



## **Brixworth Parish Council**

**Councillors are hereby summoned to attend the Annual Parish Council meeting to be held on  
Thursday 21<sup>st</sup> May 2020 at 730pm**

**This will be a 'virtual meeting' using Video Conferencing in accordance with the  
Local Authorities and Police and Crime Panels (Coronavirus) Regulations 2020**

***Press and public are able to attend and participate***

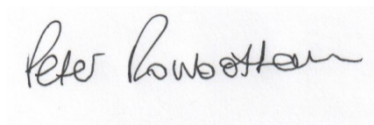
Please email your interest to [parish.clerk@brixworthparishcouncil.gov.uk](mailto:parish.clerk@brixworthparishcouncil.gov.uk)  
or join us direct by using this link to [Microsoft Teams](#)

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## **AGENDA**

1. **Welcome**
2. **Election of Parish Council Chairman**
  - 2.1 To elect a Chairman for the Parish Council for 2020/2021
  - 2.2 To receive the Chairman's Declaration of Acceptance
3. **Apologies for Absence**
  - 3.1 To consider any received apologies
4. **Declarations of Interest**
  - 4.1 Members' declarations of interests on agenda items only
5. **Agree and sign the minutes of the previous meeting**
  - 5.1 Council Meeting of Thursday 30<sup>th</sup> April 2020 A
6. **Election of Parish Council Vice Chairman**
7. **Agree to the continuation, terms of reference and membership of the Planning Committee** B
8. **Election of a Chairman and Vice Chairman of the Planning Committee**
9. **Agree to the continuation, terms of reference and membership of the Media and Communications Committee.** C
10. **Election of a Chairman and Vice Chairman of the Media & Communications Committee**
11. **Agree to the continuation, terms of reference and membership of the Working Groups**
  - 11.1 Finance D
  - 11.2 Personnel E

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| 12. | <b>Agree the Calendar of meetings for the municipal year 2020/2021</b>  | F   |
| 13. | <b>Election of Parish Council Representatives</b><br>13.1 Village Hall Representative<br>13.2 Thomas Roe Charity<br>13.3 NCALC<br>13.4 Newsletter & Press<br>13.5 Highways, Footpaths including Rights of Way & Trees<br>13.6 Police Liaison<br>13.7 Armed Forces<br>13.8 Verification Officer for Finance<br>13.9 Brixworth Sports Council (3 reps)  |   |
| 14. | <b>Confirm the banking arrangements and signatories for the Parish Council Mandate</b>  | G   |
| 15. | <b>Review and agree the following documents (Annual Review)</b><br>15.1 Members Code of Conduct<br>15.2 Standing Orders<br>15.3 Financial Regulations<br>15.4 Asset & Land Register<br>15.5 Risk Register<br>15.6 Councils Complaints Procedure<br>15.7 Freedom of Information Publication Scheme<br>15.8 Data Protection Policy<br>15.9 Data Breach Policy<br>15.10 Records Retention Policy<br>15.11 Privacy Policy | H<br>I<br>J<br>K<br>L<br>M<br>N<br>O<br>P<br>Q<br>R |
| 16. | <b>Review and agree the list of the Council's annual subscriptions</b><br>16.1 Northamptonshire County Association of Local Councils<br>16.2 Society of Local Clerks<br>16.3 Campaign for the Protection of Rural England<br>16.4 Northants ACRE (Action with Communities in Rural England)<br>16.5 The Living Wage Foundation  |   |
| 17. | <b>Annual Governance and Accountability Return 2018/2019</b><br>17.1 Review the system of internal control<br>17.2 Complete and approve the Annual Governance Statement<br>17.3 Consider and approve the Accounting Statement   | S<br>T<br>U   |
| 19. | <b>Any other urgent business</b><br>Business must be urgent and must be notified to the Chairman before the meeting   |   |
| 20. | <b>To note Future Meetings:</b><br>20.1 Full Council – Thursday 28 <sup>th</sup> May 2020<br>20.2 Planning – Monday 1 <sup>st</sup> June 2020<br>20.3 Media & Communications – Wednesday 10 <sup>th</sup> June 2020<br>20.4 Full Council – Thursday 25 <sup>th</sup> June 2020  |   |



**Mr Peter Rowbotham**  
**Clerk to the Council**  
**15<sup>th</sup> May 2020**

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*When we do need to print, we only use 100% recycled paper*

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**Members of the Parish Council**

Councillor Stephen James (Chairman) Councillor Sandra Moxon (Vice Chairman)  
Councillor Ian Barratt, Councillor Jackie Bird, Councillor Elaine Coe,  
Councillor Stuart Coe, Councillor James Collyer, Councillor Lynne Compton,  
Councillor Lina Howarth, Councillor Alan Lovell, Councillor Tom Mitchell,  
Councillor Kevin Parker and Councillor Frances Maria Peacock.

**A****Brixworth Parish Council****Minutes of the meeting held on****Thursday 30<sup>th</sup> April 2020****Video Conferencing****In Attendance:**

**Councillors:** Councillor Stephen James, Councillor Ian Barratt, Councillor Jackie Bird, Councillor Elaine Coe, Councillor Stuart Coe, Councillor James Collyer, Councillor Lynne Compton, Councillor Lina Howarth, Councillor Alan Lovell, Councillor Tom Mitchell, Councillor Sandra Moxon, Councillor Kevin Parker and Councillor Frances Peacock

**Apologies:** None

**Absent:** None

**Also Present:** Peter Rowbotham (Clerk) and District Councillor Jonathan Harris

**Members of the Public:** None

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**20/ 4948 Welcome**

Councillor James welcomed everyone to a virtual meeting of the Parish Council which was being held in accordance with the Coronavirus Act 2020. He reminded everyone that the meeting was being recorded.

**20/ 4949 Apologies for Absence**

No apologies for absence had been received.

**20/ 4950 Declarations of Interest**

Councillor James declared a non-pecuniary interest in the grant application received for the Brixworth Centre. Councillor James, as a Brixworth Centre Trustee, stated that whilst he would be able to answer any questions regarding the application he would not be participating in the discussion or voting.

**20/ 4951 Minutes of Previous Meeting (31<sup>st</sup> March 2020)**

The minutes of the Parish Council meeting of 31<sup>st</sup> March 2020 were agreed as a true and accurate record. This was proposed by Councillor James and seconded by Councillor Compton. Unanimous.

**20/ 4952 Public Open Forum**

District Councillor Harris, as a representative of the Covid 19 Volunteer Group updated the Parish Council of the local community response. Local support included collecting and delivering prescriptions and shopping. There were plans for the Volunteer Group to distribute the latest NCC leaflet providing contact details for further support.

An email from a member of the public had asked the Parish Council to take care when cutting back the daffodil leaves within the Parish. The Parish confirmed that the daffodil leaves would not be cut back until after they had turned yellow to ensure good flowering rates next year.

**20/ 4953 Finance - Transactions including Payments for Approval- April 2020**

The list of financial transactions and payments for April 2020 was approved by the Parish Council. All invoices for payment had been examined, verified and certified by the Parish Clerk in accordance with the Financial Regulation 5.3. The payment terms on the legal invoices would be clarified by the Parish Clerk. This was proposed by Councillor Moxon and seconded by Councillor Stuart Coe. Unanimous.

			Net Amount	VAT	Total	Powers
			£	£	£	
<b>Direct Debit Payments - Financial Reg 6.7</b>						
01	E. ON	Elec monthly - Ashway Changing Rooms (1st)	110.48	5.52	116.00	LGA MP 1976 s19
02	TalkTalk Business	Broadband (7th)	50.95	10.19	61.14	LGA 1972 s111
03	EE Limited	Mobile Phone (15th)	18.86	3.77	22.63	LGA 1972 s111
04	Information Commissioner	Annual Data Registration Licence	35.00	0.00	35.00	LGA 1972 s111
<b>Retrospective Payments - Financial Reg 5.5. (via BACS)</b>						
05	Ascomi	Web Site Hosting	156.00	0.00	156.00	LGA 1972 s142
06	William Graham Law	Professional Services	477.50	95.50	573.00	LGA 1972 s222
07	William Graham Law	Professional Services - Skeleton Argument	600.00	120.00	720.00	LGA 1972 s222
<b>Debit Card Payments (Online purchase) - Financial Regs 6.10 &amp; 6.19</b>						
08	O2	Mobile Telephone Top Up	16.67	3.33	20.00	LGA 1972 s111
09	Microsoft	Annual 365 Licence	122.80	0.00	122.80	LGA 1972 s111
10	Curry's	Printer Cartridges	68.32	13.67	81.99	LGA 1972 s111
<b>Payments Processed this month but agreed last month - Financial Regulation 5.2 (via BACS)</b>						
<b>Payments for approval - Financial Regulation 5.2 (via BACS)</b>						
11	Staff	Net Salaries and Wages (5-week month)	3,681.73	0.00	3,681.73	LGA 1972 s112
12	HMRC	PAYE	1,137.49	0.00	1,137.49	LGA 1972 s112
13	LGSS	Pension Scheme	638.64	0.00	638.64	LGA 1972 s112
14	EON	Electricity for Footpath Lighting	151.09	7.55	158.64	PCA 1957 s3
15	EON	Footpath Lighting Maintenance (Q4)	24.69	4.94	29.63	PCA 1957 s3
16	Euromec	100-hour service - Mower	265.00	53.00	318.00	HA 1980 s96

17	BHIB	Annual Insurance - Year 2 of 3-year agreement	1,360.41	0.00	1,360.41	LGA 1972 s111
18	Blasons	Fuel for Van and Mower	78.29	15.66	93.95	LGA 1972 s111
19	R&G	Grounds Maintenance	446.83	89.36	536.19	PHA 1936 s87
20	Peter Rowbotham	Office Expenses	17.33	0.00	17.33	LGA 1972 s111
21	NCC	Village Gateway and Roundel	525.00	105.00	630.00	HA 1980 s274a
<b>Cheque Payments</b>						
	Nil		0.00	0.00	0.00	
<b>Total Expenditure this month to date</b>			<b>9,983.08</b>	<b>527.49</b>	<b>10,510.57</b>	
<b>Receipts</b>						
22	DDC	Half Year Precept	83,224.50	0.00	83,224.50	LGFA 1992 s41
23	DDC	CIL Payment	13,240.88	0.00	13,240.88	PA 2008
24	Nat West	Interest at 31 March 2020	21.24	0.00	21.24	LGA 1972 s111
<b>Total Income this month</b>			<b>96,486.62</b>	<b>0.00</b>	<b>96,486.62</b>	
<b>Bank Transfer - Capital to Revenue</b>						
			0.00	0.00	0.00	
<b>Total transferred to revenue this month</b>			<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	
<b>Bank Transfer - Revenue to Capital</b>						
25	Nat West	Transfer budget allocation / CIL to capital	37,400.78	0.00	37,400.78	LGA 1972 s111
<b>Total transferred to capital this month</b>			<b>37,400.78</b>	<b>0.00</b>	<b>37,400.78</b>	

### **20/4955 Finance - Report of the Finance Working Group**

The Finance Working Group had met on 20<sup>th</sup> April 2020. The notes and recommendations were shared with the Parish Council. The Parish Council agreed that –

1. Pitch hire rates be reduced 'pro rata' at an estimated maximum cost of £2,500, to be met from General Reserves.
2. The amounts identified for earmarked reserves in the approved 2020 2021 Budget be transferred from the Revenue Account to the Capital Account.
3. The Grounds Maintenance contract be extended to 31<sup>st</sup> July 2020 in accordance with Financial Regulation 11 (a) iv.

This was proposed by Councillor Moxon and seconded by Councillor Elaine Coe. Unanimous.

### **20/4956 Verification for Quarter 4**

The Parish Council's Financial Regulation 2.2 states that at least once in each quarter, a member other than a cheque signatory shall act as a Verification Officer to verify bank reconciliations. This would prove more difficult to carry out in Q4 with the current lockdown restrictions. It was agreed that on this occasion there could be a more limited approach to verification. A smaller number of requested transactions could be highlighted, and scanned images be provided via email. This could then be followed up by a Video Conferencing Meeting to discuss findings. A report to the Parish Council would then be submitted as normal. This approach was proposed by Councillor James and seconded by Councillor Compton. Unanimous.

**20/4957 Grant Application – The Brixworth Centre**

The Parish Council agreed in principle the award of a maximum grant of up to £5,000 to the Brixworth Centre. This is subject to the applicant meeting the requirements of the Parish Council Grants Policy. The Parish Council has the power to contribute towards public buildings in accordance with the Local Government Act 1972 s133. This was proposed by Councillor Stuart Coe and seconded by Councillor Mitchell. Unanimous.

*Councillor James did not participate or vote in the above item.*

**20/4958 Grants Policy**

The revised Grants Policy was considered by the Parish Council. It was agreed that the Grants Policy be adopted. This was proposed by Councillor James and seconded by Councillor Bird. Unanimous.

**20/4959 Finance – Rolling Budget**

The Rolling Budget for April 2020 was received by the Parish Council. There were no issues or concerns.

**20/ 4960 Finance – Bank Reconciliation Report**

The Bank Reconciliation report as at 31<sup>st</sup> March 2020 was noted by the Council. The Revenue (Current) account indicated a balance of £80,622.57. The Capital (Reserve) account indicated a balance of £115, 040.11.

**20/ 4961 Finance - Parish Council's Reserves**

The Statement of Reserves was received by the Parish Council. There was £53,557.10 held within Restricted Funds and £100, 946.39 within Earmarked Reserves. General Reserves was in the region of £68,068.27. The s106 money held by Daventry District Council was approximately £254,425.

**20/ 4962 Community Safety – Reported Crime Data**

The crime figures for March 2020 were not available. The Parish Council noted that the crime reported data would not be available until further notice.

**20/ 4963 Community Safety – Speed Indicator Device (SID)**

The data from the Speed Indicator Device (Harborough Road outbound) was noted by the Parish Council.

**20/ 4964 Planning – Decisions for March 2020**

The Parish Council noted the list of planning decisions issued during March 2020.

**20/ 4965 Planning – Minutes for 9<sup>th</sup> March 2020**

The Parish Committee received the minutes of the Planning Committee of 9<sup>th</sup> March 2020.

**20/ 4966 Media & Communications Committee – Minutes for 12<sup>th</sup> February 2020**

The Parish Committee received the minutes of the Media and Communications Committee of 12<sup>th</sup> February 2020.

**20/ 4967 Parish Clerks Report**

The Parish Council received the report of the Parish Clerk.

**20/ 4968 Correspondence**

The list of Correspondence was noted by the Parish Council.

	Subject	From
01	CEO Update	NALC
02	CEO Update	NALC
03	CEO Update	NALC

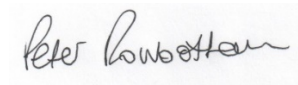
**19/ 4969 Dates of Future Meetings**

- Planning – 18<sup>th</sup> May 2020
- Media & Communications – 20<sup>th</sup> May 2020
- Council Annual Meeting 21<sup>st</sup> May 2020
- Council – 28<sup>th</sup> May 2020

**19/ 4970 Urgent Matters**

There were no urgent matters raised.

***The meeting finished at 8.33pm***  
**Signed as a true and accurate record**



**Councillor Stephen James**  
**Chairman**  
**Brixworth Parish Council**  
**21<sup>st</sup> May 2020**

**Peter Rowbotham**  
**Parish Clerk**  
**Brixworth Parish Council**  
**1<sup>st</sup> May 2020**

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## **Brixworth Parish Council**

### **Planning Committee**

#### **Terms of Reference**

<b>1.Objective</b>
Making places, developing communities, and shaping the future.
<b>2. Aims</b>
Planning for and delivering sustainable development by balancing the economic, environmental and social impacts of new development.
<b>3. Composition</b>
All Parish Councillors qualify as members of the Planning Committee.
<b>4. Quorum</b>
The Quorum for the Planning Committee shall be three Councillors.
<b>5. Meeting Frequency</b>
The Planning Committee meets on a three-week cycle or as necessary.
<b>6. Responsibilities</b>
<ul style="list-style-type: none"> <li>• Responding to Planning Applications and Licensing Applications</li> <li>• Responding to Pre-Application Submissions</li> <li>• Responding to Appeals</li> <li>• Responding to consultations on planning documents</li> <li>• Ensures that all of the Parish Council's Planning Policies are up to date and relevant.</li> <li>• Liaising with the Neighbourhood Planning Working Group</li> </ul>
<b>7 Notes</b>
<p>Members of the public are welcome to attend and participate in the meeting but have no voting rights.</p> <p>The Planning Committee reports to the Full Council.</p>





**Brixworth Parish Council**

**Media & Communications Committee**

**Terms of Reference**

<b>1.Objective</b>
Engaging the local community by promoting Parish Council and partner activities and listening to the feedback.
<b>2. Aims</b>
Enhancing the reputation of the Parish Council by promoting its services within the local community.
<b>3. Composition</b>
Membership shall comprise of 5 nominated members of the Parish Council.
<b>4. Quorum</b>
The Quorum for the Media & Communications Committee shall be three Councillors.
<b>5. Meeting Frequency</b>
The Media & Communications Committee will meet monthly usually on the second Wednesday of each month.
<b>6. Responsibilities</b>
<ul style="list-style-type: none"> <li>• Provides up to date information for the Parish Council website.</li> <li>• Ensures that the web site is accessible and meets the legal requirements</li> <li>• Maintains all the social media sites including Facebook, Twitter, and Instagram.</li> <li>• Approves Parish Council press releases, articles, and social media items.</li> <li>• Prepares and edits the Parish Council pages of the Brixworth Bulletin</li> <li>• Monitors the usage of the web site and its social media sites.</li> <li>• Ensures that all of the Parish Council's Media &amp; Communications Policies are up to date and relevant.</li> </ul>

**7 Notes**

Members of the public are welcome to attend and participate in the meeting but have no voting rights.

The Media & Communications Committee reports to the Full Council.



## **Brixworth Parish Council**

### **Finance Working Group**

#### **Terms of Reference**

<b>1.Objective</b>
Ensures that the Parish Council operates legally, efficiently and effectively on all finance related matters.
<b>2. Aims</b>
The financial administration of the Council operates within Standing Orders, Financial Regulations and relevant local government legislation.
<b>3. Composition</b>
Membership shall comprise of up to 5 nominated members of the Parish Council. (minimum of three)
<b>4. Quorum</b>
The Quorum for the Finance Working Group shall be two Councillors.
<b>5. Meeting Frequency</b>
The Finance Working Group will meet at least quarterly but more frequently during the budget/ precept preparation cycle.
<b>6. Responsibilities</b>
<p>Advising the Parish Council on:</p> <ul style="list-style-type: none"> <li>• Preparing an Annual Budget Report and recommending the budget and precept.</li> <li>• Budget Monitoring</li> <li>• Financial Regulations</li> <li>• Risk Management</li> <li>• Insurance</li> <li>• Internal Controls &amp; Financial Systems</li> <li>• Audit Reports</li> <li>• Review of Financial Policies including</li> <li>• Procurement including 'Best Value'</li> <li>• Ensures that all of the Parish Council's Financial Policies &amp; Procedures are up to date and relevant.</li> </ul>

**7 Notes**

This is a closed meeting.

The Finance Working Group reports to the Full Council.



## **Brixworth Parish Council**

### **Personnel Working Group**

#### **Terms of Reference**

<b>1.Objective</b>
Advises the Parish Council to ensure that it operates legally, efficiently and effectively on all personnel/ employment related matters.
<b>2. Aims</b>
To be a model employer through good governance and adhering to employment practises.
<b>3. Composition</b>
Membership shall comprise of up to 5 nominated members of the Parish Council. (minimum of three)
<b>4. Quorum</b>
The Quorum for the Personnel Working Group shall be two Councillors.
<b>5. Meeting Frequency</b>
The Personnel Working Group will meet at least quarterly and more frequently if necessary.
<b>6. Responsibilities</b>
<p>Advising the Parish Council on:</p> <ul style="list-style-type: none"> <li>• Staffing structures and levels</li> <li>• Contracts of employment, job descriptions, person specifications and appraisals for staff.</li> <li>• Staff salaries and terms of conditions (Advising the Finance Working Group of budget implications)</li> <li>• Recruitment and appointments</li> <li>• Disciplinary matters</li> <li>• Grievances</li> <li>• Training &amp; Development</li> <li>• Health &amp; Safety</li> <li>• Human Resource legislation including compliance</li> </ul>

- |   |
|---|
| <ul style="list-style-type: none"><li>• Ensures that all of the Parish Council's Personnel/ Employment Policies and Procedures are up to date and relevant.</li></ul> |
| <b>7 Notes</b>  |
| <p>This is a closed meeting.</p> <p>The Personnel Working Group reports to the Full Council.</p>  |





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Week	Commencing	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Wk14	30-Mar-20	Planning					Surgery	
Wk15	06-Apr-20					BH		
Wk16	13-Apr-20	BH						
Wk17	20-Apr-20	Finance WG		Media	Annual Parish Meeting			
		Planning						
Wk18	27-Apr-20				Full Council		Surgery	
Wk19	04-May-20				Election Day	BH		
Wk20	11-May-20	Planning						
Wk21	18-May-20			Media	Full Council (Annual)			
Wk22	25-May-20	BH			Full Council			
Wk 23	01-Jun-20	Planning					Surgery	
Wk 24	08-Jun-20			Media				
Wk 25	15-Jun-20	Finance WG	Personnel WG					
Wk 26	22-Jun-20	Planning			Full Council			
Wk 27	29-Jun-20						Surgery	
Wk 28	06-Jul-20			Media				
Wk 29	13-Jul-20	Planning						
Wk 30	20-Jul-20							
Wk 31	27-Jul-20				Full Council		Surgery	
Wk 32	03-Aug-20	Planning						
Wk 33	10-Aug-20			Media				
Wk 34	17-Aug-20							
Wk 35	24-Aug-20	Planning			Full Council			
Wk 36	31-Aug-20	BH					Surgery	
Wk 37	07-Sep-20	Finance WG		Media				
Wk 38	14-Sep-20	Planning	Personnel WG					
Wk 39	21-Sep-20				Full Council			
Wk 40	28-Sep-20						Surgery	
Wk 41	05-Oct-20	Planning						
Wk 42	12-Oct-20	Finance WG		Media				
Wk 43	19-Oct-20							
Wk 44	26-Oct-20	Planning			Full Council			
Wk 45	02-Nov-20	Finance WG					Surgery	
Wk 46	09-Nov-20			Media	Full Council (Finance)			
Wk 47	16-Nov-20	Planning						
Wk 48	23-Nov-20				Full Council			
Wk 49	30-Nov-20	Finance WG					Surgery	
Wk 50	07-Dec-20	Planning		Media				
Wk 51	14-Dec-20		Personnel WG		Full Council			
Wk 52	21-Dec-20					BH		
Wk 53	28-Dec-20	BH				BH		
Wk 1	04-Jan-21	Planning					Surgery	
		Finance WG						
Wk 2	11-Jan-21			Media	Full Council (Finance)			
Wk 3	18-Jan-21	Finance WG						
Wk 4	25-Jan-21	Planning			Full Council (inc precept)			
Wk 5	01-Feb-21						Surgery	
Wk 6	08-Feb-21			Media				
Wk 7	15-Feb-21	Planning						
Wk 8	22-Feb-21				Full Council			
Wk 9	01-Mar-21						Surgery	
Wk 10	08-Mar-21	Planning		Media				

Wk 11	15-Mar-21		Personnel WG					
Wk 12	22-Mar-21				Full Council			
Wk 13	29-Mar-21	Planning				BH	Surgery	
Wk 14	05-Apr-21	BH						
Wk 15	12-Apr-21			Media				
Wk 16	19-Apr-21	Planning			Annual Parish Meeting			
		Finance WG						
Wk 17	26-Apr-21				Full Council			
Wk 18	03-May-21	BH					Surgery	
Wk 19	10-May-21	Planning		Media				
Wk 20	17-May-21				Full Council (Annual)			
Wk 21	24-May-21				Full Council			



## **Brixworth Parish Council**

### **Banking Arrangements**

It is good practise for the Council to review its banking arrangements on a regular basis. (At least annually)

To ensure a continuity of the existing levels of service and support it is recommended that the Council **resolve** to maintain its existing banking arrangement with the National Westminster Bank plc.

1. The authorised signatories for the Councils Bank accounts:

- Councillor James
- Councillor Moxon
- Councillor Parker
- Mr Peter Rowbotham (Responsible Financial Officer)

2. The account is a 'one to sign' account with the Parish Clerk being the sole person to use the account with unlimited amounts. This enables the Council to pay by BACS, the Councils preferred choice of payment.

3. The individuals identified above as authorised signatories may, in accordance with the signing rules, sign cheques and give instructions for Standing Orders, Direct Debits, Electronic Payments, Bankers Drafts and other payments on the account even if it causes the account to be overdrawn or exceed any limit.

4. Any authorised signatory may give other instructions or requests for information to the Bank in relation to the accounts: opening accounts with the same signing rules and authorised signatories; closing accounts; or other banking services or products.

5. The Bank may accept instructions that do not have an original written authorised signature provided that the Bank is satisfied that the instruction is genuine and subject to any other agreement the Bank may require for those instructions.

6. The Parish Council will provide, upon request, the Bank a copy of its constitution and any amendment to the constitution, as certified by the Parish Clerk and Chairman.

7. The Bank Mandate will continue until the Brixworth Parish Council provides the Bank a replacement Mandate.

8. Direct Debits/ Standing Orders be in place for the following organisations:

- EON – utilities
- Anglian Water / Wave- water
- DVLA – van road tax
- Information Commissioner – Data Protection
- DM Wood – Annual legal agreement fee for The Pound (5p)
- EE & T Mobile – Mobile telephone

- Talk Talk – Broadband & telephone service
- Microsoft – Software Licence

9. The Parish Clerk holds a debit card which is used for internet purchases only.

Councillors are reminded of the internal controls in place which monitor and check systems to ensure that activities are conducted in a secure and well-ordered manner, to prevent fraud and corruption. These include verification of invoices and two signatures to authorise payments. There is a monthly bank reconciliation which is presented to Council and bank statements are checked at this time. Internal checks are carried out on systems in addition to the annual internal and external audit. Councillors can also ask to see invoices and associated paperwork at any time. The Parish Council can also seek advice from its Internal Auditor any time throughout the financial year.

### **Recommendation**

1. That the Council **resolve** to maintain its existing banking arrangement with the National Westminster Bank plc.
2. The Council continues to use BACS and Direct Debits to pay its suppliers.
3. The banking arrangements for 2020/ 2021 be approved.



# **Brixworth Parish Council**

## **Members Code of Conduct 2020**

*Model documents can be tailored to the Council's requirements so long as the amendments are approved formally by the Council  
and no statutory procedure is omitted*

### **CODE OF CONDUCT FOR ELECTED AND CO-OPTED MEMBERS OF BRIXWORTH PARISH COUNCIL**

## **The Nolan Principles**

This Brixworth Code of Conduct is underpinned by the following seven principals of public life, known as the Nolan Principles, which should be kept in mind when interpreting the meaning of the Code.

Each Councillor should behave with:

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

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

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

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

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

**Honesty** – Holders of public office should be truthful.

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

# **CODE OF CONDUCT FOR ELECTED AND CO-OPTED MEMBERS OF BRIXWORTH PARISH COUNCIL**

## **Introduction:**

This Brixworth Code of Conduct seeks to ensure that each Member of Brixworth Parish Council observes the highest standards of conduct in their role as a Parish Councillor. This applies to all members, whether elected or co-opted and this Code sets out the rules governing the behaviour of Brixworth Parish Council Members as required by the Localism Act 2011.

## **PART 1 – GENERAL PROVISIONS**

### **1. Introduction and interpretation**

- 1.1 This Code applies to all Members of the Council.
- 1.2 It is the responsibility of each Member to comply with the provisions of this Code, for which they will give a written undertaking.
- 1.3 In this Code –

“meeting” means any meeting of

- (a) the Council;
- (b) any of its committees, sub-committees, joint committees, joint sub-committees, or area committees; any panels or working groups.

“Member” (“M”) means elected and co-opted Members.

“relevant authority” has the meaning given to it in Section 27(6) of the Localism Act 2011 (including county council, district council, parish council, *police and crime panel*, fire and rescue authority).

“relevant person” means the Member or any other person referred to in Section 30(3)(b) of the Localism Act 2011. (i.e. their spouse or civil partner; a person with whom they are living as husband and wife, or a person with whom they are living as if they were civil partners).

### **2. Scope**

- 2.1 A Member must comply with this Code whenever they act in their official capacity as a Member of the Council.
- 2.2 Where a Member acts as a representative of the Council -
  - (a) on another relevant authority, they must, when acting for that other authority, comply with that other authority’s code of conduct; or
  - (b) on any other body, they must, when acting for that other body, comply with this Code, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

## **PART 2 – GENERAL OBLIGATIONS**

### **3. General obligations**

- 3.1 A Member must treat others with respect.
- 3.2 A Member must not -
- (a) bully any person;
  - (b) intimidate or attempt to intimidate any person who is or is likely to be –
    - (i) a complainant;
    - (ii) a witness, or
    - (iii) involved in the administration of any investigation or proceedings.
  - (c) do anything which compromises, or is likely to compromise, the impartiality of those who work for, or on behalf of, the Council.
- 3.3 A Member must not –
- (a) disclose information given to them in confidence by anyone, or information acquired by them which they believe, or ought reasonably to be aware, is of a confidential nature, except where –
    - (i) they have the consent of a person authorised to give it;
    - (ii) they are required by law to do so;
    - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
    - (iv) the disclosure is –
      - (aa) reasonable and in the public interest; and
      - (bb) made in good faith and in compliance with the reasonable requirements of the Council; or
  - (b) prevent another person from gaining access to information to which that person is entitled by law.
- 3.4 A Member must not conduct themselves in a manner which could reasonably be regarded as bringing their office of the Council into disrepute.
- 3.5 A Member –
- (a) must not use or attempt to use their position as a Member improperly to confer on or secure for themselves or any other person, an advantage or disadvantage; and



- (b) must, when using or authorising the use by others of the resources of the Council –
  - (i) act in accordance with the Council's reasonable requirements;
  - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and
- (c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

### **PART 3 - INTERESTS**

#### **4. "Disclosable Pecuniary Interests"**

4.1 A Member will have a "disclosable pecuniary interest" in any business of the Council if it is of a description specified in the second column of the appended Schedule as issued by the Secretary of State and either –

- (a) it is an interest of the Member, or
- (b) it is an interest of –
  - (i) their spouse or civil partner;
  - (ii) a person with whom they are living as husband and wife, or
  - (iii) a person with whom they are living as if they were civil partners.

and they are aware that that other person has the interest.

#### **5. "Other Disclosable Interests"**

5.1 A Member will have an "other disclosable interest" in any business of the Council where –

- (a) a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of the Member or their family, or a person with whom they have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward for which they have been elected, or
- (b) it relates to, or is likely to affect, any of the interests listed in the appended Schedule in respect of a member of their family (other than a 'relevant person') or a person with whom they have a close association.

and that interest is not a disclosable pecuniary interest.

and a member of the public with knowledge of the relevant facts would reasonably regard the interest as so significant that it is likely to prejudice the Member's judgement of the public interest.

and the Member is aware that the other person has the interest.

#### **6. "Non-disclosable Interests"**

6.1 A Member will have a "non-disclosable interest" in any business of the Council where either it relates to –

- (a) any body of which they are a member or in a position of general control or management and to which they are appointed or nominated by the Council; or
- (b) any body –
  - (i) exercising functions of a public nature;
  - (ii) directed to charitable purposes; or
  - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which they are a member or in a position of general control or management, or
- (c) the interests of any person from whom they have received a gift or hospitality with an estimated value of at least £25.

and that interest is not a disclosable pecuniary interest or other disclosable interest.

7.2 An interest in this category need not be disclosed at meetings.

## **7. Registration of interests**

7.1 Subject to paragraph 9 (sensitive interests), a Member must, within 28 days of –

- (a) this Code being adopted by the Council; or
- (b) their election or appointment to office (where that is later),

notify the Council's Monitoring Officer in writing of any disclosable pecuniary interests, other disclosable interests and/or non-disclosable interests at that time for entry into a register.

7.2 Subject to paragraph 9 (sensitive interests) a Member must, within 28 days of becoming aware of any new interest or change to any interest, notify the Council's Monitoring Officer in writing of that new interest or change.

## **8. Disclosable interest in matters considered at a meeting or by a single Member**

8.1 Subject to paragraph 9 (sensitive interests) where the Member has, and is aware that they have, a disclosable interest in any business of the Council, and they attend a meeting at which the business is to be considered, or is being considered;

- (a) the Member must disclose to the meeting the fact that they have a disclosable interest in that matter. If they have not already done so, they must notify the Council's Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure, and
- (b) whether the interest is entered in the Council's Register of Members' Interests or not, they must not – unless they have obtained a dispensation from the Council –
  - (i) participate, or participate further, in any discussion of the matter at the meeting - apart from making representations, giving evidence or answering questions, prior to the commencement of the debate on that matter, in accordance with other procedure rules *in respect of an "other disclosable interest"*; or
  - (ii) remain in the meeting room whilst the matter is being debated or participate in any vote taken on the matter at the meeting.

- 8.2 Non-disclosable interests do not need to be disclosed at meetings.
- 8.3 If a Member is empowered to discharge functions of the Council acting alone, and has and is aware that they have a disclosable interest in any matter dealt with, or being dealt with, by the Member in the course of discharging that function, they must not take any steps, or any further steps, in relation to the matter (except for the purposes of enabling the matter to be dealt with otherwise than by them).

## **9. Sensitive interests**

- 9.1 Where a Member considers (and where the Council's Monitoring Officer agrees) that disclosure of the details of a registered interest could lead to harm or intimidation of the Member or a person connected with the Member –
- (a) such details will be excluded from public versions of the register.
  - (b) such details will not need to be disclosed to a meeting, or when a Member is empowered to act alone, although the fact that the Member has a sensitive interest must be disclosed (in accordance with section 8).

## **APPENDIX**

### **SCHEDULE OF DISCLOSABLE PECUNIARY INTERESTS SPECIFIED BY THE SECRETARY OF STATE**

<i>Subject</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the Council) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(a)</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the Council –</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the Council.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	<p>Any tenancy where (to M's knowledge) –</p> <p>(a) the landlord is the Council; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where –</p> <p>(a) that body (to M's knowledge) has a place of business or land in the area of the Council; and</p> <p>(b) either –</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>



# **Brixworth Parish Council Standing Orders 2020**

*Model documents should be tailored to the Council's requirements  
so long as the amendments are approved formally by the Council and no statutory procedure is omitted*

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**Local decisions are identified by being highlighted in blue**

## **INTRODUCTION**

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

## **EMERGENCY ARRANGEMENTS FOR 2020/2021**

### **The Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020.**

The Parish Council is committed to a 'business as usual' approach and all of its meetings will be continue to be held on a virtual basis using video conferencing. The virtual meeting is open to the public and is advertised on the web site. As far as possible, Standing Orders will continue be applied to all Council business as far as reasonably practical.



## RULES OF DEBATE AT MEETINGS

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

- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the motion has been amended since he/she last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he/she considers has been breached or specify the other irregularity in the proceedings of the meeting he/she is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his/her decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his/her right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the chairman of the meeting.

## 1. DISORDERLY CONDUCT AT MEETINGS

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

## 2. MEETINGS GENERALLY

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

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice OR [The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting].**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the

business on the agenda.

- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 15 minutes unless directed by the chairman of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i [A person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort)] OR [A person shall raise his/her hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The chairman of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his/her comments to the chairman of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his/her absence be done by, to or before the Vice-Chairman of the Council (if there is one).**
- p **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if**

there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.

- q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
  - 
  -
- r **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her casting vote whether or not he gave an original vote.**
  - 
  - *See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.*
- s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his/her vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- t The minutes of a meeting shall include an accurate record of the following:
  - i. the time and place of the meeting;
  - ii. the names of councillors who are present and the names of councillors who are absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
  - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - vi. if there was a public participation session; and
  - vii. the resolutions made.
- u **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his/her right to participate and vote on that matter.**
  - 
  -

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

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

- w **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- 

- x A meeting shall not exceed a period of 2.5 hours.

### 3. COMMITTEES AND SUB-COMMITTEES

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council may appoint standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
  - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer (3) days before the meeting that they are unable to attend;

- vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
- vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
- viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
- ix. shall determine if the public may participate at a meeting of a committee;
- x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee or a sub-committee.

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

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 730pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
- f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, if there is one, unless he/she resigns or becomes disqualified, shall hold office until immediately after the**

**election of the Chairman of the Council at the next annual meeting of the Council.**

- h In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he/she shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**
- i In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he/she shall preside at the annual meeting until a new Chairman of the Council has been elected. He/she may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:**

  - i. In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his/her acceptance of office form unless the Council resolves for this to be done at a later date;**
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
  - iii. Receipt of the minutes of the last meeting of a committee;
  - iv. Consideration of the recommendations made by a committee;
  - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
  - vi. Review of the terms of reference for committees;
  - vii. Appointment of members to existing committees;
  - viii. Appointment of any new committees in accordance with standing order 4;
  - ix. Review and adoption of appropriate standing orders and financial regulations;
  - x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
  - xi. Review of representation on or work with external bodies and arrangements for reporting back;



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

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

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

the committee [or a sub-committee].

**6. PREVIOUS RESOLUTIONS**

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 2 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

**7. VOTING ON APPOINTMENTS**

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

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

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 5 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 3 clear days before the meeting.

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

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

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

- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

## 10. **MANAGEMENT OF INFORMATION**

*See also standing order 20.*

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

## 11. **DRAFT MINUTES**

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

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the

meeting and stand as an accurate record of the meeting to which the minutes relate.

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

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

- e **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.
- g Draft Minutes of all meetings of full council and its Committees be produced within 7 working days of that meeting and be watermarked "draft" and circulated immediately to all Councillors.
- h All working groups set up by the Parish Council shall give a monthly report of their activities at the meeting of Full Council either orally or in writing and this be minuted

## 12. CODE OF CONDUCT AND DISPENSATIONS

*See also standing order 3(u).*

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he/she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has a disclosable pecuniary interest. He/she may return to the meeting after it has considered the matter in which he/she had the interest.
- c Unless he/she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council’s code of conduct. He/she may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

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

### 13. CODE OF CONDUCT COMPLAINTS

- a Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).

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

#### 14. **PROPER OFFICER**

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

*See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;*
  - ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least **3 clear working** days before the meeting confirming **his/her** withdrawal of it;
  - iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in **his/her** office;**
  - iv. **facilitate inspection of the minute book by local government electors;**

- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;  
(*see also standing order 23*);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the next ordinary meeting of the **Planning Committee**.
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.  
(*see also standing order 23*).

## 15. **RESPONSIBLE FINANCIAL OFFICER**

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



16. **ACCOUNTS AND ACCOUNTING STATEMENTS**

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
  - i. the Council's receipts and payments (or income and expenditure) for each quarter;
  - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
  - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
  - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
  - ii. to the Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

## 17. FINANCIAL CONTROLS AND PROCUREMENT

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

addressed to the Proper Officer;

- v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
- vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

## 18. **HANDLING STAFF MATTERS**

- a. A matter personal to a member of staff that is being considered by a meeting of Council is subject to standing order 11.
- b. Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of the Parish Council, if he/she is not available, the vice-chairman of [the Parish Council of absence occasioned by illness or other reason and that person shall report such absence to the Parish Council its next meeting.
- c. The chairman of the Parish Council or in his/her absence, the vice-

chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Parish Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by Parish Council.

- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff shall contact the chairman of the Parish Council or in his/her absence, the vice-chairman of Parish Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of Parish Council.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Parish Clerk and this relates to the chairman or vice-chairman of Parish Council then this shall be communicated to another member of Parish Council, which shall be reported back and progressed by resolution of the Parish Council.
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

19. **RESPONSIBILITIES TO PROVIDE INFORMATION**

*See also standing order 21.*

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

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

*See also standing order 11.*

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

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

21. **RELATIONS WITH THE PRESS/MEDIA**

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

22. **EXECUTION AND SEALING OF LEGAL DEEDS**

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

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

**Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

23. **COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS**

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

24.      **RESTRICTIONS ON COUNCILLOR ACTIVITIES**

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

25.      **STANDING ORDERS GENERALLY**

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



# **Brixworth Parish Council**

## **Financial Regulations**

**2020**

*Model documents should be tailored to the Council's requirements  
so long as the amendments are approved formally by the Council and no statutory procedure is omitted*

Reviewed May 2020

Next Review May 2021

**BRIXWORTH PARISH COUNCIL**  
**FINANCIAL REGULATIONS**

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**THE NATIONAL ASSOCIATION OF LOCAL COUNCILS**  
109 GREAT RUSSELL STREET LONDON WC1B 3LD





**These Financial Regulations were adopted by the Brixworth Parish Council  
at its Meeting held on 17<sup>th</sup> May 2016 and reviewed in May 2020.**

Local decisions are identified by being highlighted in blue.

**1. GENERAL**

- 1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders<sup>1</sup> and any individual financial regulations relating to contracts.
- 1.2. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
- 1.3. The council's accounting control systems must include measures:
  - for the timely production of accounts;
  - that provide for the safe and efficient safeguarding of public money;
  - to prevent and detect inaccuracy and fraud; and
  - identifying the duties of officers.
- 1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.
- 1.8. The Clerk has been appointed as RFO for this council and these regulations will apply accordingly.
- 1.9. The RFO;

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<sup>1</sup> Model standing orders for councils are available in Local Councils Explained © 2013 National Association of Local Councils

- acts under the policy direction of the council;
  - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
  - determines on behalf of the council its accounting records and accounting control systems;
  - ensures the accounting control systems are observed;
  - maintains the accounting records of the council up to date in accordance with proper practices;
  - assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
  - produces financial management information as required by the council.
- 1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.
- 1.11. The accounting records determined by the RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
  - a record of the assets and liabilities of the council; and
  - wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12. The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
  - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
  - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
  - procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and

- measures to ensure that risk is properly managed.

1.13. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:

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

shall be a matter for the full council only.

1.14. In addition the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve any grant or a single commitment in excess of £2,500; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

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

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

#### 1.16 Coronavirus – Special arrangements implemented for 2020/ 2021

*In the event that it is not possible to convene a meeting of the council in a reasonable time, the Parish Clerk shall have delegated authority to make decisions on behalf of the council where such a decision cannot reasonably be deferred and must be made in order to comply with a deadline. The delegation does not extend to matters expressly reserved to the council in legislation or in its Standing Orders or Financial Regulations. Any decisions made under this delegation must be recorded in writing and must be published in accordance with the relevant regulations. This delegated authority ceases upon the first physical meeting of the Parish Council following closure of the current emergency.*

## **2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)**

- 2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.
- 2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than a cheque signatory shall be appointed as Verification Officer to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the council.
- 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- 2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.6. The internal auditor shall:
  - be competent and independent of the financial operations of the council;
  - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
  - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
  - have no involvement in the financial decision making, management or control of the council.
  - shall serve the Council no more than four years.
- 2.7. Internal or external auditors may not under any circumstances:
  - perform any operational duties for the council;

- initiate or approve accounting transactions; or
  - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

### **3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING**

- 3.1. The RFO must each year, by no later than **December**, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the council.
- 3.2. The council shall consider annual budget proposals in relation to the council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.3. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.4. The approved annual budget shall form the basis of financial control for the ensuing year.

#### 4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

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

- the council for all items over £2,500.
- a duly delegated committee of the council for items under £1000; or
- the Clerk, in liaison with the Chairman of Council or Chairman of the appropriate committee, for any items below £1000.
- In cases of extreme risk (In the Clerk's judgement this would be classified as an emergency) the clerk may authorise revenue expenditure on behalf of the council up to £2000.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk (or email evidence), and where necessary also by the appropriate Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulation

4.2 No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

4.3 Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.

4.4 The salary budgets are to be reviewed at least annually in **December** for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.

4.5 In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work including addressing any safeguarding issues. This is whether or not there is any budgetary provision for the expenditure, subject to a limit of up to £2500. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.

4.6 No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.

- 4.7 All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.8 The RFO shall provide the council with a **monthly** statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of **£100 or 15%** of the budget.
- 4.9 Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

## **5 BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS**

- 5.1 The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be reviewed **at least annually** for safety and efficiency.
- 5.2 The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to council. The council shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.
- 5.3 All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.
- 5.4 The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council meeting.
- 5.5 The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
- a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council;

- b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council or
- c) fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council.

5.6 For each financial year the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council.

5.7 A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.

5.8 In respect of grants the Parish Council shall approve expenditure in accordance with its own adopted policy statement. Any Revenue or Capital Grant shall before payment, be subject to ratification by resolution of the council.

5.9 Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.

5.10 The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.

5.11 Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

## **6 INSTRUCTIONS FOR THE MAKING OF PAYMENTS**

6.1 The council will make safe and efficient arrangements for the making of its payments.

6.2 Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.

6.3 All payments shall be effected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council.



- 6.4 Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of council in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.
- 6.5 To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 6.6 Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council at the next convenient meeting.
- 6.7 If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.
- 6.8 If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.
- 6.9 If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
- 6.10 If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.
- 6.11 Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.

- 6.12 No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.
- 6.13 Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 6.14 The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.
- 6.15 Where internet banking arrangements are made with any bank, the Clerk/RFO shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.16 Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 6.17 Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by the Clerk /RFO. A programme of regular checks of standing data with suppliers will be followed.
- 6.18 A Debit Card issued for use will be specifically restricted to the Clerk and the RFO and will also be restricted to a single transaction maximum value of £1000 unless authorised by council or finance committee in writing before any order is placed.
- 6.19 A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the council. Transactions and purchases made will be reported to the council and authority for topping-up shall be at the discretion of the council.
- 6.20 Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk and RFO and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.
- 6.21 The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the Clerk (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

## **7 PAYMENT OF SALARIES**

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

## **8 LOANS AND INVESTMENTS**

- 8.1 All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.
- 8.2 Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.
- 8.3 The council will arrange with the council's banks and investment providers for the sending of a copy of each statement of account to the Chairman of the council at the same time as one is issued to the Clerk or RFO.
- 8.4 All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.
- 8.5 The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 8.6 All investments of money under the control of the council shall be in the name of the council.
- 8.7 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.8 Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

## **9 INCOME**

- 9.1 The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 9.2 Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.
- 9.3 The council will review all fees and charges at least annually, following a report of the Clerk.
- 9.4 Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.

- 9.5 All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 9.6 The origin of each receipt shall be entered on the paying-in slip.
- 9.7 Personal cheques shall not be cashed out of money held on behalf of the council.
- 9.8 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.9 Where any significant sums of cash are regularly received (monthly) by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.
- 9.10** Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting (see also Regulation 16 below).

## **10 ORDERS FOR WORK, GOODS AND SERVICES**

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

## **11 CONTRACTS**

11.1 Procedures as to contracts are laid down as follows:

- a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
  - i. for the supply of gas, electricity, water, sewerage and telephone services;
  - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
  - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
  - v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of council); and
  - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations<sup>2</sup>.
- c. The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)<sup>3</sup>.
- d. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- e. Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.

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<sup>2</sup> The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

<sup>3</sup> Thresholds currently applicable are:

- a. For public supply and public service contracts 209,000 Euros (£164,176)
- b. For public works contracts 5,225,000 Euros (£4,104,394)

- f. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- g. Any invitation to tender issued under this regulation shall be subject to **Standing Order 17<sup>4</sup>** and shall refer to the terms of the Bribery Act 2010.
- h. When it is to enter into a contract of less than £2,500 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is above £1,000 and above **£2,500** the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.
- i. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- j. Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.

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

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

## **13 STORES AND EQUIPMENT**

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<sup>4</sup> Based on NALC's model standing order 18d in Local Councils Explained © 2013 National Association of Local Councils

- 13.1 Stocks shall be kept at the minimum levels consistent with operational requirements.

## **14 ASSETS, PROPERTIES AND ESTATES**

- 14.1 The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2 No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.
- 14.3 No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.4 No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.5 Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.
- 14.6 The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

## **15 INSURANCE**

- 15.1 Following the annual risk assessment (per Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers.



- 15.2 The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 15.3 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.
- 15.4 All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or duly delegated committee.

## **16 CHARITIES**

- 16.1 Where the council is sole managing trustee of a charitable body the Clerk and RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

## **17 RISK MANAGEMENT**

- 17.1 The council is responsible for putting in place arrangements for the management of risk. The Clerk/RFO shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.
- 17.2 When considering any new activity, the Clerk/RFO shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

## **18 SUSPENSION AND REVISION OF FINANCIAL REGULATIONS**

- 18.1 It shall be the duty of the council to review the Financial Regulations of the council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.
- 18.2 The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that

reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

\* \* \*

## **Notes to the Model.**

Stated dates or months may be changed to suit local circumstances.

[square brackets] This part may be deleted if not relevant. An alternative may have been provided.

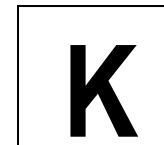
Where the word “regularly” is used in the text it is for the individual council to set the required interval, monthly, quarterly, or half-yearly. This period should never exceed 12 months.

The value inserted in square brackets in [...] any of the paragraphs (other than the EU Procurement and Public Contract Regulations 2015 thresholds referred to in 11.1(k)) may be varied by the council and should be reviewed regularly and confirmed annually by the council.

The appropriate approved list referred to in paragraph 11.1 (b) shall be a list drawn up by the Clerk and approved by council but, normally shall be based on the list maintained by the District Council for such works, if such list is maintained. In the absence of an appropriate list, the words in square brackets should be omitted.

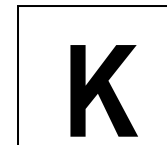
Every effort has been made to ensure that the contents of this document are correct at time of publication. The National Association of Local Councils (NALC) cannot accept responsibility for errors, omissions and changes to information subsequent to publication.

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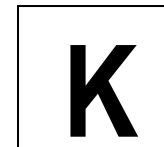
# BRIXWORTH PARISH COUNCIL LAND INVENTORY

Land Details	Land Registry Details Title Number, Description & Tenure	Solicitors & Documents held	Information
Pocket Park	HN10641 Land on the East side of Eaglehurst, Brixworth Tenure: Freehold	Turner Coulston Transfer of land	Includes entrance to Pocket Park
Green leading to Pocket Park from Holcot Road to Tantree Way	HN10641 Two parcels of land on the north side of Holcot Road, Brixworth Tenure: Freehold	Turner Coulston Transfer of land	
Community Centre and Olive Branch	HN18597 Brixworth Library, Spratton Road Tenure: Leasehold	Shoosmith & Harrison (File 4141 Lease agreement 8.8.01 & Land Certificate 24.12.01)	Community Centre lease with NCC
Information Office	(Licence only)	BPC	Ten year agreement with NCC June 2012
Bus shelter – Outside Lone Pine Court, Northampton Road	Not registered	Shoosmith & Harrison (File 1458 Conveyance 1974 & Documents)	1974 Lone Pine Housing Society Conveyance
St David's Recreation Ground	NN48637 Land on the north side of Froxhill Crescent, Brixworth Tenure: Freehold	Shoosmith & Harrison (File 2032 Land Certificate 26.11.79)	Access to car park from Froxhill Crescent. Right of way.
St David's Recreation Ground	NN39455 Land Lying to the west of Northampton Road, Brixworth Tenure: Freehold	Shoosmith & Harrison (File 1573 Playing fields at Brixworth – Conveyance 1975 ) (File 1671 Two counterparts leases of Sports Pavilion – 15.11.72 & 79) (File 1682 Land at side of Froxhill Crescent & St David's Recreation Ground - deed of easement 1979)	20.9.39 Conveyance – Park Farm 1975 Conveyance – Bryants 3.6 acres Playing field and car park. 1972 Trustees of Central Sports Committee – counter lease of Pavilion. Right of way. 1979 F R Watkins – counter lease pavilion - extension. 1979 Bryant Deed of easement – sewers and drains.  Central Sports Lease expires 14 <sup>th</sup> November 2022



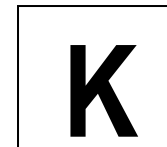
# BRIXWORTH PARISH COUNCIL LAND INVENTORY

		(File 3158 Land certificate) 10.5.77 (File 3154 Conveyance 20.9.39) Agreement with Brixworth Juniors for the provision of a container	Brixworth Juniors Licence expires 10 years from signing
Froxhill Way Froxhill Crescent	NN56064 Land on the north and west side of Froxhill Crescent, Brixworth Tenure: Freehold	Shoosmith & Harrison (File 2032 Land Certificate 16.7.81 )	Land at Froxhill Way Land at Froxhill Crescent
Ashway Playing Field	NN183349 Land lying to the south of Brackenborough, Brixworth Tenure: Freehold	Shoosmith & Harrison (File 3157 Land Certificate 21.8.96 )	Middle section of field, includes diagonal gas line through field. Public open space
Ashway Playing Field	NN207157 Land lying to the south of Brackenborough, Brixworth Tenure: Leasehold	Turner Coulston Lease of 2.4 acre playing field	Land adjacent Brackenborough Owned by DDC, leased for 50 years 2000?
Ashway Playing Field	NN165511 Land at Northampton Road, Brixworth (Off The Ashway) 20.7.06 NN265896 1.8.06 Tenure: Freehold	Hewitson's 20.7.06	Land adopted from David Wilson Homes 20.7.2006 £12,000 – future maintenance of land
The Slip	Large open space – not registered	Shoosmiths & Harrison (File 1969 Land at the Slip and Breach Close Conveyance 2.11.82)	Conveyance – 2.11.82 Barratt Nottingham Ltd
Breach Close	Small open space – not registered	Shoosmiths & Harrison (File 1969 Conveyance 2.11.82)	Conveyance – 2.11.82 Barratt Nottingham Ltd
Millennium Garden	Tenure: Leasehold Agreement 1.10.05 Signed 23.5.06.	Peterborough Diocesan Board Of Finance Hunt & Coombes solicitors, 35 Thorpe Road, Peterborough	21 year lease £120.00 rent per year & RPI. Lease expires May 2027 (check)



# BRIXWORTH PARISH COUNCIL LAND INVENTORY

Spratton Road Recreation Ground	NN261244 Recreation ground at Spratton Rd, Brixworth, Northants Tenure: Freehold	Shoosmith & Harrison (File 3155 Conveyance 4.3.37 )	Conveyance – 4.3.37 WTV Wayte Wood Public recreation ground or pleasure grounds 9.2.06 Land Registry Title
Pythchley Close – Large Green	Not registered	Shoosmith & Harrison (File 1831 Two plots of land at Pythchley Close Conveyance 5.11.82 & Deeds of easement 3.11.98)	Conveyance 5.11.82 – Bowden Park Holdings Deed of easement 3.11.98 drain across land to new houses.
Pythchley Close – Near to Spratton Rec. ground	Not registered	Shoosmith & Harrison (File 1831 Two plots of land at Pythchley Close Conveyance 5.11.82 & Deeds of easement 3.11.98)	
Brixworth Village Hall Car Park	Not Registered	Shoosmith & Harrison Deeds	
The Pound	Not Registered – Confirmed by Land Registry 11.05	Shoosmith & Harrison (File 3156 Deed of grant)	Deed of grant 2.11.71 EMEB allow electric cables in Pound. States PC as owner of Pound. £0.05 peppercorn rent to Wood Will Trust (C/O Berrys).
Village Hall – Registered Common Land	Registered Common Land		PC responsible for upkeep of Common Land
The Cross – Registered Common Land on 1 August 1968.	Land owned by Sir Gyles Isham & the Woodwill Estate.		Ancient Monuments Act 1931 – PC owner of Market Cross (PC agreed not to insure market cross 2006) (Monument Northamptonshire 182) National Monument Register No. SP 77 SW 1
The Ridings Green	NN285605 Tenure: Freehold	Shoosmith	Adoption from Taylor Woodrow Land Transfer NN151719 and NN158968 16.8.08 Received £29K for future maintenance of land and trees
Ashway Green	NN285605 Tenure: Freehold	Shoosmith	Adoption from Taylor Woodrow 2008
Iron Pikes Grass Verge	NN285605 Tenure: Freehold	Shoosmith	Adoption from Taylor Woodrow Service strip 2008
Ashway Grass Verge	NN285605 Tenure: Freehold	Shoosmith	Adoption from Taylor Woodrow Service strip 2008



BRIXWORTH PARISH COUNCIL  
LAND INVENTORY

The Ridings Grass Verge (adjacent footpath leading to Ashway)	NN285605 Tenure: Freehold	Shoosmith	Adoption from Taylor Woodrow Service strip 2008
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**K**

Asset Register May 2020			
<b>BUILDINGS</b>			
	<b>Date Purchased</b>	<b>Cost</b>	<b>Insurance Value</b>
St Davids Rec. Grd. Equipment Store	unknown Apx	£ 29,550.00	£ 37,058.00
Ashway Playing Fields Changing Rooms	Mar-07	£138,171.13	£ 178,363.91
War Memorial	unknown	£1.00	£ 92,700.00
<b>Sum Insured</b>		<b>£167,722.13</b>	<b>£ 308,121.91</b>
<b>OFFICE CONTENTS</b>			
	<b>Date Purchased</b>	<b>Cost</b>	<b>Insurance Value</b>
Three drawer metal Filing Cabinet	24-Jan-00	£ 88.30	£ 284.34
HP Laserjet 3050	Jan-08	£ 165.00	£ 712.98
Dell computer	Oct-12	£ 742.24	£ 500.00
Table and four chairs	Jul-01	£ 802.90	£ 1,057.39
5 storage cupboards	May-04	£ 698.00	£ 918.00
Community Centre Blind	Dec-04	£ 305.00	£ 393.97
Chubb Fire Proof Safe	Jul-10	£ 705.00	£ 709.26
Fire Proof Document Cupboard	Apr-19	£ 814.00	£ 814.00
Recording Machine	Mar-15	£ 144.00	£ 156.82
Shredder	Feb-18	£ 216.00	£ 216.00
PC Roller Banners	Mar-15	£ 408.00	£ 445.96
Dell Laptop for Clerks use	Feb-18	£ 757.00	£ 779.71
Screen and Projector	Sep-16	£ 291.67	£ 318.80
TV and bracket	May-19	£ 315.00	£ 315.00
Telephone - Landline	Aug-19	£ 35.00	£ 35.00
Key Cabinet	Nov-19	£ 72.40	£ 72.40
Exhibition Cabinet	March 2019	£ 590.00	£ 590.00
Office Chair - Information Point	Jul-19	£ 113.00	£ 113.00
<b>Sum Insured</b>		<b>£7,262.51</b>	<b>£ 8,432.63</b>
<b>STREET FURNITURE</b>			
	<b>Date Purchased</b>	<b>Cost</b>	<b>Insurance Value</b>
<b>Bus Shelters</b>			
3 Northampton Road	Unknown	Unknown	
1 Spratton Road	Unknown	Unknown	
1 Scaldwell Road	Oct-04	£ 1,440.00	



	Approx. Total	£ 9,142.00	£ 10,913.08
<b>Street Lamps</b>			
2-5 Rear St Davids Rd			
6 Swedish Hses Off Froghl			
7-9 Near Church			
8 street lamps	Approx. Total	£ 7,138.00	£ 8,521.20
<b>Wooden Benches</b>			
5 St Davids Rec			
2 Pocket Park			
<b>Seats</b>			
1 St Davids Close			
1 Adj The George			
1 Station Road			
2 The Pound			
1 Npton Rd, Brd St			
1 Community Ctr			
1 Mill Gdn			
1 Village Hall			
<b>Dog Litter Bins x 11</b>			
3 St Davids Rec	2002-03	£ 1,043.00	£ 1,573.02
1 Spratton Rd	2004-05	£ 310.00	£ 467.24
1 Npton Rd	2005	£ 318.00	£ 448.20
3 Ashway PF			
1 Pocket Park			
2 Bridleways			
<b>Litter bins x 19</b>			
	Nov-03	£ 1,985.12	
	May-04	£ 1,550.00	£ 5,268.06
	Dec-13	£ 600.00	£ 624.24
	Aug-15	£ 959.00	£ 997.74
<b>Oak Notice Board</b>	May-05	£ 874.40	£ 1,208.28
<b>Ten Metre Zephyr Flag Pole</b>	Jan-09	£ 454.95	£ 570.23
<b>Cigarette Bin</b>	Mar-09	£ 93.00	£ 116.57
<b>Teacherboard Display Unit</b>	Apr-05	£ 275.00	£ 387.60
<b>Notice Board</b>	Jan-04	£ 94.00	£ 141.74
33 Christmas Trees	Sep-16	£ 921.74	£ 921.74
33 Christmas Lights	Dec-16	£ 666.00	£ 666.00
9 Entrance Planters	Jun-17	£ 1,080.00	£ 1,080.00
2 Fence Planters	Apr-19	£ 314.00	£ 314.00
defibrillator (Ashway)	2018	£ -	£ 1,725.00
WW 1 Bench	Nov-18	£ 300.00	£ 300.00
Tommy Silhouette	Nov 2018	£ 646.92	£ 646.92
<b>Sum Insured</b>		<b>£ 30,205.13</b>	<b>£ 36,890.86</b>
<b>GATES AND FENCING</b>			

	Date Purchased	Cost	Insurance Value
<b>Spratton Road Rec Grd</b>			
Bow Top Fencing	Nov-07	£ 2,000.00	£ 2,765.32
<b>Ashway &amp; St Davids Rec</b>			
Post and rail fence	2003/4	£ 2,268.00	£ 3,593.60
<b>Sum Insured</b>		<b>£ 4,268.00</b>	<b>£ 6,358.92</b>
<b>PLAY EQUIPMENT</b>			
	Date Purchased	Cost	Insurance Value
<b>St David's Recreation Ground Play Equipment</b>			
Two bay cradle Swing			
Safety Surface	Unknown	£ 2,700.00	£ 4,163.33
Caterpillar & Slide	Unknown	£ 5,328.00	£ 6,552.12
Rocking Horse			
Safety Surface	Unknown	£ 3,900.00	£ 6,058.35
Two bay swing			
Safety Surface	Unknown	£ 2,600.00	£ 4,038.88
Storm Climbing Frame			
Safety Surface	Nov-04	£ 4,650.00	£ 7,223.43
Cockeral Bounceabout			
Safety Surface	Nov-04	£ 1,229.00	£ 1,909.14
Indiana Arena Sport System	Unknown	£ 8,504.00	£ 10,457.11
SMP Zingo Uno slide	Dec-12	£ 4,867.50	£ 5,372.55
Lapsett parkour	Dec-12	£ 11,568.00	£ 12,768.30
<b>Spratton Road Recreation Ground Play Equipment</b>			
Badger Play Unit Grass Matting	Nov-07	£ 8,000.00	£ 10,844.44
Junior Swing Grass Matting	Nov-07	£ 3,000.00	£ 4,066.67
Cradle Swing Grass Matting	Nov-07	£ 3,000.00	£ 4,066.67
Goal Kicking Wall	Nov-07	£ 2,000.00	£ 2,711.10
2 Metal Picnic bench	Nov-07	£ 1,000.00	£ 1,355.56
<b>Ashway Playing Field Play Equipment</b>			
Nexus Climbing Frame	Dec-07	£ 4,647.00	£ 6,235.55
Delta Swing	Dec-07	£ 1,146.00	£ 1,491.08
Nexus Freeride	Dec-07	£ 1,438.00	£ 1,897.78
Wicksteed double cradle swing	Mar-12	£ 1,939.00	£ 2,140.19
Lys Bin	Dec-07	£ 284.00	£ 386.32
St Davids Rec Metal Bench	Dec-07	£ 481.00	£ 677.76
<b>Sum Insured</b>		<b>£ 72,281.50</b>	<b>£ 94,416.33</b>

Mowers and Machinery			
Mowers and Machinery	Date Purchased	Cost	Insurance Value
Stihl BG 86C Grass Blower	01/04/2019	£ 187.50	£ 187.50
Stihl HS82R Hedgetrimmer	01/04/2019	£ 262.85	£ 262.85
Makita Drill 18v Drill set	01/04/2019	£ 104.98	£ 104.98
Stihl FS90 strimmer	01/04/2019	£ 370.88	£ 370.88
Honda Core Mower - HRH536K4 HX E	27/02/2015	£ 1,143.00	£ 1,695.29
<b>Total Sum Insured</b>		<b>£ 2,069.21</b>	<b>£ 2,621.50</b>
SPORTS EQUIPMENT			
Sports equipment	Date Purchased	Cost	Insurance Value
<b>The Ashway</b>			
Pair socketed Senior Goal Posts - Edwards Sports Products	Aug-09	£ 424.00	£ 707.59
Pair socketed Junior Goal Posts - Edwards Sports Products	Aug-12	£ 430.00	£ 664.72
<b>St Davids Rec Grd</b>			
Tennis Posts and Nets	2002/03	£ 159.95	£ 285.89
<b>Total Sum Insured</b>		<b>£ 1,013.95</b>	<b>£ 1,658.20</b>

Play Surfaces			
	Date Purchased	Cost	Insurance Value
<b>St Davids Recreation Ground Play Equipment</b>			
Two bay cradle Swing Safety Surface		3,000.00	£ 4,078.80
Rocking Horse Safety Surface		3,000.00	£ 4,078.80
Two bay swing Safety Surface		3,000.00	£ 4,098.80
Storm ClimbingFrame Safety Surface	Nov-04	3,900.00	£ 5,302.44
Cockeral Bounceabout Safety Surface	Nov-04	3,000.00	£ 4,078.80
SMP Zingo Uno slide Grass matting	Dec-12	837.50	£ 1,138.66
Lapsett parkour Grass matting	Dec-12	1,782.00	£ 2,422.80
<b>Spratton Road Rec. Grd. Play Equipment</b>			
Badger Play Unit Grass Matting	Nov-07	2,000.00	£ 2,719.20
Junior Swing Grass Matting	Nov-07	1,000.00	£ 1,359.60
Cradle Swing Grass Matting	Nov-07	1,000.00	£ 1,359.60

<b>Ashway Playing Field Play Equipment</b>			
Nexus Climbing Frame	Dec-07		
Delta Swing	Dec-07		
Nexus Freeride	Dec-07		
Grass Matting	Dec-07	3,071.00	£ 4,175.33
Wicksteed cradle swing matting	Mar-12	800.00	£ 1,087.68
<b>Total Sum Insured</b>		<b>26,390.50</b>	<b>£ 35,900.51</b>

<b>Vehicles</b>			
	<b>Date Purchased</b>	<b>Cost</b>	<b>Current Value</b>
Vauxhall Combovan EU05 KKW	28.09.2009 Danetre Gge	4,400.00	120.00
Kubota Mower KX19 FTE	May-19	15,495.00	12,000.00
<b>Total Sum Insured</b>		<b>19,895.00</b>	<b>12,120.00</b>

<b>CHARITY ASSETS</b>			
	<b>Date Purchased</b>	<b>Cost</b>	<b>Insurance Value</b>
One Double Tier Hanging Trolley	May-99	£ 484.00	£ 542.53
Transportation Trolley	Apr-99	£ 226.00	£ 254.14
Twelve Folding Tables	April 1999	£ 858.65	£ 960.99
120 teal Covered Chairs with metal frame	May-99	£ 3,814.00	£ 4,273.47
Dell computer	Dec-12	£ 376.35	£ 423.70
HP Deskjet inkjet printer	Dec-12	£ 50.71	£ 57.08
Router - Talk Talk	Jul-05	£ 45.43	£ -
Meeting tables			
Meeting Chairs			
<b>Sum Insured</b>		<b>£ 5,855.14</b>	<b>£ 6,511.91</b>

<b>SUMMARY AGAR BOX 9</b>		
Buildings	£	167,722.13
Office Contents	£	7,262.51
Street Furniture	£	30,205.13
Gates and Fencing	£	4,268.00
Play Equipment	£	72,281.50
Mowers and Machinery	£	2,069.21
Sports Equipment	£	1,013.95
Play Surfaces	£	26,390.50
Motor Vehicles	£	19,895.00
<b>Totals</b>	<b>£</b>	<b>331,107.93</b>

Assessment year: 2019

<i>Area / Function</i>	<i>Duty</i>	<i>Responsibility</i>	<i>No of risks</i>	<i>Number scored</i>	<i>No of uncontrolled Risks</i>	<i>Your action plan rank</i>
<b>Bus Shelters</b>	Power to provide and maintain shelters	Clerk	7	7	1	<input type="text"/>
<b>Bye Laws</b>	Power to make bye-laws in regard to pleasure grounds Cycle parks	Clerk	1	1	0	<input type="text"/>
<b>Car Parks</b>	Powers to provide	Clerk	17	17	3	<input type="text"/>
<b>Code of Conduct</b>	Duty to adopt a code of conduct	Clerk	1	1	0	<input type="text"/>
<b>Commons and Common Pastures</b>	Powers in relation to enclosure, as to regulation and management, and as to providing common pasture	Clerk	17	17	3	<input type="text"/>
<b>Community Centres</b>	Power to provide and equip buildings for use of clubs having athletic, social or educational objectives.	Clerk	16	13	4	<input type="text"/>
<b>Computing</b>	Power to facilitate discharge of any function	Clerk	3	3	3	<input type="text"/>
<b>Council Meetings</b>	Power to meet	Clerk	4	4	1	<input type="text"/>
<b>Council Property and Documents</b>	Duty to disclose documents and to adopt publication scheme	Clerk	4	4	0	<input type="text"/>
<b>Data Protection</b>	Duty of Notification and Duty to Disclose (subject access)	Clerk	1	1	0	<input type="text"/>
<b>Employment of Staff</b>	Duty to Appoint	Clerk	8	8	2	<input type="text"/>
<b>Financial Management</b>	Duty to ensure responsibility for financial affairs	Clerk	11	11	2	<input type="text"/>
<b>GDPR</b>	Duty to comply with the regulations.	Clerk	23	23	3	<input type="text"/>
<b>Gifts</b>	Power to accept gifts	Clerk	1	1	0	<input type="text"/>
<b>Land</b>	Power to acquire by agreement, to appropriate, to dispose of land	Clerk	14	14	3	<input type="text"/>
<b>Litter</b>	Power to provide receptacles. Power to take enforcement action against those that litter.	Clerk	7	7	3	<input type="text"/>

Assessment year: 2019

<i>Area / Function</i>	<i>Duty</i>	<i>Responsibility</i>	<i>No of risks</i>	<i>Number scored</i>	<i>No of uncontrolled Risks</i>	<i>Your action plan rank</i>
<b>Local functions</b>	N/a - Local group to cover any risks not listed in other groups	Clerk	1	1	0	<input type="text"/>
<b>Meeting of the Council</b>	Duty to meet	Clerk	5	4	0	<input type="text"/>
<b>Newsletters</b>	Power to provide information relating to matters affecting local government	Clerk	7	7	1	<input type="text"/>
<b>Nuisances</b>	Power to deal with offensive ditches	Clerk	1	1	0	<input type="text"/>
<b>Open spaces</b>	Power to acquire land and maintain	Clerk	13	13	4	<input type="text"/>
<b>Planning &amp; Development Control</b>	Rights of consultation	Clerk	1	1	0	<input type="text"/>
<b>Play Areas</b>	Power to provide	Clerk	4	4	1	<input type="text"/>
<b>Provision of Office Accommodation</b>	Power to provide	Clerk	6	6	0	<input type="text"/>
<b>Provision of Website/Internet Access</b>	Power to provide 'free resource'	Clerk	2	2	0	<input type="text"/>
<b>Public buildings and Village hall</b>	Power to provide buildings for offices and for public meetings and assemblies	Clerk	16	16	4	<input type="text"/>
<b>Shelters &amp; Seats</b>	Power to provide	Clerk	6	6	1	<input type="text"/>
<b>Street/Footway Lighting</b>	Power to light roads and public places		8	8	2	<input type="text"/>
<b>Tourism</b>	Power to encourage tourism to the councils area	Clerk	2	2	0	<input type="text"/>
<b>Town and Country Planning</b>	Right to be notified of planning applications	Clerk	3	3	0	<input type="text"/>
<b>Village Signs</b>	Power to erect (with Highway Authority approval)	Clerk	4	4	0	<input type="text"/>
<b>War memorials</b>	Power to maintain, repair, protect and alter war memorials	Clerk	3	3	0	<input type="text"/>
<b>Web Sites</b>	Power for councils to have their own websites	Clerk	19	19	1	<input type="text"/>

Assessment year: 2019

Area / Function	Duty	Responsibility	No of risks	Number scored	No of uncontrolled Risks	Your action plan rank
Completed by:		Overall totals/s cores	236	232	42	

Date:

Position:

How to complete:  
1. Review each area and the number of uncontrolled risks.  
2. Decide which area is at most risk and should be actioned firstly mark this as number one.  
3. Repeat on all areas until all uncontrolled areas are allocated.



# Brixworth Parish Council

## Complaints Procedure

<b>Date Adopted</b>	October 2017
<b>Reviewed</b>	May 2019
<b>Next Review</b>	May 2020

Email: [clerk@brixworthpc.org.uk](mailto:clerk@brixworthpc.org.uk)  
Telephone: 078 8314 1786



# 1. Introduction

A Complaint is an expression of dissatisfaction about:

- Our standard of service
- Our failure to do something that we had agreed to do
- The way a person has been treated

A complaint is not a disagreement of a Council policy or a Council decision.

A complaints procedure ensures that there is a clear and systematic process by which customers can seek redress. The Parish Council wants to offer a fair and consistent process to find a remedy for any failures.

This procedure covers routine complaints and those that could be described as habitual and vexatious.

Habitual or vexatious complaints are defined as unreasonable complaints, enquiries or outcomes that are repeatedly or obsessively pursued.

Complaints regarding settled or ongoing legal cases will not be dealt with if there has been an existing right of appeal. For those complainants who are, or who have pursued legal action against the Council, the outcome of this action will override any formal action that can be determined via this Council's Complaints Procedure.

Some types of complaint will be handled outside of this procedure: Financial irregularity will be handled by the Council's own Auditor; Freedom of Information by the Information Commissioner, Criminal activity by the Police; Member conduct by the Monitoring Officer of Daventry District Council and employee conduct by the Council's internal disciplinary procedure.

## **2.Complaints Procedure**

Brixworth Parish Council will endeavour to deal with complaints in an efficient, equitable and effective manner.

The aim of the Parish Council is for its Clerk to consider and resolve the majority of complaints at the first point of contact. (stage 1) It should be possible for the Clerk to resolve problems straight away without the need to submit a formal complaint.

Any formal complaints (stage 2) that are submitted will be handled by the Full Council. The Council will initially receive and validate the complaint and then nominate three councillors who will not take part in the proceedings so that they will be available to handle any subsequent appeal (stage 3), if required.

The Clerk will normally represent the Council throughout the proceedings but a nominated Parish Councillor may act instead. The Parish Council may also be supported at any Complaints meeting by external advisors if required.

All complaints received must be related to a dissatisfaction of service experienced by the Complainant within the last 6 months.

The Parish Council would actively look to resolve all complaints within a 12-month timescale.

## **The Procedure**

### **Before the Meeting**

- The complainant will complain in writing to the Parish Clerk or to the Chairman of the Council. Reasonable assistance will be given to the complainant if necessary.
- The complainant will be advised when the matter will be considered and whether it will be treated confidentially.
- A copy of this procedure will be given to the complainant.
- The complainant will be invited to attend a meeting with a representative if they wish.
- Not later than ten clear working days prior to the meeting, the complainant and the Clerk to the Council will exchange copies of any documentation or other evidence to be relied on.

### **At the Council Meeting**

- The Chairman of the meeting will introduce everyone and explain the procedure.
- The complainant (or representative) will outline the grounds for complaint before any questions from the Clerk and then from the Parish Councillors.
- The Clerk will explain the council's position before any questions from the complainant, and from Parish Councillors.
- The complainant and the Clerk will then summarise their position; they then leave the room while Councillors decide whether or not the grounds for the complaint have been made.
- If the decision is unlikely to be finalised on that day then an estimated date will be given.

### **After the Meeting**

- The decision will be confirmed in writing normally within ten working days together with details of any action to be taken.
- The result of the proceedings will be reported at the next council meeting after any appeal period has passed, ensuring that agreed confidential issues are appropriately respected.

## **Appeals**

- Should the complainant not agree with the decision he/she will be entitled to appeal the decision within ten working days of receipt of the result of the proceedings.
- The councillors nominated to handle the appeal will, within fifteen working days of receiving the appeal, examine the way in which the Council dealt with the complaint.
- If procedures were correctly handled by the Council then the appellant will be notified that the appeal has not been successful. If the complaint was not handled correctly it will be referred back to the Council for further consideration.
- The appellant will be notified of the result of the appeals process within ten working days.

### 3.Habitual and Vexatious Complaints

The Parish Council may have to initiate action if the complainant behaves in a way that can be considered unreasonable. This may include impeding the investigation of the complaint; hindering the level of service for others or being offensive, abusive or threatening.

Examples of unreasonable actions and behaviours include:

- Refusing to specify the grounds of a complaint, despite offers of help.
- Refusing to cooperate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of a complaints procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements he or she made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage.
- Raising many detailed but unimportant questions, and insisting they are all answered.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various organisations.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed letters every few days, and expecting immediate responses.
- Submitting repeat complaints with minor additions/variations the complainant insists make these 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence.

Any action taken as a result of proven persistent and/or vexatious complaint will be proportionate to the degree of annoyance/aggravation caused.

#### **Guidelines**

It is important to establish guidelines for identifying habitual or vexatious complainants and that any decisions made follow agreed guidelines and procedures.

The Parish Council will try to keep open the lines of communication with appropriate support e.g. clarifying the reason for the outcome; offering relevant support for a complainant with special needs; suggesting an independent representative to help present their case.

## The Procedure

The possibility of unreasonable persistent and/or vexatious complaint will be brought to the attention of the Chairman or Vice Chairman by the Clerk.

The Chairman or Vice Chairman will contact the complainant in an effort to resolve the situation.

Should a meeting be required and there is a personality issue, the Parish Council may nominate another Councillor who will be made aware of all the facts. The complainant may wish to bring along a representative. The Parish Council will give appropriate support (e.g. special needs) to the complainant in choosing a representative etc.

The Chairman/Vice Chairman will:

- Listen to the grievance/complaint
- Assure the complainant of confidentiality with personal details
- Carefully explain what action the Parish Council has taken within its remit to resolve the complaint
- Offer any relevant support about the complaints procedure to the complainant
- Suggest complaint routes available if complaint is outside the Parish Council's remit
- Explain how the complainant's actions are of concern but are hampering the complaints procedure
- Explain what actions the Parish Council may take
- Seek an assurance that the persistent/unreasonable nature of complaint will be addressed

The outcome and relevant details of the meeting will be noted.

### Decision

If the complainant continues to behave in unreasonable and/or vexatious way, the Chairman or Vice Chairman will seek the approval of the Council to agree what action to take.

### Options for action

Any actions taken should be proportionate to the nature and frequency of the complainant's current contacts. The following options may be suitable, taking the complainant's behaviour and circumstances into account. The objective is to manage the complainant's unreasonable behaviour in such a way that their complaint can be concluded quickly, without further distractions. Options include:

- Placing limits on the number and duration of contacts with staff per week or month.
- Offering a restricted time slot for necessary calls.
- Limiting the complainant to one medium of contact (telephone, letter, email etc).
- Requiring any personal contacts to take place in the presence of a witness and in a suitable location.
- Refusing to register and process further complaints about the same matter.

- Where a decision on the complaint has been made, you can tell the complainant that future correspondence will be read and placed on the file but not acknowledged, unless it contains material new information. A designated officer should be identified who will read future correspondence.

### **Operating the policy**

If a decision is taken to apply restricted access the Clerk will write to the complainant with a copy of the policy to explain:

- why the decision has been taken
- what it means for his or her contacts with the Parish Council
- how long any limits will last, and
- what the complainant can do to have the decision reviewed.

The complainant will be advised by letter from the Clerk of any action, including any further actions the complainant may take with other bodies including their right to obtain independent advice.

The Council will record the decision and hold all relevant correspondence except all personal details about the complaint and the complainant, which will be stored appropriately in line with the Data Protection Act.

Any new complaint from any person who has come under the policy must be treated on its merit.

### **Review**

Any decision taken above, such as restricting or refusing any further contact, will be reviewed after 12 months. The complainant will be notified of the result if the decision to apply the policy has been reversed.



## **Brixworth Parish Council**

### **Complaints Form (Stage 2)**

#### **1. Your details**

Please provide us with your name and contact details. (The Parish Council does not normally investigate anonymous complaints, unless there is a clear public interest in doing so).

<b>Title:</b>	
<b>First name:</b>	
<b>Last name:</b>	
<b>Address:</b>	
<b>Daytime telephone:</b>	
<b>Mobile telephone:</b>	
<b>Email address:</b>	
<b>Date of complaint:</b>	

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

#### **2. Making your complaint**

It is important that you provide all the information you wish to have taken into account in the consideration of your complaint . For example:

- You should be specific, wherever possible, about exactly what you are complaining about.
- You should provide the dates of the incident/ decisions that have provoked your complaint. If you cannot provide exact dates it is important to give a general timeframe.
- You should provide any relevant background information or any other relevant documentary evidence to support your allegation(s).

### **3.Your Complaint**

Please tick the category of your complaint

This complaint relates to:

The Parish Council standard of service	
The failure of the Parish Council to do something that it had agreed to do	
The way the Parish Council has treated me	

**Please provide full details of your complaint.**

*Continue on a separate sheet if there is not enough space)*



#### **4. Additional Help**

Complaints must be submitted in writing; this includes electronic submissions. Frivolous, vexatious complaints are likely to be rejected.

In line with the requirements of the Equality Act 2010, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing.

We can also help if English is not your first language.

If you need any support in completing this form, please contact the Parish Clerk on 07983 141786.

#### **5. Resolution of Complaint**

What do you see as an appropriate outcome to your complaint? Please give your suggestions.

#### **6. Signature**

*I confirm that this is a true and accurate statement*

Signature	
Name (Block Capitals)	
Date	

**You will be kept informed of the progress of your complaint.**



## **FREEDOM OF INFORMATION ACT 2000**

### **Publication Scheme**

The purpose of this publication scheme is to be a means by which the council can make a significant amount of information available routinely. The scheme will ensure that the council will publish more information proactively and help it to develop a greater culture of openness and transparency.

The authority's key responsibilities are to represent the electorate of its area, to take action within the legal framework and to provide leadership and focus for the community.

Please note the exempt classes of information at the end of this document.

Please note that the majority of this information is available to view on our web site at [www.brixworthparishcouncil.gov.uk](http://www.brixworthparishcouncil.gov.uk)

### **Core Classes of Information**

#### **1. Council Internal Practice and Procedure**

<b>Information</b>	<b>Format in which it is available</b>	<b>Charge for supply (yes/no)</b>
Minutes of council meetings and committees (limited to the last 2 years)	e-mail	Free
	Hard copy	50p per sheet
Procedural standing orders	e-mail	Free
	Hard copy	50p per sheet
Council's annual report to Parish Meeting	e-mail	Free
	Hard copy	50p per sheet

#### **2. Code of Conduct**

<b>Information</b>	<b>Format in which it is available</b>	<b>Charge for supply (yes/no)</b>
Member's declaration of acceptance of office	Hard copy	50p per sheet
Member's Register of Interests	Hard copy	50p per sheet
Register of Interests Book	Hard copy	50p per sheet

#### **3. Periodic Electoral Review**

<b>Information</b>	<b>Format in which it is available</b>	<b>Charge for supply (yes/no)</b>
Information relating to the last Periodic Electoral Review of the council area	Last Periodic Electoral Review available from the District Council. No recent change.	

Information relating to the latest boundary review of the council area	County Division and District Ward boundaries available from the relevant principal authority – no recent change in Parish Area	
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#### 4. Employment Practice and Procedure

Information	Format in which it is available	Charge for supply (yes/no)
Terms and conditions of employment	e-mail	Free
	Hard copy	50p per sheet
Job Descriptions	As above	As above

#### 5. Planning Documents

Information	Format in which it is available	Charge for supply (yes/no)
Responses to planning applications (last two years)	e-mail	Free
	Hard copy	50p per sheet

#### 6. Audit and Accounts

Information	Format in which it is available	Charge for supply (yes/no)
Annual return form – limited to the last financial year	Hard copy	50p per sheet
Annual statutory report by auditor (internal and external) – limited to the last financial year	Hard copy	50p per sheet
Receipt and payment books, receipt books of all kinds, bank statements from all accounts – limited to last financial year	Available for inspection by appointment, notes may be taken	Free
	Hard copy	50p per sheet
Precept request - limited to last financial year	Hard Copy	50p per sheet
VAT records - limited to last financial year	Available for inspection by appointment, notes may be taken	Free
	Hard copy	50p per sheet
	Hard copy	50p per sheet
Financial standing orders and regulations	e-mail	Free
	Hard copy	50p per sheet
Assets register – including details of commons/village greens owned by the council including management schemes for commons as well as village halls, community centres and recreation grounds.	e-mail	Free

	Hard copy	50p per sheet
Financial risk assessments	e-mail Hard copy	Free 50p per sheet

### **Optional Documents within Core Classes**

#### **1. Council Internal Practice and Procedure**

<b>Information</b>	<b>Format in which it is available</b>	<b>Charge for supply (yes/no)</b>
Agendas (Limited to in each case to the forthcoming meeting and after publication of summons to meeting)	e-mail  By post	Free  50p per sheet plus cost of postage
Supporting papers for council meetings and committee meetings (Limited to in each case to the forthcoming meeting and after publication of summons to meeting)	Available for inspection by appointment, notes may be taken	Free

### **EXCLUSIONS**

#### **Core classes of Information**

##### **Employment Practice and Procedure**

"Personal records" ie appraisals, employee specific salary details, disciplinary records and the like by virtue of being personal data under the Data Protection Act 1998.

##### **Planning documents**

Copies of planning consultations, the Development Plan, Structure Plan, Local plan and Rights of Way/Footpath maps, all of which are available from the local planning and/or highway authority respectively.

##### **Audit and Accounts**

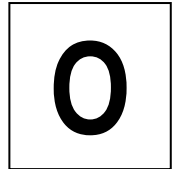
All commercially sensitive information eg quotations and tenders, loan documentation and insurance policies. With regard to quotations and tenders, this information is treated as confidential to ensure that the whole tender process is fair, ie if tender information is released to a third party prior to the end of the tender period, those who initially submitted tenders could be undercut and/or unfairly disadvantaged.

##### **NOTE:**

DATA IS AVAILABLE FOR INSPECTION BY APPOINTMENT ONLY.

REQUESTS FOR COPIES MUST BE MADE IN WRITING OR BY EMAIL TO THE CLERK.

HARD COPIES MUST BE PAID FOR ON RECEIPT AND PLEASE ALLOW FOR AT LEAST FIVE WORKING DAYS.



## **Data Protection Policy**

### **The Data Protection Policy**

Brixworth Parish Council recognises its responsibility to comply with the General Data Protection Regulations (GDPR) 2018 which regulates the use of personal data. This does not have to be sensitive data; it can be as little as a name and address.

### **General Data Protection Regulations (GDPR)**

The GDPR sets out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates how personal information can be collected, handled and used. The GDPR applies to anyone holding personal information about people, electronically or on paper. Brixworth Parish Council has also notified the Information Commissioner that it holds personal data about individuals.

When dealing with personal data, Brixworth Parish Council staff and members must ensure that:

- **Data is processed fairly, lawfully and in a transparent manner**

This means that personal information should only be collected from individuals if staff have been open and honest about why they want the personal information.

- **Data is processed for specified purposes only**

This means that data is collected for specific, explicit and legitimate purposes only.

- **Data is relevant to what it is needed for**

Data will be monitored so that too much or too little is not kept; only data that is needed should be held.

- **Data is accurate and kept up to date and is not kept longer than it is needed**

Personal data should be accurate, if it is not it should be corrected. Data no longer needed will be shredded or securely disposed of.

- **Data is processed in accordance with the rights of individuals**

Individuals must be informed, upon request, of all the personal information held about them.

- **Data is kept securely**

There should be protection against unauthorised or unlawful processing and against accidental loss, destruction or damage.

### **Storing and accessing data**

Brixworth Parish Council recognises its responsibility to be open with people when taking personal details from them. This means that staff must be honest about why they want a particular piece of personal information.

Brixworth Parish Council may hold personal information about individuals such as their names, addresses, email addresses and telephone numbers. These will be securely kept at the Brixworth Parish Council Office and are not available for public access. All data stored on the Brixworth Parish Council Office computers are password protected.

Once data is not needed any more, is out of date or has served its use and falls outside the minimum retention time of Councils document retention policy, it will be shredded or securely deleted from the computer.

Brixworth Parish Council is aware that people have the right to access any personal information that is held about them. Subject Access Requests (SARs) must be submitted in writing (this can be done in hard copy, email or social media). If a person requests to see any data that is being held about them, the SAR response must detail:

- How and to what purpose personal data is processed
- The period Brixworth Parish Council tend to process it for
- Anyone who has access to the personal data

The response must be sent within 30 days and should be free of charge.

If a SAR includes personal data of other individuals, Brixworth Parish Council must not disclose the personal information of the other individual. That individual's personal information may either be redacted, or the individual may be contacted to give permission for their information to be shared with the Subject.

Individuals have the right to have their data rectified if it is incorrect, the right to request erasure of the data, the right to request restriction of processing of the data and the right to object to data processing, although rules do apply to those requests.

Please see "Subject Access Request Procedure" for more details.

### **Confidentiality**

Brixworth Parish Council members and staff must be aware that when complaints or queries are made, they must remain confidential unless the subject gives permission otherwise. When handling personal data, this must also remain confidential.

Adopted May 2018  
Reviewed May 2020  
Next Review May 2021



## **Data Breach Policy**

GDPR defines a personal data breach as “a breach of security leading to accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed”. Examples include:

- Access by an unauthorised third party
- Deliberate or accidental action (or inaction) by a controller or processor
- Sending personal data to an incorrect recipient
- Computing devices containing personal data being lost or stolen
- Alteration of personal data without permission
- Loss of availability of personal data

Brixworth Parish Council takes the security of personal data seriously, computers are password protected and hard copy files are kept in locked cabinets.

### **Consequences of a personal data breach**

A breach of personal data may result in a loss of control of personal data, discrimination, identity theft or fraud, financial loss, damage to reputation, loss of confidentiality of personal data, damage to property or social disadvantage. Therefore a breach, depending on the circumstances of the breach, can have a range of effects on individuals.

### **Brixworth Parish Council's duty to report a breach**

If the data breach is likely to result in a risk to the rights and freedoms of the individual, the breach must be reported to the individual and ICO without undue delay and, where feasible, not later than 72 hours after having become aware of the breach. The Data Protection Officer must be informed immediately so they are able to report the breach to the ICO in the 72 hour timeframe.

If the ICO is not informed within 72 hours, Brixworth Parish Council via the DPO must give reasons for the delay when they report the breach.

When notifying the ICO of a breach, Brixworth Parish Council must:

- i. Describe the nature of the breach including the categories and approximate number of data subjects concerned and the categories and approximate number of personal data records concerned
- ii. Communicate the name and contact details of the DPO
- iii. Describe the likely consequences of the breach
- iv. Describe the measures taken or proposed to be taken to address the personal data breach including, measures to mitigate its possible adverse affects.

When notifying the individual affected by the breach, Brixworth Parish Council must provide the individual with (ii)-(iv) above.

Brixworth Parish Council would not need to communicate with an individual if the following applies:

- It has implemented appropriate technical and organisational measures (i.e. encryption) so those measures have rendered the personal data unintelligible to any person not authorised to access it;
- It has taken subsequent measures to ensure that the high risk to rights and freedoms of individuals is no longer likely to materialise, or
- It would involve a disproportionate effort

However, the ICO must still be informed even if the above measures are in place.

#### Data processors duty to inform Brixworth Parish Council

If a data processor (i.e. payroll provider) becomes aware of a personal data breach, it must notify Brixworth Parish Council without undue delay. It is then Brixworth Parish Council's responsibility to inform the ICO, it is not the data processors responsibility to notify the ICO.

#### Records of data breaches

All data breaches must be recorded whether or not they are reported to individuals. This record will help to identify system failures and should be used as a way to improve the security of personal data.

#### Record of Data Breaches

Date of breach	Type of breach	Number of individuals affected	Date reported to ICO/individual	Actions to prevent breach recurring

To report a data breach use the ICO online system:

<https://ico.org.uk/for-organisations/report-a-breach/>

Adopted May 2018  
Reviewed May 2020  
Next Review May 2021





## **Brixworth Parish Council**

### **Records Retention Policy**

Brixworth Parish Council recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the association. This document provides the policy framework through which this effective management can be achieved and audited.

It covers:

- Scope
- Responsibilities
- Retention Schedule

#### **Scope**

This policy applies to all records created, received or maintained by Brixworth Parish Council in the course of carrying out its functions. Records are defined as all those documents which facilitate the business carried out by Brixworth Parish Council and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically. A small percentage of Brixworth Parish Council records may be selected for permanent preservation as part of the Council's archives and for historical research.

#### **Responsibilities**

Brixworth Parish Council has a corporate responsibility to maintain its records and record management systems in accordance with the regulatory environment. The person with overall responsibility for this policy is the Clerk. The person responsible for records management will give guidance for good records management practice and will promote compliance with this policy so that information will be retrieved easily, appropriately and timely. Individual staff and employees must ensure that records for which they are responsible are accurate, and are maintained and disposed of in accordance with Brixworth Parish Council's records management guidelines.

#### **Retention Schedule**

The retention schedule refers to record series regardless of the media in which they are stored.

Document	Minimum Retention Period	Reason
<b>Minutes</b>		
Minutes of Council meetings	Indefinite	Archive
Minutes of committee meetings	Indefinite	Archive
<b>Employment</b>		
Staff employment contracts	6 years after ceasing employment	Management
Staff payroll information	3 years	Management
Staff references	6 years after ceasing employment	Management
Application forms (interviewed – unsuccessful)	6 months	Management
Application forms (interviewed – successful)	6 years after ceasing employment	Management
Disciplinary files	6 years after ceasing employment	Management
Staff appraisals	6 years after ceasing employment	Management
<b>Finance</b>		
Scales of fees and charges	6 years	Management
Receipt and payment accounts	6 years	VAT
Bank statements	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Paid invoices	6 years	VAT
Paid cheques	Last completed audit year	Limitation Act 1980
Payroll records	3 years	HMRC
Petty cash accounts	Last completed audit year	Audit
<b>Insurance</b>		
Insurance policies	6 years after policy end	Management
Certificates for Insurance against liability for employees	6 years after policy end	Management
Certificates for Public Liability	6 years after policy end	Management
Insurance claim records	6 years after policy end	Management
<b>Health and Safety</b>		
Accident books	3 years from date of last entry	Statutory
Risk assessment	3 years	Management
<b>General Management</b>		
Councillors contact details	Duration of membership	Management
Lease agreements	12 years	Limitation Act 1980
Contracts	6 years	Limitation Act 1980
Email messages	At end of useful life	Management
Consent forms	5 years	Management
GDPR Security Compliance form	Duration of membership	Management

*There are two privacy notices. The first is to be used for residents and members of the general public (but not for staff, councillors or anyone with a role in the local council). The second privacy notice is for staff members, councillors and anyone else with a role in the council.]*

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## Brixworth Parish Council

### GENERAL PRIVACY NOTICE

#### 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 Brixworth 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
- Credit reference agencies]

We may need to share your personal data we hold with them so that they can carry out their responsibilities to the council. If we and the other data controllers listed above are processing your data jointly for the same purposes, then the council and the other data controllers may be “joint data controllers” which mean we are all collectively responsible to you for your data. Where each of the parties listed above are processing your data for their own independent purposes then each of us will be independently responsible to you and if you have any questions, wish to exercise any of your rights (see below) or wish to raise a complaint, you should do so directly to the relevant data controller.

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

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

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses, and email addresses;
- Where they are relevant to the services provided by a council, or where you provide them to us, we may process information such as gender, age, marital status, nationality, education/work history, academic/professional qualifications, hobbies, family composition, and dependants;

- Where you pay for activities such as use of a council hall, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers;
- The personal data we process may include sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sexual life or orientation.

### **How we use sensitive personal data**

- We may process sensitive personal data including, as appropriate:
  - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
  - your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
  - in order to comply with legal requirements and obligations to third parties.
- These types of data are described in the GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.
- We may process special categories of personal data in the following circumstances:
  - In limited circumstances, with your explicit written consent.
  - Where we need to carry out our legal obligations.
  - Where it is needed in the public interest.
- Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

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

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

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

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

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

- To deliver public services including to understand your needs to provide the services that you request and to understand what we can do for you and inform you of other relevant services;
- To confirm your identity to provide some services;
- To contact you by post, email, telephone or using social media (e.g., Facebook, Twitter, WhatsApp);
- To help us to build up a picture of how we are performing;
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury;
- To promote the interests of the council;

- To maintain our own accounts and records;
  - To seek your views, opinions or comments;
  - To notify you of changes to our facilities, services, events and staff, councillors and other role holders;
  - To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals, other new projects or initiatives;
  - To process relevant financial transactions including grants and payments for goods and services supplied to the council
  - To allow the statistical analysis of data so we can plan the provision of services.
- Our processing may also include the use of CCTV systems for the prevention and prosecution of crime.

### **What is the legal basis for processing your personal data?**

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

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

Sometimes the use of your personal data requires your consent. We will first obtain your consent to that use.

### **Sharing your personal data**

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

- The data controllers listed above under the heading "Other data controllers the council works with";
- Our agents, suppliers and contractors. For example, we may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;
- On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

### **How long do we keep your personal data?**

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

### **Your rights and your personal data**

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

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

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

- At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond within one month.
- There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

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

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

**3) The right to have your personal data erased**

- If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

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

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

**5) The right to data portability**

- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

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

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

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

- You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

**Transfer of Data Abroad**

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

**Further processing**

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

**Changes to this notice**

We keep this Privacy Notice under regular review and we will place any updates on [www.brixworthpc.org.uk](http://www.brixworthpc.org.uk). This Notice was last updated in May 2018.

**Contact Details**

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

The Data Controller, Brixworth Parish Council - Email: [parish.clerk@brixworthparishcouncil.gov.uk](mailto:parish.clerk@brixworthparishcouncil.gov.uk)



## **Brixworth Parish Council**

### **PRIVACY NOTICE**

#### **For staff\*, councillors and Role Holders\*\***

\*"Staff" means employees, workers, agency staff and those retained on a temporary or permanent basis

\*\*Includes, volunteers, contractors, agents, and other role holders within the council including former staff\* and former councillors. This also includes applicants or candidates for any of these roles.

#### **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, photograph, video, 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 Brixworth Parish Council which is the data controller for your data.

#### **The council works together with:**

- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Staff pension providers
- Former and prospective employers
- DBS services suppliers
- Payroll services providers
- Recruitment Agencies
- Credit reference agencies

We may need to share personal data we hold with them so that they can carry out their responsibilities to the council and our community. The organisations referred to above will sometimes be "joint data controllers". This means we are all responsible to you for how we process your data where for example two or more data controllers are working together for a joint purpose. If there is no joint purpose or collaboration then the data controllers will be independent and will be individually responsible to you.

#### **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.

#### **What data do we process?**

- Names, titles, and aliases, photographs.
- Start date / leaving date
- Contact details such as telephone numbers, addresses, and email addresses.
- Where they are relevant to our legal obligations, or where you provide them to us, we may process information such as gender, age, date of birth, marital status, nationality, education/work history, academic/professional qualifications, employment details, hobbies, family composition, and dependants.
- Non-financial identifiers such as passport numbers, driving licence numbers, vehicle registration numbers, taxpayer identification numbers, staff identification numbers, tax reference codes, and national insurance numbers.
- Financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.
- Financial information such as National Insurance number, pay and pay records, tax code, tax and benefits contributions, expenses claimed.
- Other operational personal data created, obtained, or otherwise processed in the course of carrying out our activities, including but not limited to, CCTV footage, recordings of telephone conversations, IP addresses and website visit histories, logs of visitors, and logs of accidents, injuries and insurance claims.
- Next of kin and emergency contact information
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process and referral source (e.g. agency, staff referral))
- Location of employment or workplace.
- Other staff data (not covered above) including; level, performance management information, languages and proficiency; licences/certificates, immigration status; employment status; information for disciplinary and grievance proceedings; and personal biographies.
- CCTV footage and other information obtained through electronic means such as swipecard records.
- Information about your use of our information and communications systems.

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

Please note: We need all the categories of personal data in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Providing any contractual benefits to you
- Liaising with your pension provider.
- Administering the contract we have entered into with you.
- Management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.

- Conducting grievance or disciplinary proceedings.
- Making decisions about your continued employment or engagement.
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving you, including accidents at work.
- Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To conduct data analytics studies to review and better understand employee retention and attrition rates.
- Equal opportunities monitoring.
- To undertake activity consistent with our statutory functions and powers including any delegated functions.
- To maintain our own accounts and records;
- To seek your views or comments;
- To process a job application;
- To administer councillors' interests
- To provide a reference.

Our processing may also include the use of CCTV systems for monitoring purposes.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.

We may also use your personal data in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest [or for official purposes].

### **How we use sensitive personal data**

- We may process sensitive personal data relating to staff, councillors and role holders including, as appropriate:
  - information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
  - 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, such as for equal opportunities monitoring or in relation to our pension scheme.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.
- 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?**

- We do not need your consent if we use your sensitive personal data in accordance with our rights and obligations in the field of employment and social security law.
- 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.
- You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

### **Information about criminal convictions**

- We may only use personal data relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.
- Less commonly, we may use personal data relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary 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.
- Where appropriate, we will collect personal data about criminal convictions as part of the recruitment process or we may be notified of such personal data directly by you in the course of you working for us.

### **What is the legal basis for processing your personal data?**

Some of our processing is necessary for compliance with a legal obligation.

We may also process data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract.

We will also process your data in order to assist you in fulfilling your role in the council including administrative support or if processing is necessary for compliance with a legal obligation.

### **Sharing your personal data**

Your personal data will only be shared with third parties including other data controllers where it is necessary for the performance of the data controllers' tasks or where you first give us your prior consent. It is likely that we will need to share your data with:

- Our agents, suppliers and contractors. For example, we may ask a commercial provider to manage our HR/ payroll functions , or to maintain our database software;
- Other persons or organisations operating within local community.
- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Staff pension providers
- Former and prospective employers
- DBS services suppliers
- Payroll services providers
- Recruitment Agencies
- Credit reference agencies
- Professional advisors
- Trade unions or employee representatives

### **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 responsibilities**

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your working relationship with us.

## Your rights in connection with 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, if we start to use your personal data for a purpose not mentioned in this notice.

### **Changes to this notice**

We keep this Privacy Notice under regular review and we will place any updates on [www.brixworthparishcouncil.gov.uk](http://www.brixworthparishcouncil.gov.uk) This Notice was last updated in May 2018.

### Contact Details

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

The Data Controller, Brixworth Parish Council

Email: [brixworthpc@gmail.com](mailto:brixworthpc@gmail.com)

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.

Adopted May 2018

Reviewed May 2019

Next Review May 2020



## **Brixworth Parish Council**

### **Systems of Internal Control**

#### **Aim**

To monitor and check systems of Internal Control to ensure that activities are conducted in a secure and well-ordered manner, to prevent fraud and corruption.

#### **Council**

The Finance Working Group sets a draft budget and precept for the next financial year in November/December and the Parish Council approves / or amends this budget at its December/January meeting.

The Clerk provides the following information to both the Finance Working Group and the Parish Council prior to its meetings-

- Monthly Bank Reconciliation
- List of Reserves
- Rolling budget showing income and expenditure
- List of all transactions for approval including VAT amounts and legislation re spending powers.

All of the above reports are itemised. The specified amounts are contained within the Parish Council minutes.

Bank statements are viewed monthly by two signatory Councillors and these are signed off and affixed to the bank reconciliation.

All expenditure is incurred in accordance with the approved Financial Regulations.

#### **Payments**

All invoices are stamped and then dated and initialled by the Clerk. Two Parish Councillors sign the invoice. Cheques are to be signed by two Parish Councillors. The full list of transactions is signed by two authorised signatories after each meeting.

Any electronic payments have the bank payment confirmation slip attached to the invoice.

#### **Verification Check**

An internal check of the accounts and payroll to be carried out at three monthly intervals by the Verification Officer

Bank Reconciliations	Check monthly reconciliations, compare bank statements and reports of un-reconciled transactions
Invoices	Compare to invoice schedule, bank receipts and minutes
VAT Returns	Ensure VAT returns completed quarterly and up to date



Payroll	Check copy payslips, compare to bank payments and minutes
Pension	Ensure pension contributions are correct and up-to-date
PAYE & NI	Ensure PAYE & NI contributions are up to date

### **Risk Assessment/Risk Management**

The Parish Council reviews its risk assessments each year. It also reviews its insurance cover and level of Fidelity Guarantee Insurance.

### **Internal Audit**

The Parish Council uses Northants CALC Internal Audit Service to carry out the Internal Audit. The Internal Audit Terms of Reference provided by NCALC are approved by the Council each year.

### **External Audit**

The Audit Commission appoints the External Auditor. The Parish Council's External Auditors are PKF Littlejohn

**Reviewed May 2020**

**Next Review May 2021**

## Section 1 – Annual Governance Statement 2019/20

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We acknowledge as the members of:

Brixworth Parish Council

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2020, that:

	Agreed		
	Yes	No*	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.			<i>prepared its accounting statements in accordance with the Accounts and Audit Regulations.</i>
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.			<i>made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.</i>
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.			<i>has only done what it has the legal power to do and has complied with Proper Practices in doing so.</i>
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.			<i>during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.</i>
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.			<i>considered and documented the financial and other risks it faces and dealt with them properly.</i>
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.			<i>arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.</i>
7. We took appropriate action on all matters raised in reports from internal and external audit.			<i>responded to matters brought to its attention by internal and external audit.</i>
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.			<i>disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.</i>
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	<i>has met all of its responsibilities where, as a body corporate, it is a sole managing trustee of a local trust or trusts.</i>
	✓		

\*Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets must be published with the Annual Governance Statement.

This Annual Governance Statement was approved at a meeting of the authority on:

21/05/2020

and recorded as minute reference:

MINUTE REFERENCE

Signed by the Chairman and Clerk of the meeting where approval was given:

Chairman

SIGNATURE REQUIRED

Clerk

SIGNATURE REQUIRED

**Other information required by the Transparency Codes (not part of Annual Governance Statement)**

Authority web address

www.brixworthparishcouncil.gov.uk AUTHORITY WEBSITE ADDRESS



## Section 2 – Accounting Statements 2019/20 for

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Brixworth Parish Council

RESTATED

	Year ending		Notes and guidance
	31 March 2019 £	31 March 2020 £	
1. Balances brought forward	125,493	170,965	<i>Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.</i>
2. (+) Precept or Rates and Levies	159,075	163,620	<i>Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.</i>
3. (+) Total other receipts	10,687	19,187	<i>Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.</i>
4. (-) Staff costs	65,015	71,286	<i>Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.</i>
5. (-) Loan interest/capital repayments	0	0	<i>Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).</i>
6. (-) All other payments	59,275	86,802	<i>Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).</i>
7. (=) Balances carried forward	170,965	195,684	<i>Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).</i>
8. Total value of cash and short term investments	170,965	195,684	<i>The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – <b>To agree with bank reconciliation.</b></i>
9. Total fixed assets plus long term investments and assets	307,208	331,107	<i>The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.</i>
10. Total borrowings	0	0	<i>The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).</i>
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	<i>The Council, as a body corporate, acts as sole trustee for and is responsible for managing Trust funds or assets.</i>
	✓		<i>N.B. The figures in the accounting statements above do not include any Trust transactions.</i>

I certify that for the year ended 31 March 2020 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval

SIGNATURE REQUIRED

Date

21/05/2020

I confirm that these Accounting Statements were approved by this authority on this date:

DD/MM/YY

as recorded in minute reference:

MINUTE REFERENCE

Signed by Chairman of the meeting where the Accounting Statements were approved

SIGNATURE REQUIRED