Holders of public office should be truthful.

Leadership

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

Appendix B - Registering interests

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

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

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

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

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests (Personal Interests)

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects** –

- a) your own financial interest or well-being;
- b) a financial interest or well-being of a relative or close associate; or
- c) a financial interest or wellbeing of a body included under Other Registrable Interests as set out in Table 2

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Category	Explanation
1. Employment, office, trade, profession or vocation.	Any employment, office, trade, profession or vocation carried on for profit or gain.
2. Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
3. Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
4. Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
5. Licences	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.
6. Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
7. Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with

whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

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

Table 2: Other Registrable Interests (Personal Interests)

You must register as an Other Registrable Interest :

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

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

Last review date:	May 2024
Next review date:	May 2025
Lead:	Council Manager
Overseeing Committee:	Full Council
Approved:	
Review cycle:	Annually (as part of the Annual Meeting)

Woughton Community Council

Guidelines for broadcasting or using social media at Council meetings 2024

Introduction / Overarching aims

These guidelines aim to inform councillors, officers, members of the public and members of the press of the policies, processes, and expectations around broadcasting, recording or using social media whilst attending a meeting of Woughton Community Council.

Policy

The right to record, film and to broadcast meetings of the Council, Committees and Sub Committees is established following the Local Government Audit and Accountability Act 2014. This is in addition to the rights of the press and public to attend such meetings.

Since June 2020, Woughton Community Council has broadcast all formal council meetings via the corporate Facebook page and maintains a repository of these meetings within the same platform. This doesn't preclude others from filming but offers an alternative.

1. The Council will make the Council Chamber available to the public 15 minutes before and after meetings for the setting up and removal of any filming equipment.
2. Members of the public are permitted to film or record meetings to which they are permitted access, in a non-disruptive manner and only from public areas.
3. Meetings or parts of meetings from which the press and public are excluded may not be filmed or recorded.
4. The use of digital and social media recording tools, for example Twitter, blogging or audio recording will be allowed as long as it is carried out in a non-disruptive manner.
5. Councillors who choose to use social media during Council meetings must refrain from disrupting other Councillors and Council debate.
6. Councillors who choose to record, film or broadcast meetings including the use of social media are reminded of their responsibilities under the Council's Code of Conduct including the confidentiality requirements.
7. While those attending meetings are deemed to have consented to the filming, recording or broadcasting of meetings, those exercising the rights to film, record and broadcast must respect the rights of other people attending under the Data Protection Act 2018.
8. The Chair of the meeting, or any such Council representative as designated by the Chair, has the authority to stop a meeting and take appropriate action if any person contravenes these principles or is deemed to be recording in a disruptive manner.

9. Any person or organisation choosing to film, record or broadcast any meeting of the Council is responsible for any claims or other liability resulting from them so doing and by choosing to film, record or broadcast proceedings they accept that they are required to indemnify the Council, its members and officers in relation to any such claims or liabilities.

10. The Council asks those recording proceedings not to edit the film or recording in a way that could lead to misinterpretation of the proceedings, or infringe the core values of the Council. This includes refraining from editing an image or views expressed in a way that may ridicule, or show lack of respect towards those being filmed or recorded.

11. The Council will display the requirements as to filming, recording and broadcasting at its meeting venues and those undertaking these activities will be deemed to have accepted them whether they have read them or not.

12. The Council will advertise that all meetings are held in public and could be filmed or recorded by broadcasters, the media or members of the public.

13. The Council will publish the guidance on the filming, recording and broadcasting of meetings on its website.

Linked policies (i.e. to be read in conjunction with).

- Standing Orders
- Code of Conduct
- Terms of Reference for Committees
- Information Policy
- Fol Scheme

Last review date:	May 2024
Next review date:	May 2025
Lead:	Council Manager
Overseeing Committee:	Full Council
Approved:	
Review cycle:	Annual (as part of the Annual Meeting)