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# POLICIES

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**JANUARY 20, 2022**

**POLSTEAD PARISH COUNCIL**

**4 Northfield Road, Onehouse, Stowmarket IP14 3HF**

**[Clerk@polstead-pc.gov.uk](mailto:Clerk@polstead-pc.gov.uk)**

**01449 674727**

# CHARITABLE GIVING POLICY

## 1 Introduction

- 1.1 In common with all parish councils, Polstead Parish Council (“Council”) received requests from third parties for donations. The power of the Council to donate is contained in the Local Government Act 1972, s 137, which allows a local authority to spend a limited amount on activities for which it has no specific power, but which the authority considers 'will bring direct benefit to the area, or any part of it or all of some of its inhabitants'. The Local Government and Housing Act 1989 added the requirement that the benefit obtained should be commensurate with the expenditure incurred.
- 1.2 If the Council has determined its eligibility to use the General Power of Competence, all donations made by the council will be made under the Localism Act 2011 ss 1 to 8.
- 1.3 The Council receives donation requests the total sum of which far exceeds the sum of money the Council earmarks for this purpose when setting a prudent budget for the year. It is necessary, therefore, to implement policy guidelines to follow when deciding upon making a grant. This document sets out the policy adopted by the Council.

## 2 Policy Statement

It is the policy of the Council that where charitable organisations, supported by local people, can provide facilities and services for the community, they are supported financially in so doing. The Council will earmark a sum within each annual budget to be used at the sole discretion of the Council in furtherance of this policy.

## 3 Conditions of donations:

- 3.1 All requests must promote the well being of village residents or the fabric of the parish.
- 3.2 Applications must state the:
- a. amount required
  - b. purpose to which it will be put
  - c. number of parish residents who have benefited from any activity or an explanation of the direct benefit to the parish of any activity of the body within the last 12 months
  - d. proportion of the overall activity of the applicant body work within / for parish represents in percentage terms.
- 3.3 Requests will not be considered from individuals, non-charitable bodies outside of the Parish or for work unrelated to the parish.

- 3.4 Requests will not be considered from charitable bodies that have not demonstrated benefit within/for the parish within the preceding 12 months, or if it is the considered opinion of the Council that there is no reasonable expectation that any benefit within / for the parish is likely to be gained within the following 12 months.
- 3.5 Requests will not be considered from bodies from other areas of the UK unless the service they provide significantly benefits the parish or its residents.
- 3.6 Requests should be for the following financial year and are for single donations. The Parish does not commit to continuing support and no donation or series of donations is to be taken as an indicator of future funding.
- 3.7 The sum of money requested should be commensurate to the benefit obtained by the parish when compared to the overall activity of any organisation requesting such a donation. This is to mean that an organisation for which activity in the parish represents a very small proportion of its overall activity (eg a national charity) will not be eligible for as large a donation as a body for which the majority of its activity is promoting the wellbeing of village residents (eg a local village charity).
- 3.8 The decision of the Council is final.

#### **4 Procedure**

- 4.1 All donation requests will be considered at the March Council meeting. No donations will be made at other times except at the sole discretion of the Council.
- 4.2 At that meeting the Council will first consider the financial position and agree the total sum to be made available for donations.
- 4.3 The Council will decide which requests are to be refused. It is not the policy of the Council to provide notice of this decision unless a stamped addressed envelope is provided for the purpose.
- 4.4 Of those donation requests considered favourably, the Council will decide the level of support it is able to make in each case. The amount required notified by the applicant will be used as a guide only.
- 4.5 Applicants who are able to demonstrate the greatest benefit within / for the parish as a proportion of their activity will be considered more favourably than those for whom such activity is marginal.
- 4.6 Payment will be made by cheque before 31<sup>st</sup> March.

This policy was re-adopted by Polstead Parish Council at it's meeting in January 2022

## APPLICATION FOR A DONATION FROM POLSTEAD PARISH COUNCIL

Date:

Organisation Name:

Registered Charity Number (if applicable):

Address:

Email:

Telephone:

Contact Name:

Amount required:

Purpose:

Please explain the direct benefit to the Parish of any activity of your organisation within last 12 months including the number of residents who have benefitted from this work:

The proportion of overall activity that the work within / for the parish represents in percentage terms of the applicant's work:

Other relevant information in support of application:

Send application to:

Polstead Parish Council, 4 Northfield Road, Onehouse, Stowmarket Suffolk IP14 3HF

Email [clerk@polstead-pc.gov.uk](mailto:clerk@polstead-pc.gov.uk) Telephone 01449 674727

# COMMUNITY ENGAGEMENT POLICY (STATEMENT OF)

## **Aims and Objectives**

Polstead Parish Council (“Council”) is committed to high standards of engagement with its community. Our council is part of a tier of local government which belongs to, is part of and is directly accountable to its local community. Councillors play an important role as they are elected to make decisions on matters affecting the village. We aim to make a measurable difference to the quality of life of the community we serve and to be responsive to the needs of our community. This statement sets out how we ensure the community is kept informed about and can contribute to the activities and decision-making of this council to the benefit of the Council.

## **What is Our Community?**

We believe our community is everyone within the boundaries of our parish including all ages, any organisations, groups and individuals within it. We also recognise that residents pay for the activities of the Council and that visitors to our community form an important part of the vibrancy of community life. We understand that there are certain bodies that are crucial to local quality of life and we will strive to achieve excellent working relationships with these bodies including village organisations, the Police, neighbouring councils and other tiers of local government.

## **Provision of Information to the Community**

This Council ensures that its main documents which reflect its decisions are published and readily available for the public to view. These documents include the agendas, minutes and annual reports of the council which are:

- Published on the council’s website
- Posted on the notice boards
- Available to view by request and prior arrangement with the Clerk, or in the 15 minutes before council meetings

The council also summarises its activities and reports them to the **Press** and in the village newsletter.

You can view the council’s Freedom of Information Publication Scheme on the council’s website.

## **Opportunities for involvement and representations to the Council**

The agenda for full council meetings contain an invitation to the public and press to attend and gives you an indication of the business to be transacted so that you can decide whether you want to attend or make your views known by some other means prior to the meeting. Meetings are the forum for business and decision-making and it is important that this business can be conducted with ample time for due consideration of issues before councillors. However, at council meetings there is also an opportunity for the public to make representations in person prior to decisions being made. We welcome representations but inevitably have to apply a time limit and if you are concerned that there might be insufficient time to make your points known, you might wish to make representations in writing prior to the meeting. We give representatives from the Police and other tiers of local government an opportunity to make reports to

full council meetings. This provides the public and councillors with more information and an opportunity to ask questions on matters of interest to them.

The Council will also call an annual meeting of the parish on a day falling between 1 March and 1 June inclusive. This is your meeting and you will have an opportunity to hear from many community organisations and to ask them questions. It is also possible to raise matters of concern to the community.

### **Involvement in Partnerships**

The Council has representation on Layham Quarry and SALC and attends many meetings of bodies which make decisions affecting the local community. Information obtained from these meetings is reported to full council meetings.

### **Role of councillors**

Councillors are the decision-makers of the Council. The contact details for all councillors are available from the clerk and are also published on the website and notice boards. Councillors also hold the Clerk to account. Councillors welcome contact with members of the public, endeavour to be available immediately prior to council meeting for anybody who wishes to speak with them and they will listen to the representations you make to them at council meetings whether you attend in person, ask another person to raise matters for you or provide your comments in writing. The contact details for the Clerk to the council are published on the website and the notice boards. The Clerk is the Proper Officer of the council and is the appropriate contact in most cases for raising matters with or requesting information from the council.

Please feel free to contact to contact the Clerk for more information on anything in this Statement.

### **Specific Areas for Community Involvement**

In some circumstances, we also provide additional information sheets and/or provide additional public meetings in the event that exceptional issues arise which are of particular interest to the community. We envisage that these might include plans for significant planning development, exceptional spending plans and any emergency situations that arise. We will also hold public meetings in our ongoing communication with all residents on their requirements of the Council.

#### **Contact details for the council are:**

Address	4 Northfield Road, Onehouse, Stowmarket, Suffolk IP14 3HF
Telephone	01449 674727
Email	clerk@polstead-pc.gov.uk
Website	<a href="http://www.polstead.onesuffolk.net">www.polstead.onesuffolk.net</a>

This policy was re-adopted by Polstead Parish Council at its meeting on 20th<sup>th</sup> January 2022

## **COMMUNITY INFRASTRUCTURE LEVY (CIL) POLICY**

The aim of this policy is to provide guidance to parish councillors on how the parish council (PPC) will review its plans for and use of the Community Infrastructure Levy (CIL) received from the district council.

### **CIL Overview**

CIL is the levy that local authorities can charge on developments in their area to ensure facilities and services in the area have capacity to keep up with new homes and to enable further sustainable growth. The CIL Charging Schedule sets out the rate per square metre for charged developments which is payable on commencement of Permitted Development as well as Planning Permission development.

A portion of CIL income is paid to PPC to be spent on offsetting the impacts of development in the area. The remaining CIL income is spent by the district council. PPC has a duty to spend CIL income on providing, improving, replacing, operating or maintaining infrastructure that supports the development of the parish's area or anything else concerned with addressing the demands that development places on the area.

The amount passed on depends on the income received by the District which in turn depends on whether there has been development granted and commenced in Polstead and if all or any part of that development is granted exemption or relief from some / all of the CIL charge. The amount is also dependent on the presence of a Neighbourhood Plan and the number of dwellings in the area.

If development has been commenced in the area and there is an adopted Neighbourhood Plan, 25% of CIL will be passed on, otherwise 15% will be passed on capped at £100 per council tax dwelling in Polstead, multiplied by the index figure for the year.

As PPC has adopted the General Power of Competence (GPC) it will also be able to rely on the exercise of the GPC to fund wider strategic infrastructure. For example, providing new roads or new or extended schools, libraries or doctors surgeries or providing affordable housing or village shops, gyms or cafés or funding or part funding a PCSO or a Community Warden etc. - so long as such expenditure can properly be said to relate to the provision, improvement, replacement, operation or maintenance of infrastructure or assists in addressing the demands that development places on Polstead.

CIL payments to PPC will potentially be paid twice a year for the preceding 6 months' income in the same way as precepts. CIL income received between 1<sup>st</sup> April and 30<sup>th</sup> September will be paid by 28<sup>th</sup> October and CIL income received between 1<sup>st</sup> October and 31<sup>st</sup> March will be paid by 28<sup>th</sup> April.

If PPC does not spend its CIL within 5 years of receipt the district council may send a repayment notice and the district council will spend the CIL income on PPC's behalf following consultation. Exceptions may be made if PPC can show they have allocated their CIL income to a particular project for which they are accumulating funds before spending.

If PPC is unable to repay the amount specified in the repayment notice the district council will recover the amount from future CIL income that PPC is due to receive. PPC must publish a report on their CIL income and expenditure every year. Further guidance on CIL can be found in ***CIL Guidance for Parish and Town Councils, Babergh District Council (April 2016)***.

## CIL Policy

PPC will develop a Parish Infrastructure Investment Plan (PIIP) which will provide an audit of existing facilities within the locality, capture opinion on the needs and wants of residents and identify opportunities for collaborative spending with other groups, PC's, etc. to achieve the best use of funding sources for the benefit of the community. This will be reviewed annually at the May meeting.

PPC will review any proposed expenditure of its CIL money against the PIIP and ensure that the expenditure is for:

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

PPC will share the PIIP with the district council in order to help the district council gather information about how the community access facilities and to make decisions on how best to spend the district council's portion of CIL income to mitigate the impacts of development, improve facilities for the community and enable further sustainable growth where appropriate. A copy of the PIIP will be forwarded to the district council at the start of June each year.

PPC will record in its accounts, all carried over CIL, CIL receipts and expenditure for each year. It will also prepare an Annual CIL Report for each financial year (the 12 months ending 31<sup>st</sup> March) they receive CIL detailing:

- CIL receipts
- CIL expenditure
- A summary of items on which CIL has been spent
- The amount spent on each item
- The amount of any CIL repaid following a repayment notice
- The amount of CIL retained at the end of the year
- The amount of CIL from previous years retained at the end of the year.

The report will comply with accounting and audit procedures as set out in ***Governance and Accountability for Smaller Authorities in England, JPAG (March 2019)***.

The Annual CIL Report will be sent to the district council and published on the Polstead website by the start of June.

This Policy was adopted on 17<sup>th</sup> October 2019. and reviewed on 20 January 2022.

## COMPLAINTS PROCEDURE

1. This Policy sets out procedures for dealing with any complaints that anyone may have about Polstead Parish Council's (PPC) **administration and procedures** and it applies to the PPC's employees. Councillors are covered by **Suffolk Local Code of Conduct** which has been adopted by the council and any complaint against a councillor should be addressed to Babergh District Council's Monitoring Officer. Complaints against **policy decisions** made by PPC shall be referred back to the Council.
2. If a complaint about procedures or administration as practised by PPC's employees is notified orally to a Councillor or the Parish Clerk, they should seek to satisfy the complaint fully. If that fails, the complainant should be asked to put the complaint in writing to the Parish Clerk and be assured that it will be dealt with promptly after receipt.
3. If the complainant prefers not to put the complaint to the Parish Clerk he or she should be advised to put it to the Chairman or Vice Chairman.
4. On receipt of a written complaint the Chairman, Vice Chairman or the Parish Clerk (*except where the complainant is about the Clerk's own actions*), shall try to settle the complaint directly with the complainant. This shall not be done without first notifying the person complained against and giving him or her an opportunity to comment. Efforts should be made to attempt to settle the complaint at this stage.
5. Where the Chairman or Vice Chairman receives a written complaint about the Parish Clerk's own actions, the Parish Clerk shall be notified and given an opportunity to comment.
6. The Parish Clerk, Chairman or Vice Chairman shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
7. The Parish Clerk, Chairman or Vice Chairman shall bring any written complaint that has not been settled to the next meeting of the Council. The Parish Clerk shall notify the complainant of the date on which the complaint will be considered and the complainant shall be offered an opportunity to explain the complaint orally. (Unless such a matter may be related to Grievance, Disciplinary proceedings that are taking, or likely to take place when such a hearing may prejudice those hearings when the complaint will have to be heard under Exempt Business to exclude any member of the public or the press, or deferred on appropriate advice received).
8. PPC shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public but any decision on a complaint shall be announced at the Council meeting in public.

9. As soon as may be after the decision has been made it and the nature of any action to be taken shall be communicated in writing to the complainant.
10. PPC shall defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary. The complaint shall be dealt with at the next meeting after the advice has been received.

This policy was re-adopted by Polstead Parish Council at its meeting on 20 January 2022

## **DISCIPLINARY PROCEDURE**

### **POLICY STATEMENT**

- 1.1 The aims of this Disciplinary Procedure and its associated Disciplinary Rules are to set out the standards of conduct expected of all staff and to provide a framework within which managers can work with employees to maintain satisfactory standards of conduct and to encourage improvement where necessary. The standards of conduct expected of all employees are set out in the Disciplinary Rules which are appended to this].
- 1.2 It is our policy to ensure that any disciplinary matter is dealt with fairly and that steps are taken to establish the facts and to give employees the opportunity to respond before taking any formal action.
- 1.3 This procedure does not form part of any employee's contract of employment and it may be amended at any time. We may also vary this procedure, including any time limits, as appropriate in any case.

### **2. WHO IS COVERED BY THE PROCEDURE?**

The procedure applies to all employees regardless of length of service. It does not apply to agency workers or self-employed contractors.

### **3. WHAT IS COVERED BY THE PROCEDURE?**

- 3.1 This procedure is used to deal with misconduct. It does not apply to cases involving genuine sickness absence, proposed redundancies or poor performance. In those cases reference should be made to the appropriate policy or procedure.
- 3.2 Minor conduct issues can often be resolved informally between you and the Chairman. These discussions should be held in private and without undue delay whenever there is cause for concern. Where appropriate, a note of any such informal discussions may be placed on your personnel file but will be ignored for the purposes of any future capability hearings. In some cases an informal verbal warning may be given, which will not form part of your disciplinary records. Formal steps will be taken under this procedure if the matter is not resolved, or if informal discussion is not appropriate (for example, because of the seriousness of the allegation).
- 3.3 You will not normally be dismissed for a first act of misconduct, unless we decide it amounts to gross misconduct or you have not yet completed your probationary period.
- 3.4 If you have difficulty at any stage of the procedure because of a disability, you should discuss the situation with the Chairman as soon as possible.
- 3.5 **Confidentiality**

- 3.6 Our aim is to deal with disciplinary matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter.
- 3.7 You, and anyone accompanying you (including witnesses), must not make electronic recordings of any meetings or hearings conducted under this procedure.
- 3.8 You will normally be told the names of any witnesses whose evidence is relevant to disciplinary proceedings against you, unless we believe that a witness's identity should remain confidential.

### 3.9 **Investigations**

- 3.10 The purpose of an investigation is for us to establish a fair and balanced view of the facts relating to any disciplinary allegations against you, before deciding whether to proceed with a disciplinary hearing. The amount of investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents. We will appoint a HR Committee to investigate and we will set out a provisional timetable for the investigation, which will be communicated to all parties. The investigation will be thorough, impartial and objective. We reserve the ability to appoint an independent third party to investigate the allegations made.
- 3.11 Investigative interviews are solely for the purpose of fact-finding and no decision on disciplinary action will be taken until after a disciplinary hearing has been held.
- 3.12 You do not normally have the right to bring a companion to an investigative interview. However, we may allow you to bring a companion if it helps you to overcome any disability, or any difficulty in understanding English.
- 3.13 You must co-operate fully and promptly in any investigation. This will include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending investigative interviews if required.

### 3.14 **Criminal charges**

- 3.15 Where your conduct is the subject of a criminal investigation, charge or conviction we will investigate the facts before deciding whether to take formal disciplinary action.
- 3.16 We will not usually wait for the outcome of any prosecution before deciding what action, if any, to take. Where you are unable or have been advised not to attend a disciplinary hearing or say anything about a pending criminal matter, we may have to take a decision based on the available evidence.
- 3.17 A criminal investigation, charge or conviction relating to conduct outside work may be treated as a disciplinary matter if we consider that it is relevant to your employment.

3.18 **Suspension**

- 3.19 In some circumstances we may need to suspend you from work. The suspension will be for no longer than is necessary to investigate the allegations and we will confirm the arrangements to you in writing. While suspended you should not visit our premises or contact any of our clients, customers, suppliers, contractors or staff, unless you have been authorised to do so by the HR Committee.
- 3.20 Suspension of this kind is not a disciplinary penalty and does not imply that any decision has already been made about the allegations. [You will continue to receive your full [basic] salary and benefits during the period of suspension].

3.21 **Notification of a hearing**

- 3.22 Following any investigation, if we consider there are grounds for disciplinary action, you will be required to attend a disciplinary hearing. We will inform you in writing of the allegations against you, the basis for those allegations, and what the likely range of consequences will be if we decide after the hearing that the allegations are true. We will also include the following where appropriate:
- (a) a summary of relevant information gathered during the investigation;
  - (b) a copy of any relevant documents which will be used at the disciplinary hearing; and
  - (c) a copy of any relevant witness statements, except where a witness's identity is to be kept confidential, in which case we will give you as much information as possible while maintaining confidentiality.
- 3.23 We will give you written notice of the date, time and place of the disciplinary hearing. The hearing will be held as soon as reasonably practicable, but you will be given a reasonable amount of time to prepare your case based on the information we have given you.

3.24 **The right to be accompanied**

- 3.25 You may bring a companion to any disciplinary hearing or appeal hearing under this procedure. The companion may be either a trade union representative or a colleague. You must tell the HR Committee Chairman who your chosen companion is, in good time before the hearing.
- 3.26 A companion is allowed reasonable time off from duties without loss of pay but no-one is obliged to act as a companion if they do not wish to do so.
- 3.27 If your choice of companion is unreasonable we may require you to choose someone else, for example:
- (a) if in our opinion your companion may have a conflict of interest or may prejudice the hearing; or
  - (b) if your companion works at another site and someone reasonably suitable is available at the site at which you work; or
  - (c) if your companion is unavailable at the time a hearing is scheduled and will not be available for more than five working days.

3.28 We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family) where this will help overcome a disability, or where you have difficulty understanding English.

### 3.29 **Procedure at disciplinary hearings**

3.30 If you or your companion cannot attend the hearing you should inform us immediately and we will arrange an alternative time. You must make every effort to attend the hearing, and failure to attend without good reason may be treated as misconduct in itself. If you fail to attend without good reason, or are persistently unable to do so (for example for health reasons), we may have to take a decision based on the available evidence.

3.31 The hearing will be chaired by a councillor on the HR Committee. You may bring a companion with you to the disciplinary hearing (see paragraph 3.24).

3.32 At the disciplinary hearing we will go through the allegations against you and the evidence that has been gathered. You will be able to respond and present any evidence of your own. Your companion may make representations to us and ask questions, but should not answer questions on your behalf. You may confer privately with your companion at any time during the hearing.

3.33 You may ask relevant witnesses to appear at the hearing, provided you give us sufficient advance notice to arrange their attendance. You will be given the opportunity to respond to any information given by a witness. However, you will not normally be permitted to cross-examine witnesses unless, in exceptional circumstances, we decide that a fair hearing could not be held otherwise.

3.34 We may adjourn the disciplinary hearing if we need to carry out any further investigations such as re-interviewing witnesses in the light of any new points you have raised at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

3.35 We will inform you in writing of our decision and our reasons for it. Where possible we will also explain this information to you in person.

### 3.36 **Disciplinary penalties**

3.37 The usual penalties for misconduct are set out below. No penalty should be imposed without a hearing. We aim to treat all employees fairly and consistently, and a penalty imposed on another employee for similar misconduct will usually be taken into account but should not be treated as a precedent. Each case will be assessed on its own merits.

3.38 Stage 1 - First written warning. It will usually be appropriate for a first act of misconduct where there are no other active written warnings on your disciplinary record.

3.39 Stage 2 - Final written warning. It will usually be appropriate for:

- (a) misconduct where there is already an active written warning on your record; or

- (b) misconduct that we consider sufficiently serious to warrant a final written warning even though there are no other active warnings on your record.
- 3.40 **Stage 3 - Dismissal.** It will usually only be appropriate for:
- (a) any misconduct during your probationary period;
  - (b) further misconduct where there is an active final written warning on your record; or
  - (c) any gross misconduct regardless of whether there are active warnings on your record. Gross misconduct will usually result in immediate dismissal without notice or payment in lieu of notice (summary dismissal). Examples of gross misconduct are set out in our Disciplinary Rules, which are contained in the Staff Handbook.
- 3.41 **Alternatives to dismissal.** In some cases we may at our discretion consider alternatives to dismissal. These will usually be accompanied by a final written warning. Examples include:
- (a) Demotion.
  - (b) Transfer to another department or job.
  - (c) A period of suspension without pay.
  - (d) Loss of seniority.
  - (e) Reduction in pay.
  - (f) Loss of future pay increment or bonus.
  - (g) Loss of overtime.

### 3.42 **The effect of a warning**

- 3.43 Written warnings will set out the nature of the misconduct, the change in behaviour required, the period for which the warning will remain active, and the likely consequences of further misconduct in that active period.
- 3.44 A first written warning will usually remain active for six months and a final written warning will usually remain active for 12 months. Your conduct may be reviewed at the end of a warning's active period and if it has not improved sufficiently we may decide to extend the active period.
- 3.45 After the active period, the warning will remain permanently on your personnel file but will be disregarded in deciding the outcome of future disciplinary proceedings.

### 3.46 **Appeals against disciplinary action**

- 3.47 If you feel that disciplinary action taken against you is wrong or unjust you should appeal in writing, stating your full grounds of appeal, to the HR Committee within one week of the date on which you were informed of the decision.
- 3.48 If you are appealing against dismissal, the date on which dismissal takes effect will not be delayed pending the outcome of the appeal. However, if your appeal is successful you will be reinstated with no loss of continuity or pay.
- 3.49 If you raise any new matters in your appeal, we may need to carry out further investigation. If any new information comes to light we will provide you with a

- summary including, where appropriate, copies of additional relevant documents and witness statements. You will have a reasonable opportunity to consider this information before the hearing, and you or your companion may comment on any new evidence arising during the appeal before any decision is taken.
- 3.50 We will give you written notice of the date, time and place of the appeal hearing.
- 3.51 The appeal hearing may be a complete re-hearing of the matter or it may be a review of the fairness of the original decision in the light of the procedure that was followed and any new information that may have come to light. This will be at our discretion depending on the circumstances of your case. In any event the appeal will be dealt with as impartially as possible.
- 3.52 Where possible, the appeal hearing will be conducted impartially by councillors forming an Appeals Committee who have not been previously involved in the case. You may bring a companion with you to the appeal hearing (see paragraph 3.24).
- 3.53 We may adjourn the appeal hearing if we need to carry out any further investigations in the light of any new points you have raised at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.
- 3.54 Following the appeal hearing we may:
- (a) confirm the original decision;
  - (b) revoke the original decision; or
  - (c) substitute a different penalty.
- 3.55 We will inform you in writing of our final decision as soon as possible. Where possible we will also explain this to you in person. There will be no further right of appeal.

This policy was re-adopted by Polstead Parish Council at its meeting on 16<sup>th</sup> July 2020 and again at the meeting held on 20 January 2022

## DISCIPLINARY RULES

### 3.56 **Policy Statement**

3.57 These Disciplinary Rules should be read in conjunction with our Disciplinary Procedure. The aim of the Disciplinary Rules and Disciplinary Procedure is to set out the standards of conduct expected of all staff and to provide a framework within which managers can work with staff to maintain those standards and encourage improvement where necessary.

3.58 It is our policy to ensure that any disciplinary matter is dealt with fairly and in accordance with the Disciplinary Procedure.

3.59 If you are in any doubt as to your responsibilities or the standards of conduct expected you should speak to your line manager or chairman.

3.60 These rules do not form part of any employee's contract of employment and may be amended at any time.

### 3.61 **Rules of Conduct**

3.62 While working for us you should at all times maintain professional and responsible standards of conduct. In particular you should:

- (a) observe the terms and conditions of your contract, particularly with regard to:
  - (i) hours of work;
  - (ii) confidentiality;
- (b) observe all our policies, procedures and regulations notified to you from time to time;
- (c) take reasonable care in respect of the health and safety of colleagues and third parties [and comply with our Health and Safety Policy];
- (d) comply with all reasonable instructions given by managers; and
- (e) act at all times in good faith and in our best interests and those of our staff.

3.63 Failure to maintain satisfactory standards of conduct may result in action being taken under our Disciplinary Procedure.

### 3.64 **Misconduct**

The following are examples of matters that will normally be regarded as misconduct and will be dealt with under our Disciplinary Procedure:

- (a) Minor breaches of our policies;
- (b) Minor breaches of your contract;
- (c) Damage to, or unauthorised use of, our property;
- (d) Poor timekeeping;
- (e) Time wasting;
- (f) Unauthorised absence from work;
- (g) Refusal to follow instructions;

- (h) Excessive use of our telephones for personal calls;
- (i) Excessive personal e-mail or internet usage;
- (j) Obscene language or other offensive behaviour;
- (k) Negligence in the performance of your duties; or
- (l) Smoking in no-smoking areas.

This list is intended as a guide and is not exhaustive.

3.65 **Gross misconduct**

3.66 Gross misconduct is a serious breach of contract and includes misconduct which, in our opinion, is likely to prejudice our business or reputation or irreparably damage the working relationship and trust between us. Gross misconduct will be dealt with under our Disciplinary Procedure and will normally lead to dismissal without notice or pay in lieu of notice (summary dismissal).

3.67 The following are examples of matters that are normally regarded as gross misconduct:

- (a) Theft or fraud;
- (b) Physical violence or bullying;
- (c) Deliberate and serious damage to property;
- (d) Serious misuse of our property or name;
- (e) Deliberately accessing internet sites containing pornographic, offensive or obscene material;
- (f) Repeated or serious failure to obey instructions, or any other serious act of insubordination;
- (g) Unlawful discrimination or harassment;
- (h) Bringing the organisation into serious disrepute;
- (i) Being under the influence of alcohol, illegal drugs or other substances during working hours;
- (j) Causing loss, damage or injury through serious negligence;
- (k) Serious breach of health and safety rules;
- (l) Serious breach of confidence;
- (m) Accepting or offering a bribe or other secret payment;
- (n) Conviction for a criminal offence that in our opinion may affect our reputation or our relationships with our staff, customers or the public, or otherwise affects your suitability to continue to work for us;
- (o) Possession, use, supply or attempted supply of illegal drugs;
- (p) Serious neglect of duties, or a serious or deliberate breach of your contract or operating procedures;
- (q) Knowing breach of statutory rules affecting your work;
- (r) Unauthorised use, processing or disclosure of personal data contrary to our Data Protection Policy;
- (s) Harassment of, or discrimination against, employees, contractors, clients or members of the public, related to gender, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, disability, religion or belief or age;

- (t) Refusal to disclose any of the information required by your employment or any other information that may have a bearing on the performance of your duties;
- (u) Giving false information as to qualifications or entitlement to work (including immigration status) in order to gain employment or other benefits;
- (v) Knowingly taking parental, paternity or adoption leave when not eligible to do so or for a purpose other than supporting a child;
- (w) Making untrue allegations in bad faith against a colleague;

This policy was re-adopted by Polstead Parish Council at its meeting on 16<sup>th</sup> July 2020 and reviewed at the meeting on 20 January 2022

## DOCUMENT RETENTION POLICY

DOCUMENT	PAPER / ELECTRONIC	LOCATION	MINIMUM RETENTION PERIOD
<b>Administration</b>			
Agendas	E	Computer	3 years
Clerk's Personnel records	P	Chairman	15 months after ceasing employment
Contracts	P	File	Indefinitely
Declaration of Office Chairman	P	Admin File	Term of Office
Declaration of Office Councillor	P	Admin File	Term of Office
Election documents	P	Admin File	6 months after Election
Inspection Reports	P	Admin File	Indefinitely
Leases	P	File	Indefinitely
Newsletter	E	Computer	Indefinitely
Planning Applications & Responses	E	BDC website	
Register of Interests	E	BDC website	
Routine Correspondence	P	Correspondence File	3 months
Routine emails	E	email account	3 months
Signed Minutes of Annual Parish Meeting	P	Minutes File	Indefinitely
Signed Minutes of Council Meetings	P	Minutes File	Indefinitely
<b>Finance</b>			
Annual Return	P	Accounts File by Year	Indefinitely
Bank paying-in books & Cheque book stubs	P	Finance File	2 years
Bank Statements	P	Accounts File by Year	12 years
Clerk expenses	P	Accounts File by Year	12 years
Insurance policies	P	Accounts File by Year	Indefinitely
Paid Invoices	P	Accounts File by Year	12 years
PAYE returns including hours paid	P	Accounts File by Year	12 years
Quotation and tenders	P	Accounts File by Year	12 years
Receipt & Payment Accounts	P	Accounts File by Year	Indefinitely
Receipt Books	P	Accounts File by Year	12 years
VAT records	P	Accounts File by Year	12 years
<b>Allotments</b>			
Plan, Register & Agreements	P	Allotments File	Register & Agreements - while a tenant

Reviewed at the Polstead Parish Council meeting on 20 January 2022

## **EQUALITY POLICY**

Polstead Parish Council (“Council”) is committed to a policy of equality of opportunity for all our residents, customers, staff and potential staff and will fulfil its legal responsibilities under all legislation concerning equal opportunities.

The Council will actively develop positive practices which promote equality of opportunity and enable residents and customers to fully participate and staff to realise their full potential. No resident, customer, job applicant or employee will receive less favourable treatment on the grounds of gender, race, colour, creed, nationality, ethnic or national origin, physical or mental disability, sexual orientation, marital status, or will be disadvantaged by any condition which cannot be justified. The Council will ensure that all decisions on participation, recruitment, selection, training, promotion and career development are based on abilities, merits, and objective job related criteria. All staff are required to behave in a non-discriminatory manner and to create a culture in which people can feel confident of being treated with fairness, dignity and tolerance. It is the responsibility of all Council Members and employees to adopt and implement this policy as part of their professional activities and conduct.

This policy was re-adopted by Polstead Parish Council at its meeting on 16<sup>th</sup> July 2020  
And reviewed on 20 January 2022

# FINANCIAL RESERVES POLICY

## 1. Introduction

Polstead Parish Council is required to maintain adequate Financial Reserves to meet the needs of its operations and to ensure financial security. The purpose of this policy is to set out how the Council will determine and review the level of reserves.

The Joint Panel on Accountability and Governance Practitioners Guide (JPAG) (March 2021 s 5.31) advises: “As with any financial entity, it is essential that authorities have sufficient reserves (General and Earmarked) to finance both its day-to-day operations and future plans. It is important, however, given that its funds are generated from taxation/public levies, that such reserves are not excessive.”

Section 49A of the Local Government Finance Act 1992 require local authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the Precept requirement. However, there is no specific minimum level of reserves which an authority should hold, and it is the responsibility of the Responsible Financial Officer to advise the Council about the level of reserves and to ensure that there are procedures for their establishment and use.

## 2. Types of Reserves

These may be categorised as either General, Restricted or Specific

### 2.1 General Reserves

General Reserves are funds which do not have any restrictions on their use. They cushion the impact of uneven cash flows, offset budget requirements, if necessary, or can be held in case of unexpected events or emergencies. Setting the level of General Reserves is agreed with the Annual Budget. JPAG (March 2021 s 5.32) advises: “The generally accepted recommendation with regard to the appropriate minimum level of a Smaller Authority’s General Reserve is that this should be maintained at between three (3) and twelve (12) months Net Revenue Expenditure (NRE).”

“The smaller the authority, the closer the figure should be to 12 months NRE, the larger the authority the nearer to 3 months. In practice, any authority with an NRE in excess of £200,000 should plan on 3 months equivalent.”

The primary means of building General Reserves will be through a reallocation of funds (underspend on a completed project) and allocation

from the annual budget. This will be in addition to any amounts needed to replenish reserves which have been spent in the previous year. If in extreme circumstances General Reserves were exhausted due to major unforeseen spending pressures within a particular financial year, the Council would be able to draw down from its EMRs to provide short term resources..

**2.2 Restricted** Developers Contributions such as CIL can only be used for specified purposes. A record on how the Council has used its CIL funds must be reported annually to Babergh District Council and unless they are appropriately identified for a future project, may be taken back after a set period of time if unspent

### **2.3 Earmarked Reserves**

EMRs must be held for genuine and intended purposes and their level should be subject to annual review and justification. They should be separately identified to prevent query from internal and external auditors. EMRs are held for several reasons and shall only be used for the purpose for which they were created:

- Renewals – to enable the planning and financing of an effective program of equipment replacement and property maintenance/refurbishment. The funds required are built up incrementally over several years when taking into account asset conditions and asset life. They are a mechanism to smooth expenditure without the need to vary budgets.
- Carry forward of underspend on an uncompleted project – expenditure committed to a project but not spent in the budget year. Reserves can be used as a mechanism to carry forward those resources.
- Other Earmarked Reserves – these may be set up from time to time to meet known or predicted liabilities.

Where the purpose of an Earmarked Reserve becomes obsolete, or where there is an over-provision of funds, the excess may, on the approval of the Council, be transferred to other budget headings within the revenue budget, to General Reserves or to one or more other Earmarked Reserves.

EMRs will be established on a “needs” basis in line with anticipated requirements and these are to be reviewed annually when the budget is agreed.

Any decision to set up an EMR must be approved by the Council. If the EMRs are used to meet short term funding gaps, they must be replenished in the following financial year. However, EMRs which have been used to meet a specific liability would not need to be replenished, after having served the purpose for which they were originally set up.

### **3. Management and Control of Reserves**

Movements in Earmarked Reserves and General Reserves shall be reported to the Council in the RFO Report at each meeting. The use of Reserves shall be approved by the Council.

The level of General Reserves shall be reviewed on an annual basis during the annual budgetary review and agreed by the Council. The minimum level of General Reserves shall be recommended to the Council by the Responsible Financial Officer. This will form part of the recommendations for the Annual Budget and Precept request by the Council.

The current level of General Reserves to be held by the Council is set at equal to eight months of predicted expenditure.

Earmarked Reserves shall be reviewed on an individual basis. This review will also be undertaken as part of the Annual Budgetary Review. Approval for the creation, amendment, cessation or continuation of Earmarked Reserves will be given by the Council.

Adopted at PPC meeting held on 24<sup>th</sup> June 2021

Reviewed on 20 January 2022

## FREEDOM OF INFORMATION REQUEST

### **Making a Freedom of Information (FOI) request from Polstead Parish Council**

To make a request under the FOI Act please contact the Clerk in writing by letter or e-mail providing the following details:

- Your title, initials and last name
- Your address for correspondence including the postcode
- Your e-mail address if applicable
- A contact telephone number
- Details of the information you are requesting

Send your application to the council address / email address as follows:

Polstead Parish Council  
4 Northfield Road,  
Onehouse,  
Stowmarket  
Suffolk  
IP14 3HF

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

### **Council's response**

The request will be registered upon receipt and the Clerk will send you an acknowledgment setting out the date of the commencement of the statutory period of 20 working days. You will be advised of the amount that you will be likely to pay for the information and payment will be required before the information is provided.

The Council must provide the information within your request within 20 working days or explain to you why it is unable to do so. If the information requested is only available by viewing in person the Clerk will make arrangements with you to view the information.

### **What to do if you are unhappy with the FOI response**

If you are unhappy with information provided you may request an internal review of this matter from the Council. If, after an internal review, you are still unhappy with the decision, you have a right of appeal to the Information Commissioner at the following address:

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

Telephone 01625 545745.

This policy was re-adopted by Polstead Parish Council at its meeting on 16<sup>th</sup> July 2020 and reviewed at the meeting on 20 January 2022

## **GRIEVANCE PROCEDURE**

### **1. POLICY STATEMENT**

It is our policy to ensure that all employees have access to a procedure to help deal with any grievances relating to their employment fairly and without unreasonable delay. We aim to investigate any formal grievance you raise, hold a meeting to discuss it with you, inform you in writing of the outcome, and give you a right of appeal if you are not satisfied.

Issues that may cause grievances include:

- (x) terms and conditions of employment;
- (y) health and safety;
- (z) work relations;
- (aa) bullying and harassment;
- (bb) new working practices;
- (cc) working environment;
- (dd) organisational change; and
- (ee) discrimination.

This procedure does not form part of any employee's contract of employment. It may be amended at any time and we may depart from it depending on the circumstances of any case.

### **2 WHO IS COVERED BY THE PROCEDURE?**

This procedure applies to all employees regardless of length of service. Using this procedure

- If you have difficulty at any stage of the Grievance Procedure because of a disability or because English is not your first language, you should discuss the situation with the Chairman as soon as possible.
- This Grievance Procedure should not be used to complain about dismissal or disciplinary action. If you are dissatisfied with any disciplinary action, you should submit an appeal under the appropriate procedure.
- Written grievances will be placed on your personnel file along with a record of any decisions taken and any notes or other documents compiled during the grievance process. These will be processed in accordance with our Data Protection Policy.

### **3 RAISING GRIEVANCES INFORMALLY**

Most grievances can be resolved quickly and informally through discussion with the Chairman. If the complaint concerns him or her, then you should speak

informally to another Member of the Council. If this does not resolve the issue, you should follow the formal procedure below.

- Formal written grievances
- If your grievance cannot be resolved informally you should put it in writing and submit it to the Chairman, indicating that it is a formal grievance. If the grievance concerns him or her, you may submit it instead to the Vice Chairman.
- The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. In some situations we may need to ask you to provide further information.

#### **4. INVESTIGATIONS**

- In some cases it may be necessary for us to carry out an investigation into your grievance. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents. The investigation will be carried out by the Chairman.
- You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as part of our investigation.
- We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases we will hold a further grievance meeting with you after our investigation and before we reach a decision.

#### **5 Right to be accompanied**

- You may bring a companion to any grievance meeting or appeal meeting under this procedure. The companion may be either a trade union representative or a colleague. You must tell the person holding the grievance meeting who your chosen companion is, in good time before the meeting.
- At the meeting, your companion may make representations to us and ask questions, but should not answer questions on your behalf. You may confer privately with your companion at any time during the meeting.
- Acting as a companion is voluntary and your colleagues are under no obligation to do so. If they agree to do so they will be allowed reasonable time off from duties without loss of pay to act as a companion.
- If your choice of companion is unreasonable we may ask you to choose someone else, for example:
  - (a) if in our opinion your companion may have a conflict of interest or may prejudice the meeting; or
  - (b) if your companion works at another site and someone reasonably suitable is available at the site at which you work; or

- (c) if your companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards.

## 6 **Grievance meetings**

- We will arrange a grievance meeting, normally within **one week** of receiving your written grievance.
- You and your companion (if any) should make every effort to attend grievance meetings. If you or your companion cannot attend at the time specified, you should inform us immediately and we will try, within reason, to agree an alternative time.
- The purpose of a grievance meeting is to enable you to explain your grievance and how you think it should be resolved, and to assist us to reach a decision based on the available evidence and the representations you have made.
- After an initial grievance meeting we may carry out further investigations and hold further grievance meetings as we consider appropriate. Such meetings will be arranged without unreasonable delay.
  
- Your companion at a grievance meeting may make representations to us and ask questions, but should not answer questions on your behalf. You may confer privately with your companion at any time during the meeting.
  
- We will write to you, usually within one week of the final grievance meeting, to inform you of the outcome of your grievance and any further action that we intend to take to resolve the grievance. We will also remind you of your right of appeal. Where appropriate we may hold a meeting to give you this information in person.

## 7 **Appeals**

- If the grievance has not been resolved to your satisfaction you may appeal in writing to the Chairman], stating your full grounds of appeal, within one week of the date on which the decision was sent or given to you.
  
- We will hold an appeal meeting. This will be dealt with impartially by councillors forming the Appeals Committee who have not previously been involved in the case (although they may ask anyone previously involved to be present). You have a right to bring a companion to the meeting (see paragraph 3.24).
  
- We will confirm our final decision in writing, usually within one week of the appeal hearing. This is the end of the procedure and there is no further appeal

This policy was re-adopted by Polstead Parish Council at its meeting on 16<sup>th</sup> July 2020 and reviewed at the meeting on 20 January 2022

## **HEALTH AND SAFETY GENERAL STATEMENT OF POLICY**

### **POLICY STATEMENT**

It is the Policy of Polstead Parish Council (“Council”) to protect all persons including employees, customers, contractors and members of the public from potential injury and damage to their health which may arise from work activities.

### **KEY PRINCIPLES**

The Council will

- provide and maintain safe and healthy working conditions, equipment and systems of work for all employees
- provide and maintain safe council owned facilities for the public
- provide such information, training and supervision, as they need for this purpose
- give a high level of commitment to health and safety and will comply with all statutory requirements.

### **WHO DOES THE POLICY APPLY TO**

The Policy applies to all employees, contractors and Councillors of the Council

### **REVIEW OF THE POLICY**

Subject to any new legislation or changes in case law which require immediate amendment; or any changes in the needs of the Parish Council, this Policy will next be reviewed in July 2021

This policy was re-adopted by Polstead Parish Council at its meeting on 16<sup>th</sup> July 2020  
And reviewed at the meeting on 20 January 2022

# INVESTMENT POLICY

## Introduction

- 1.1 This policy sets out the treasury management procedures for the monitoring of the cash flow and banking arrangements of Polstead Parish Council.
- 1.2 Authority reference is to the Council's Financial Regulations.
- 1.3 The Local Government Act 2003 Section 12 provides the power to invest:
  - a. for any purpose relevant to its functions under any enactment or
  - b. for the purpose of the prudent management of its financial affairs.

Section 15(1) of the Act requires a local authority to have regard:

  - a. to such guidance as the Secretary of State may issue (Statutory Guidance on Local Government Investments - 3<sup>rd</sup> Edition effective 1<sup>st</sup> April 2018), and
  - b. to such other guidance as the Secretary of State may by regulations specify for the purposes of this provision.
- 1.4 The Council acknowledges its duty of care to the community and the prudent investment of funds.

## 2. Objectives

- 2.1 The Council's priorities are, in the following ranking order:
  - (i) The security of capital to minimise the risk of losses
  - (ii) The liquidity of investments to meet the cash flow needs of the Council
  - (iii) Maximising income within the framework of the national economic situation.
- 2.2 The Council will aim to achieve a high rate of return on investments commensurate with adequate safeguards of security and liquidity.
- 2.3 The borrowing of money purely to invest or to lend and make a return is not allowed and the Council will not engage in such activity.
- 2.4 The Council will monitor the risk of loss on investments by review of credit ratings on a regular basis. The Council will only invest in institutions of high credit quality – based on information from credit rating agencies (as defined).
- 2.5 Investments will be spread over different providers where appropriate to minimise risk.

## 3. investments

### Definition of an Investment

- 3.1 The definition of an investment covers all of the financial assets of a local authority as well as other non-financial assets that the organisation holds primarily or partially to generate a profit; for example, investment property portfolios. This may therefore include investments that are not managed as part of normal treasury management processes or under treasury management delegations.

### **Investment Objectives**

- 3.2 This Investment Strategy has the following objectives in priority order: • Security – protecting the capital sum invested from loss • Liquidity – ensuring the funds invested are available for expenditure when needed • Yield – income return on the investment.

### **Specified Investments**

- 3.3 Specified investments are those offering high security and high liquidity, made in sterling and with a maturity of no more than a year. Such short-term investments made with the UK Government or a Local Authority (as defined) or a Town/Parish Council will automatically be Specified Investments.
- 3.4 The Council, for prudent management of its treasury balances may use - Treasury Deposits with UK clearing banks - Local Authorities or other Public Authorities approved public sector investment funds.
- 3.5 The choice of institution and length of deposit will be at the approval of the full Council.
- 3.6 The Council will aim to achieve the optimum return on its investments commensurate with the proper levels of security and liquidity.

### **Non-Specified Investments**

- 3.7 A non-specified investment are non-financial assets that the organisation holds primarily or partially to generate a profit. Where a local authority holds a non-financial investment, it will normally be a physical asset that can be realised to recoup the capital invested.
- 3.8 These investments have greater potential risk – examples include investment in the money market, stocks and shares. Given the unpredictability and uncertainty surrounding such investments the Council will not use this type of investment.

### **Liquidity of Investments**

- 3.9 The Council in consultation with the Responsible Financial Officer (RFO) will determine the maximum periods for which funds may prudently be committed so as not to compromise liquidity.

3.10 Investments will be regarded as commencing on the date the commitment to invest is entered into rather than the date on which the funds are paid over to the counterparty.

### **Long Term Investments**

3.11 Long Term Investments are defined in the Guidance as greater than 36 months.

3.12 The Council does not currently hold any funds in long term investments.

## **4. REPORTING**

4.1 The management of this policy will be by the RFO and reported to quarterly Council meetings held in June, September, December and March.

## **5. REVIEW**

5.1 This policy will be reviewed by the Council on an annual basis prior to the start of the new financial year.

## **6. PUBLICATION**

6.1 A copy of this policy will be made available on the Council's website.

This policy was adopted by Polstead Parish Council on the 18<sup>th</sup> June 2020 and reviewed at the meeting on 20 January 2022

# PRIVACY 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 the Polstead Parish Council which is the data controller for your data.

## Other data controllers the council works with:

- e.g. other data controllers, such as local authorities
- Community groups
- Charities
- Other not for profit entities
- Contractors.

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:
  - 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**

This Notice was last updated in June 2018 and we will keep this Privacy Notice under regular review.

### **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:

**Christine Hargan**, Proper Officer, Polstead Parish Council

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

This policy was reviewed at the meeting on 20 January 2022

## **PROTOCOL FOR REPORTING OF POLSTEAD PARISH COUNCIL MEETINGS**

1. Except where members of the public have been excluded due to the confidential nature of the business, any person may film, photograph, audio record or use social media to report on meetings of the Council, or a committee, including any public participation session.
2. Reporting is restricted by legislation to the proceedings of the meeting, in other words from calling to order to the official closure of the meeting.
3. In accordance with Government guidelines, Council policy does not permit the filming or photographing of persons under the age of eighteen or vulnerable adults without permission of a responsible adult. Any persons who object to being filmed or photographed and have moved to an area designated for this purpose should also not be filmed or photographed. However, the Council cannot guarantee that anyone will not be filmed or photographed.
4. Any person intending to report should give notice before the commencement of the meeting to the Clerk or Chairman of the Council. This will enable reasonable facilities to be afforded.
5. A notice indicating that meetings may be reported by use of filming etc. will be displayed at the meeting venue and a statement about reporting will also be included in relevant notices of meetings.
6. At the start of each meeting, the Chairman will announce that proceedings may be filmed, photographed or recorded and invite any members of the public not wishing to be filmed or photographed to move to the designated area.
7. Any filming or recording of meetings should be conducted overtly from a fixed point in an area of the meeting room specified by the Clerk or Chairman.
8. Live oral commentary will not be permitted at any time.
9. The use of flash photography or additional lighting will not be allowed unless agreement has been reached in advance of the meeting.
10. Recordings will not be made for reporting by the Council or any other person during any part of the meeting when the public and press are excluded.
11. Persons reporting on a meeting who act improperly or in a disruptive manner could be excluded from the meeting. 'Disruptive behaviour' would include any action or activity which disrupts the conduct of the meeting or impedes other

members of the public from being able to see, hear or film etc., the proceedings. This might include:

- Moving outside designated public areas
- Excessive noise during debate
- Intrusive lighting and use of flash photography
- Asking people to repeat for the purpose of recording

12. Those reporting on meetings should not edit the recordings, films or photographs in a way that could lead to misinterpretation of the proceedings. This includes refraining from editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being photographed, filmed or recorded.
13. Recording and reporting the council's meetings is subject to the law and it is the responsibility of those recording and reporting to ensure compliance, including data protection and defamation. They will be responsible for any allegations of breaches of the law which may result from their use of recorded material and are admitted to the Council Meeting on the basis that they accept this responsibility. The Council reserves the right to initiate legal proceedings in appropriate circumstances.
14. The Council takes no responsibility for any recording made by others. It also takes no responsibility where a recording which it makes is subsequently used by any third party. Any third party making or editing a recording of a meeting shall in doing so be taken to have indemnified the Council against all actions, proceedings, costs, claims, demands, liabilities, losses and expenses whatsoever relating to the making or use of that recording.
15. The Council asserts no copyright or control over recordings of meetings made by itself or others whilst on Council premises, subject to paragraph 12 above.
16. Generally, archived recordings made by the Council will be available on request.

This protocol was re-adopted by Polstead Parish Council on 16<sup>th</sup> July 2020 and reviewed at the meeting on 20 January 2022

## SOCIAL MEDIA POLICY

The aim of this policy is to set out a Code of Practice to provide guidance to parish councillors, council staff and others who engage with the council using online communications, collectively referred to as social media.

Social media is a collective term used to describe methods of publishing on the internet. This policy covers all forms of social media and social networking sites which include (but are not limited to):

- Parish Council Website (<http://polstead.onesuffolk.net>)
- Facebook, Instagram and other social networking sites
- Twitter and other micro blogging sites
- Youtube and other video clips and podcast sites
- LinkedIn
- Blogs and discussion forums
- Email

The use of social media does not replace existing forms of communication.

The principles of this policy apply to parish councillors and council staff and also applies to others communicating with the Parish Council. The policy sits alongside relevant existing policies which need to be taken into consideration. The current Code of Conduct applies to online activity in the same way it does to other written or verbal communication.

Individual parish councillors and council staff are responsible for what they post in a council and personal capacity. In the main, councillors and council staff have the same legal duties online as anyone else, but failure to comply with the law may have more serious consequences.

In essence the parish council's social media use will be limited to:

Website (<http://polstead.onesuffolk.net>):

- Distribute agendas, post minutes and dates of meetings
- Advertise events and activities
- Good news stories linked website or press page
- Vacancies
- Pass on or share information from partner agencies such as Principal Authorities, Police, Library, Health etc.
- Announcing new information
- Post or Share information from other parish related community groups such as schools, sports clubs, community groups and charities

Other sites, such as Facebook, Instagram and Twitter:

- Advertise events that are on the website
- Refer resident queries to the website, clerk and all other councillors

- To initiate and a means of communications for campaigns

#### Code of Practice

When using social media (including email) parish councillors and council staff must be mindful of the information they post in both a personal and council capacity and keep the tone of any comments respectful and informative. Online content should be accurate, objective, balanced and informative. The author should assume everyone and anyone will be able to read any email, comment or see any picture however it is sent digitally.

Parish councillors and council staff must not:

- hide their identity using false names or pseudonyms
- present personal opinions as that of the council
- present themselves in a way that might cause embarrassment to the council
- post content that is contrary to the democratic decisions of the council
- post controversial or potentially inflammatory remarks
- engage in personal attacks, online fights and hostile communications
- use an individual's name unless given written permission to do so
- publish photographs or videos of minors without parental permission
- post any information that infringes copyright of others
- post any information that may be deemed libel
- post online activity that constitutes bullying or harassment
- bring the council into disrepute, including through content posted in a personal capacity
- post offensive language relating to race, sexuality, disability, gender, age, religion or belief
- conduct any online activity that violates laws, regulations or that constitutes a criminal offence

Publishing untrue statements about a person which is damaging to their reputation is libel and can result in a court action and fine for damages. This also applies if someone else publishes something libellous on your social media site. A successful libel claim will result in an award of damages against you.

Posting copyright images or text on social media sites is an offence. Breach of copyright will result in an award of damages against you. Publishing personal data of individuals without permission is a breach of Data Protection legislation and is an offence. Publication of obscene material is a criminal offence and is subject to a custodial sentence.

Councillors views posted in any capacity in advance of matters to be debated by the council at a council or committee meeting may constitute Pre-disposition, Predetermination or Bias and may require the individual to declare an interest at council meetings.

Anyone with concerns regarding content placed on social media sites that denigrate parish councillors, council staff or residents should report them to the Clerk of the Council.

Misuse of social media content that is contrary to this and other policies could result in action being taken.

The Council will appoint the Clerk as a moderator of the Parish Council website and a nominated councillor as moderator of other parish council social media output and be responsible for posting and monitoring content to ensure it complies with the Social Media Policy.

The moderator will have authority to remove any posts made by third parties from council social media pages which are deemed to be of a defamatory or libellous nature.

Policy was adopted on 18<sup>th</sup> July 2019. And reviewed on 20 January 2022.

# TRAINING AND DEVELOPMENT POLICY

## 1 Introduction

Polstead Parish Council is committed to ensuring its Councillors and staff are trained to the highest standard and kept up to date with all new legislation. To support this, funds are allocated to a training budget each year to enable staff and councillors to attend training and conferences relevant to their office. Prospective Councillors and applicants for the post of Clerk should be made aware of the content of this policy and the expectations placed upon them contained within it.

## 2 Policy Statement

The council is committed to ensure that it continues to fulfil its duties and responsibilities to residents professionally. To that end the Council's intention is that Councillors, Clerk and any other workers of the Council are suitably equipped with knowledge and skills to carry out their roles and maintain effective working practices. The Council will procure or provide such training and development opportunities as it deems necessary and relevant for the delivery of its work.

## 3 Training and Development Activity

The council consists of seven elected Councillors and employs one part-time Parish Clerk. In addition, volunteers from within the parish provide invaluable support for its work. Training and development for each of these groups will be regularly reviewed but will contain as a minimum requirement:

### 3.1 For Councillors

- a. Attendance at induction sessions explaining the role of Councillors
- b. Provision of an Councillor Information Handbook containing copies of the Standing orders, Financial Regulations, Code of Conduct, policies of the Council and other information deemed relevant
- c. Access to relevant courses provided by bodies such as the *Suffolk Association of Local Councils (SALC)*.
- d. Expenses for attending briefings, consultations and other general meetings for Councillors in Suffolk
- e. Circulation of documentation such as briefings and newsletters/magazines

### 3.2 For the Clerk

- a. Induction session explaining the role of the Clerk
- b. Provision of copies of the Standing Orders, Financial Regulations, Code of Conduct, policies of the Council and other information deemed relevant.
- c. Completion of the Introduction to Local Council Administration course or similar.
- d. Gaining the *Certificate in Local Council Administration (CiLCA)* within 12 months of appointment (this is a condition of employment) in order to retain the General Power of Competence.

- e. Any other training relevant to the proficient discharge of their duties such as IT, Legal powers, Finance and understanding the planning system, identified through regular training needs assessments.
  - f. Attendance at relevant local meetings of bodies such as the Society of Local Council Clerks (SLCC) and briefings by SALC.
  - g. Subscription to relevant publications and advice services.
  - h. Provision of *Local Council Administration* by Paul Clayden and other relevant publications, which will remain the property of the Council.
  - i. Arranging mentoring opportunities with suitably qualified Clerks from neighbouring parishes.
  - j. Regular feedback from the Chairman of the Council in their performance.
- 3.3 For Volunteers on Parish Council activities
- a. Briefings on relevant health and safety matters and the scope of their work prior to starting.
  - b. Assessment of their skill, knowledge and capacity to complete the task in hand.
  - c. Briefing on the safe use of any equipment provided by the Council.
  - d. Training for volunteers will not be beyond that which is necessary for their role.

#### **4. Training needs identification**

- 4.1 Training requirements for Councillors will usually be identified by themselves, the Chairman and Clerk. Opportunities to attend courses will be investigated by the Clerk and brought to the attention of the full council.
- 4.2 Annually, the Council will formally review the training needs of Councillors and the Clerk at a meeting of the Parish Council.
- 4.3 Training needs for the Clerk will be identified through the recruitment process for new clerks, including application form and interview, formal and informal discussions and annual staff appraisal. The Clerk is expected to keep up-to-date with developments in the sector and highlight to the Council any training required.

#### **5. Resourcing Training**

- 5.1 Annually, an allocation will be made in the budget each year as required to enable reasonable training and development.
- 5.2 Annually, the Council will consider an allocation in the budget for the payment of a subscription to the Society of Local Council Clerks and Suffolk Association of Local Councils to enable the Clerk and Councillors to take advantage of their training courses and conferences.
- 5.3 Purchases of relevant resources such as publications will be considered on an ongoing basis.

## **6. Evaluation and review of training**

- 6.1 All training undertaken will be subsequently evaluated by the Council to gauge its relevance, content and appropriateness. Any additional training needs highlighted as a result will be brought into the training identification process in section 4 above.
- 6.2 Training will be reviewed in the light of changes to legislation or any quality systems relevant to the Council; new qualifications; new equipment; complaints received or incidents which highlight training needs and requests from Councillors, the Clerk or volunteers.
- 6.3 The Clerk will maintain a record of training attended by themselves and Councillors.

This policy was re-adopted by Polstead Parish Council at its meeting on 16<sup>th</sup> July 2020 and reviewed at the meeting on 20 January 2022

## TRAVEL & EXPENSES POLICY

It is the aim of Polstead Parish Council that no member will be financially disadvantaged when representing the Parish Council. Polstead Parish Council will reimburse all or some of the expenses the Clerk, Employees, Chairman or Councillors may meet on its behalf when incurred in performing the duties required of the Council.. All expenses must be claimed on an expenses claim form.

### 1. Chairman & Councillor Expenses

The Chairman and Councillors will be able to claim the following expenses:

- The reasonable cost of necessary travel in connection with council business. The most economic means of travel should be chosen if practicable and existing travelcards or season tickets wherever possible should be used.
- Trains. The Parish Council will reimburse the cost of standard class travel on submission of a receipt with an expense claim form.
- Taxis. A taxi should not be used when there is public transport available, unless it is cost effective due to a significant saving of journey time or the number of staff travelling together. A receipt should be obtained for submission with a claim form.
- Car. Where it is cost effective for a car to be used for business travel, a mileage allowance may be claimed. Details of the current mileage rates can be obtained from the RFO/Clerk. Any necessary parking costs can be reimbursed as long as they are supported by a receipt or the display ticket.
- The Parish Council will not reimburse penalty fares or fines for parking or driving offences.
  - Subsistence which may include overnight accommodation and meals incurred in the performance of Council business provided that expenses have been receipted and approved by the Council.
  - Items purchased specifically at the direction of the Council. Claims shall be made on the appropriate forms available from the Clerk. Members shall obtain a VAT receipt in the name of the Council and pass this on to the Clerk.
  - Office consumables such as paper and ink. If necessary members may obtain these from the Clerk. All claims submitted are subject to an annual limit of £20 and shall be made on the appropriate forms available from the Clerk. Members shall obtain a VAT receipt in the name of the Council and pass this on to the Clerk.

### 2. Clerk's Expenses

- a) In addition to travel and subsistence expenses detailed above the Clerk will be able to claim the following expenses:
- b) Stamps and stationery and other office consumables.
- c) Items purchased specifically at the direction of the Council.
- d) Other expenses - documentary evidence will be required for such items spent on Council-related costs.

e) All claims shall be made on the appropriate forms.

3. Employee Expenses

- a) The reasonable cost of necessary travel in connection with council business will be reimbursed, as above.
- b) Items purchased specifically at the direction of the Parish Clerk for which receipts in the name of the Council shall be obtained and passed onto the Clerk.
- c) All claims shall be made on the appropriate forms.

This policy was adopted at the Polstead Parish Council meeting on 20 January 2022

## **VIRTUAL MEETING POLICY**

1. The host will open the meeting at 7pm and this will enable participants to join for 7.30pm start.
2. All participants will enter a virtual meeting room. The Host (Clerk) will admit participants to the meeting. This also applies to members of the public joining.
3. All participants will be muted as they enter the meeting room.
4. The meeting protocol is exactly the same as it would be in a village hall meeting room.
5. The Chairman will welcome you to the meeting and will provide information for members of the public.
6. If a Councillor wishes to speak, please put up your hand and the Chairman will direct the order of speaking.
7. Voting will be by show of hands. The Clerk will read back the voting for clarification.
8. If a councillor declares a pecuniary interest for an item on the agenda, they will be returned to the waiting room while the item is discussed and resolved. The Clerk will then admit them to the meeting again.
9. Mobile phones to be switched to silent. Please try and find a quiet location at home where possible.
10. If a Councillor has technical problems and leaves the meeting, this will be recorded in the Minutes. If the Councillors then rejoins the meeting, this will also be noted in the Minutes.
11. If there are any issues (inappropriate behaviour) by members of the public attending the meeting, the Clerk can return the participant to the waiting room.

### **Chairman's Introduction to meeting**

Welcome to Councillors, county and District Councillors and members of the public to our virtual Council meeting.

I would like to mention our virtual meeting housekeeping.

All participants are muted when they arrive into the meeting and the Clerk will unmute when I as Chairman directs who speaks.

Members of the public may speak in the public forum part of the meeting on agenda items for debate on the agenda.

If the meeting closes due technical difficulties, the Clerk will reopen the meeting with a new link.

This Policy was updated at the Parish Council meeting on 20 January 2022