



IN ACCORDANCE WITH THE STATUTORY REQUIREMENTS OF THE LOCAL GOVERNMENT ACT 1972 SCHEDULE 12
PARAGRAPH 26(2) [A] (ADMISSIONS TO MEETINGS) SECTION 1(4)

NOTICE IS GIVEN THAT AN ORDINARY MEETING OF CULLOMPTON TOWN COUNCIL
WILL BE HELD AT TOWN HALL, CULLOMPTON
ON THURSDAY, 25th AUGUST 2022 AT 7:00PM

MEMBERS OF THE PUBLIC HAVE THE RIGHT TO ATTEND UNLESS A SPECIFIC DECISION HAS BEEN
TAKEN TO PROHIBIT THEM

PUBLIC SESSION

For 15 minutes prior to the commencement of the meeting, members of the public are invited to question the Council on local issues etc. Questions will be answered by The Chair, The Chairs of the Standing Committees or Clerk. These persons will reserve the right to postpone making an answer until the following meeting in order to take advice or undertake research.

During this time, outstanding answers from previous meetings will be delivered.

TO THE CHAIR AND COUNCILLORS **CULLOMPTON TOWN COUNCIL**

**YOU ARE HEREBY SUMMONED TO ATTEND AN
ORDINARY MEETING OF
CULLOMPTON TOWN COUNCIL
25TH AUGUST 2022**

AGENDA

- 1. Apologies for Absences**
- 2. Declaration of Financial Interest or Personal Connection**
- 3. Chairman's Report**
- 4. Member's Questions**
This item is for information only and no decisions will be taken on this item
- 5. Minutes**
Receive and approve: -

Minutes of Ordinary Meeting of the Council held on Thursday, 28th July 2022

Minutes of Extra-Ordinary Meeting of the Council held on Thursday, 18th August 2022

- 6. Standing Committees**
Receive and approve: -
(Members of these Committees will vote on the approval whilst Full Council will vote to receive.)

Resources Committee

Minutes of meeting held Wednesday, 11th August 2022

Town Centre and Economic Development Committee

Minutes of meeting held Monday, 27th June 2022

Governance Committee

Minutes of meeting held Thursday, 23rd May 2022

Minutes of meeting held Thursday, 9th June 2022

7. Payments List

Motion to approve payment list.

8. Terms of Reference

Motion to agree new terms of reference in respect of the committee reorganisation:

- i) Services, Property and Outdoor Spaces
- ii) Community, Economy and Tourism
- iii) Planning, Licencing and Strategic Growth
- iv) Governance, Finance and Resources
- v) Appeals

9. Appointment to New Committees

Motion to appoint members as per terms of reference to the following committees:

- i) Services, Property and Outdoor Spaces
- ii) Community, Economy and Tourism
- iii) Planning, Licencing and Strategic Growth
- iv) Governance, Finance and Resources
- v) Appeals

10. Code of Conduct

Motion to adopt the updated LGA model code of conduct as recommended by NALC and for all councillors to sign.

11. Dignity at Work Policy

Motion to adopt the updated NALC Dignity at Work Policy.

12. Training

Motion to source training in code of conduct for councillors and civility and respect for councillors and staff.

13. Civility and Respect Pledge

Motion to sign up to the civility and respect pledge.

14. Signatories

Motion to approve the banking signatories for Cullompton Town Council as Chair, Vice-Chair, Chair of Governance, Finance and Resources Committee, Vice-Chair of Governance, Finance and Resources Committee, Town Clerk and RFO.

15. Employee Contracts

Motion to approve contracts for new members of staff

16. Exclusion of the Press and Public

Motion to exclude press and public in accordance with Section 12A of the Public Bodies (Admission to Meetings) Act, 1960

Public Bodies (Admission to Meetings) Act 1960

In accordance with Public Bodies Admission to Meetings Act - Local Government (Access to Information) Act (1985) Schedule 12A, parts 1.1 and 4.14, public and press are therefore excluded from this part of the meeting.

17. Recruitment of Town Clerk

Motion to consider contractual terms for the recruitment of the new Town Clerk



Francesca Pridding *PSLCC*
Locum Town Clerk / RFO

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MINUTES OF AN ORDINARY MEETING OF CULLOMPTON TOWN COUNCIL
HELD ON THURSDAY 28TH JULY 2022
IN CULLOMPTON TOWN HALL AT 7.00PM

PRESENT: Councillor: James Buczkowski (Chair)
Councillors: Shaun Holvey, Mike Thompson, Christopher Snow, Gordon Guest,
Matthew Dale, Kathryn Haslett, Martin Smith, Janet Johns

OFFICERS PRESENT: Francesca Pridding (Town Clerk)

Ref. 598
28.07.22 **APOLOGIES:**
Lloyd Knight
Ian Findlay
Robert Dietrich

Ref. 599
28.07.22 **DECLARATION OF INTEREST:**
None

Ref. 600
28.07.22 **CHAIRMAN'S REPORT**

- The Chairman welcomed new members of staff including the Locum Town Clerk and the new Outdoor Supervisor and thanked the previous Clerk and Locum Clerk
- The staff team were commended for showing resilience during the tricky interim circumstances.
- The planned public meeting was cancelled due to a lack of interest
- The monthly Councillor surgery will go ahead as planned on 30.07.2022
- It was reported that 'Alfies' would be closing its doors after 47 years serving Cullompton.

Ref. 601
28.07.22 **MEMBERS' QUESTIONS**
Councillor Johns raised the issue of the proposed new bin collection regime and that it would be wise to ask the liaison Officer from East Devon District Council to visit on a Thursday evening, prior to collection, to witness the level of rubbish streetside.

Ref. 602
28.07.22

MINUTES:

Receive and approve: -

Minutes of Ordinary Meeting of the Council held on Wednesday, 22nd June 2022

RESOLVED: To receive and approve with Councillor James Buczkowski proposing and Councillor Matthew Dale seconding the motion.

Minutes of Extra-Ordinary Meeting of the Council held on Monday, 27th June 2022

RESOLVED: To receive and approve with Councillor James Buczkowski proposing and Councillor Matthew Dale seconding the motion.

Ref. 603
28.07.22

STANDING COMMITTEES:

Receive and approve: -

Cemetery and Town Hall Committee

Minutes of Meeting held Thursday, 7th July 2022

RESOLVED: To receive and approve with Councillor Mike Thompson proposing and Councillor Shaun Holvey seconding the motion.

Resources Committee

Minutes of meeting held Wednesday, 25th May 2022

DEFERRED

Minutes of meeting held Thursday, 9th June 2022

DEFERRED

Minutes of meeting held Thursday, 14th July 2022

DEFERRED

Town Centre and Economic Development Committee

Minutes of meeting held Thursday, 25th April 2022

RESOLVED: To receive and approve with Councillor Mike Thompson proposing and Councillor Shaun Holvey seconding the motion.

Minutes of meeting held Thursday, 27th June 2022

DEFERRED

Community Wellbeing Committee

Minutes of meeting held Thursday, 21st July 2022

RESOLVED: To receive and approve with Councillor Gordon Guest proposing and Councillor Matthew Dale seconding the motion.

Governance Committee

Minutes of meeting held Thursday, 9th June 2022

DEFERRED

Minutes of meeting held Tuesday, 26th July 2022

RESOLVED: To receive and approve with Councillor Gordon Guest proposing and Councillor Matthew Dale seconding the motion.

Ref. 604
28.07.22

ROUTE 1C BUS SERVICE

Motion to write to the managers and owners of the Stage Coach bus company, our locally elected representatives and publish this letter in the local media, objecting to the proposed closure of the Route 1C Bus Service

Motion amended to:

Motion to make appropriate representations objecting to the proposed closure of the Route 1C Bus Service including writing to the managers and owners of the Stage Coach bus company, our locally elected representatives, the Traffic Commissioner and the media.

RESOLVED: To approve the amended Motion with Councillor James Buczkowski proposing and Councillor Shaun Holvey seconding the motion.

Councillor Mike Thompson raised a point of order, however no reference was made to which Standing Order being queried. Councillor Mike Thompson stated that reports were not received in a timely fashion.

The Locum Clerk explained that the Agenda was legally constituted regardless of reports being delivered appended or otherwise to the Agenda.

The Chairman relied on the Locum Clerk's advice and allowed the consideration of the next Agenda item

The Chairman adjourned the meeting at 7:56 pm to allow Councillors to read the reports relating to the next item on the agenda.

Meeting restarted at 8:10 pm

Ref. 605
28.07.22

INFORMATION TECHNOLOGY SERVICE PROVISION

Motion to appoint an IT Service Provider and implement a switch, within the Council administration, to Office 365

RESOLVED: To approve the Motion appointing 'Contractor C' with Councillor Gordon Guest proposing and Councillor Janet Johns seconding the motion.

A request was made for a recorded vote on this matter and the results were as follows:

FOR:	AGAINST:	ABSTAIN:
James Buczkowski	Christopher Snow	None
Janet Johns	Mike Thompson	
Matthew Dale		
Gordon Guest		
Martin Smith		
Shaun Holvey		
Kathryn Haslett		

Ref. 606
28.07.22 **FINANCE REPORT**
Motion to approve the Finance Report
RESOLVED: To approve with Councillor Matthew Dale proposing and Councillor Kathryn Haslett seconding the motion

Ref. 607
28.07.22 **PAYMENT OF SALARIES BY STANDING ORDER**
Motion to pay staff salaries by Standing Order
RESOLVED: To approve the motion with Councillor James Buczkowski proposing and Councillor Janet Johns seconding the motion.

Ref. 608
28.07.22 **FINANCIAL REGULATIONS**
Motion to approve the amended Financial Regulations of Cullompton Town Council
RESOLVED: To approve with the addition of a £4000 limit instead of a £2000 as per the Governance Committee recommendation with Councillor James Buczkowski proposing and Councillor Janet Johns seconding the motion.

Ref. 609
28.07.22 **COMMITTEE RE-ORGANISATION**
Motion to approve the recommendation of the Governance Committee
RESOLVED: To approve the motion with Councillor James Buczkowski proposing and Councillor Janet Johns seconding the motion.

A request was made for a recorded vote on this matter and the results were as follows:

FOR:	AGAINST:	ABSTAIN:
James Buczkowski	Christopher Snow	None
Janet Johns	Mike Thompson	
Matthew Dale	Shaun Holvey	
Gordon Guest		
Martin Smith		
Kathryn Haslett		

Ref. 610
28.07.22 **COUNCILLOR VACANCIES**
Motion to receive the information that the Town Council is free to co-opt 2 new members to the Town Council and initiate the co-option process.

RESOLVED: To receive the information with Councillor James Buczkowski proposing and Councillor Kathryn Haslett seconding the motion.

Ref. 611
28.07.22 **STAFF APPOINTMENTS AND RECRUITMENT**
Motion to recruit 2 new members of staff to the outdoor team.
RESOLVED: To approve the motion with Councillor Matthew Dale proposing and Councillor Janet Johns seconding the motion.

The meeting was declared closed at 8:53 pm

CHAIRMAN

DRAFT



AN EXTRA-ORDINARY MEETING OF CULLOMPTON TOWN COUNCIL
HELD IN CULLOMPTON TOWN HALL ON THURSDAY, 18th AUGUST 2022 AT 6:30PM

Present: Councillors C Snow, M Thompson, S Holvey, I Findlay, L Knight, J Buczkowski (Chair), M Smith, M Dale.

The Assistant Town Clerk (Meeting Administrator)

MINUTES

1. Apologies for absence

Apologies were received and accepted from Councillor G Guest.

2. Declaration of financial interest or personal connection

None Declared.

3. Motion to approve the recommendation of the Interview Panel and appoint a Town Clerk and Responsible Financial Officer.

RESOLVED that the meeting is adjourned for a period of 10 minutes to allow members to scrutinise the application for presented to them.

RESOLVED that the recommendation of the Interview Panel is accepted and that the council appoints the preferred Candidate as Town Clerk and the Responsible Finance Officer at SCP34 with a 6-month probationary period, completion of the CiLCA qualification within this probationary period is required and that there will be a 1-month mentor period from an experienced Town Clerk.



MINUTES OF THE RESOURCES COMMITTEE
HELD ON THURSDAY 11 AUGUST 2022
IN THE TOWN HALL, CULLOMPTON AT 7:00PM

PRESENT: Councillors: Lloyd Knight (Chairman), Ian Findlay, Mike Thompson,
Christopher Snow, James Buczkowski, Kate Haslett

IN ATTENDANCE: Councillors: None
Public: None

OFFICERS PRESENT: Francesca Pridding (Locum Town Clerk)

223. APOLOGIES:
Councillor Shaun Holvey

224. DECLARATION OF INTEREST
Councillor Findlay, Item 9, Related to the Admin Assistant

Councillor Snow entered the meeting at 7:04pm

225. MINUTES

To receive and approve:-

(i) Minutes of meeting held Wednesday, 25th May 2022

RESOLVED: To receive and approve with Councillor Buczkowski proposing and Councillor Findlay seconding the Motion

(ii) Minutes of meeting held Thursday, 9th June 2022

RESOLVED: To receive and approve with an amendment to R223 giving the correct figure with Councillor Buczkowski proposing and Councillor Thompson seconding the Motion

(iii) Minutes of meeting held Thursday, 14th July 2022

RESOLVED: To receive and approve with an amendment to R240 substituting Councillor Findlay's name for Councillor Haslett's on the line above '**RECOMMENDATION**' with Councillor Haslett proposing and Councillor Findlay seconding the Motion



226. RESOURCES ACTION LIST

Motion to receive and approve a revised and updated Action List, in support of a more deliverable work programme

RESOLVED: To receive and approve with Councillor Knight proposing and Councillor Buczkowski seconding the Motion

227. FINANCIAL MONITORING

Motion to receive and approve the Finance Report.

RECOMMENDATION: The virement funds from the Staffing Contingency budget to a newly created Locum Support budget

RESOLVED: To create a new code for Locum Support and Journal the expenditure related to the provision of agency staff to that code from General Admin and Payroll Additional costs and to receive and approve the report with Councillor Buczkowski proposing and Councillor Haslett seconding the Motion.

RESOLVED: To approve the Schedule of Payments with Councillor Buczkowski proposing and Councillor Knight seconding the motion

Item 6 deferred until Confidential Session

Locum Town Clerk left the meeting

228. ROLE OF LOCUM CLERK

Motion to consider the role of the Locum Town Clerk

229. PUBLIC PARTICIPATION

Motion to exclude press and public in accordance with Section 12A of the Public Bodies (Admission to Meetings) Act, 1960

Public Bodies (Admission to Meetings) Act 1960

In accordance with Public Bodies Admission to Meetings Act - Local Government (Access to Information) Act (1985) Schedule 12A, parts 1.1 and 4.14, public and press are therefore excluded from this part of the meeting.

RESOLVED: To approve with Councillor Knight proposing and Councillor Haslett seconding the Motion

230. STAFF CONTRACTS

Motion to approve contracts for new members of staff

DERERRED



231. ASSISTANT SUPERVISOR

Motion to create the post of Assistant Supervisor for the Outdoor Team

RESOLVED: To approve on the condition that an updated job description is created for the role and that the employee is required to complete a 6 month probationary period in the role with Councillor Findlay proposing and Councillor Buczkowski seconding the motion.

232. FLEXIBLE WORKING

Motion to consider request for flexible working

RESOLVED: To approve the request on the production of a detailed plan as to how the role would be covered without detriment to the service level with Councillor Buczkowski proposing and Councillor Haslett seconding the motion.

233. RECRUITMENT OF CLERK

Motion to form an interview panel for the recruitment of the new clerk and approve interview questions.

RESOLVED: To approve confirm the interview panel as previously appointed, Chair, Vice-Chair and Vice-Chair of the Resources Committee and to include additional questions relating to managerial and HR experience with Councillor Buczkowski proposing and Councillor Knight seconding the motion.

Councillor Findlay left the meeting

234. ROLE OF ADMIN ASSISTANT

Motion to review role of Administrative Assistant

RESOLVED: To increase the hours of work of the current Admin Assistant to 25 hours per week and for them to take on the role of the recently vacated Finance Officer on a SCP of 9 with Councillor Buczkowski proposing and Councillor Haslett seconding the Motion

The meeting was declared closed at 8:30 pm



TOWN CENTRE AND ECONOMIC DEVELOPMENT COMMITTEE

Minutes of a Committee meeting held on Monday 27 June 2022 at 19.00hrs in the
Town Hall, 1 High Street, Cullompton, EX15 1AB

In Attendance

Note: Councillors attending by remote access are not able to participate nor vote in the meeting but may raise questions during the agenda item for Members' Questions

Present:

Chairman: Councillor Shaun Holvey

Committee Members: Councillors: James Buczkowski, Janet Johns, Martin Smith, Ian Findlay

Officers: C Wilkinson (Locum Deputy Clerk)

Councillor Michael Thompson was present as a member of the public

TCED Election of Chair

247. To elect the Committee Chair for the civic year 2022-2023 (there currently being neither a Committee Chair nor Vice-Chair)

Motion: Shaun Holvey to chair TCED committee

Proposed: Cllr James Buczkowski

Seconded: Cllr Janet Johns

Vote: 4 in favour, 1 abstention (Cllr Holvey)

Resolved: CLLR SHAUN HOLVEY IS ELECTED CHAIRMAN OF THE TCED COMMITTEE.

TCED Chairman's Announcements

248. Cllr Holvey thanked the committee for electing him as Chairman.

TCED Apologies for Absence

249. None received.

TCED Declarations of Interests

250. None

TCED Public Participation

251. This agenda item allows members of the public present at the meeting to raise matters which are relevant to the work of the Committee.

No members of public present

TCED Minutes

252. The Draft Minutes of the meeting held on 28th March 2022 were considered. No amendments proposed.

(Supporting Paper A to the Agenda)

Motion: that the draft minutes of the meeting held on 28th March 2022 be confirmed as a correct record

Proposed: Cllr James Buczkowski

Seconded: Cllr Janet Johns

Resolved: Unanimous

TCED Action List

253. The Action List relating to the Town Centre and Economic Development Committee was received, reviewed and agreed with no amendments. (Supporting Paper B to the Agenda)

TCED Market Updates

- 254.**
- (i) No market traders present. No matters were reported from the weekly market.
 - (ii) No report received from the Farmers' Market.

TCED CVIB Update

255. To receive an oral report from the Culm Valley in Business representative including an update on recent events and any matters that the organisation wishes to bring to the attention of the Committee.

No report was received because CVIB has folded. Cllr JB and Town Team are considering whether the Chamber of Commerce could fulfil this role.

Action: CW TO REMOVE THIS ITEM FROM FUTURE AGENDAS

TCED Financial Matters

256. Consideration of the Town Centre and Economic Development Committee income, expenditure and commitments, compared to the 2021/22 budget estimates. (Supporting Paper C to the Agenda) A financial update not available for this meeting.

Motion: That this item is deferred to next TCED meeting

Proposed: Cllr Findlay

Seconded: Cllr Johns

Vote: Agreed, unanimous

Action: CW TO CIRCULATE HARD COPIES FOR NEXT MEETING.

TCED Storage on St Andrew's Car Park

257. The purchase and siting of a storage facility at St Andrew's car park was considered. (Supporting Paper D)

Discussed: Security. Obstruction of turning circle and rear access to car park. Loss of 3 parking spaces. Hedge needs cutting. Noise and light nuisance. Planning permission - not required.

Motion: CTC to procure a 20' container from Cleveland Containers at £3,600 ex VAT delivered to site. Locate on last 3 parking spaces in car park, ensuring no obstructions. Purchase from CTC Main budget, recover cost via Resources Committee.

Proposed: Cllr Buczkowski

Seconded: Cllr Findlay

Vote: 3 in favour, 1 against (Cllr Lloyd)

TCED Station Rd Toilets cleaning regime

258. Item carried forward from previous agenda (Ref: 25-04-2022, Supporting Paper B)
To consider options for managing public toilets at Station Road (Supporting Paper E)

Discussed: MDDC to take financial responsibility? High cost to CTC of rent and cleaning. Temporary facility will be provided when old toilet block is demolished until new facility is available. In-house/Marbles contract clean/open a.m. and p.m.?

Motion: New Outdoor Team supervisor to investigate cost/feasibility of in-house management of the facility and report to next TCED meeting.

Proposed: Cllr Johns

Seconded: Cllr Findlay

Vote: 3 in favour, 2 against

Resolved: **OUTDOOR TEAM SUPERVISOR TO ADVISE THIS COMMITTEE RE COST AND FEASIBILITY OF IN-HOUSE MANAGEMENT OF TOILETS AT STATION ROAD.**

TCED Coders Corner repairs

259. **Discussed:** Conservation Area. Expense. Capacity of Outdoor Team to undertake necessary repairs.

Motion: Seek advice from Conservation Officer

Proposed: Cllr Johns

Seconded: James Buczkowski

Vote: Unanimous

Resolved: **CW TO CONTACT MDDC CONSERVATION OFFICER AND OUTDOOR TEAM SUPERVISOR REPORT ADVICE BACK TO NEXT TCED MEETING.**

TCED Promotion of Cullompton Town HAZ Trail – Heritage Action Zone

260.

Discussed: Cullompton Town interpretation boards. Contact was to sell a product i.e. interpretation boards.

Motion: CTC not to pursue HAZ trail as existing boards are adequate for the towns needs.

Propose: Cllr Buczkowski

Seconded: Cllr Knight

Vote: Unanimous

Resolved: NOT TO PURSUE ADDITIONAL HAZ BOARDS.

TCED Complaints

261. None received

TCED Members Questions

262. This agenda item is to give Councillors an opportunity to ask questions which are relevant to the work of the Committee.

Cllr Thompson, speaking as a member of the public, encouraged revival of councillors' surgeries.

The meeting closed at 19:42hrs



GOVERNANCE COMMITTEE

Monday 23rd May 2022 commencing at 14:30hrs in the Town Hall, 1 High Street,
Cullompton, EX15 1AB

Present

Chair: Councillor Knight

Committee Members: Councillors: Buczkowski and Haslett

In Attendance:

Note: Councillors attending by remote access are not able to participate nor vote in the meeting

Councillors: Findlay

Officers J Norris (Town Clerk)

No members of the public were present.

G 13. Chair's Announcements

There were no announcements.

G 14. Apologies for Absence

An apology for absence was received from Councillor Dale.

G 15. Declarations of Interests

No declarations of interest were made regarding any items on the Agenda at this stage of the meeting

G 16. Public Participation

This agenda item allows members of the public present at the meeting to raise matters which are relevant to the work of the Committee; up to 3 minutes will be allowed for each person.

No matters were raised.

G 17. Minutes

The Draft Minutes of the Governance Committee meeting held on 5 November 2021 were considered. (Supporting Paper A to the Agenda)

RESOLVED that the draft minutes of the meeting held on 5 November 2021 be confirmed as a correct record.

G 18. Business Procedures Risk Register

Consideration was given to the business procedures risk register (Supporting Paper B to the Agenda)

RESOLVED that it is Recommended to Council to agree the Business Procedures Risk Register attached to these Minutes as Appendix 1

G 19. Internal Audit Reports

Consideration was given to the reports from the Interim visit November 2021 (Supporting Paper C to the Agenda)

RESOLVED that it is Recommended to Council that the auditor observations are noted and that it is emphasised that bank reconciliations are the responsibility of Councillors.

Note the report from the audit visit in March 2022 had not been received in time for the meeting.

G 20. Annual Governance and Accountability Return

The Town Clerk gave an oral update as the internal auditor's report, including the annual internal audit report had not been received.

The draft AGAR will be prepared for Committee and Council consideration when the internal auditor's report is received and the Resources Committee have reviewed the month 12 finance reports.

The AGAR must be submitted to the external auditor, PKF Littlejohn by 1 July 2022.

G 21. Scheme of Delegation / Terms of Reference

The Scheme of Delegation / Terms of Reference was reviewed. (Supporting Paper F to the agenda)

RESOLVED that it is Recommended to Council that the Scheme of Delegation / Terms of Reference as attached to these minutes as Appendix 2 be approved and adopted

G 22. Personnel Policies

The following draft policies were reviewed.

- (i) Capability Policy (Supporting Paper G to the Agenda)
- (ii) Disciplinary Policy (Supporting Paper H to the Agenda)
- (iii) Grievance Policy (Supporting Paper I to the Agenda)

RESOLVED that it is Recommended to Council that the Capability Policy, Disciplinary Policy and Grievance Policy as attached to these minutes as Appendices 3, 4 and 5 respectively be approved and adopted and that the Scheme of delegation / Terms of Reference be amended accordingly.

G 23. Referrals from Council or other Committees

- (i) **Code of Conduct matters** (Council 16.11.21) (Supporting Paper J)

RESOLVED

- (i) that research is undertaken and reported back to the Committee into the possibility of having an insurance type policy similar to directors liability insurance, that Town

Councillors could call upon and which doesn't need the Town Council to make a judgement as to eligibility to submit a claim.

- (ii) that an advice leaflet is prepared and made available to Councillors giving information sources should a Councillor be the subject of a complaint.

- (ii) **Comments, complaints Log** (Resources 13.01.22) (Supporting Paper K)

RESOLVED

- (i) that it is clearly stated on the Town Council's website that contact with the Town Council will be recorded and that the content / subject of the contact will be published but personal details will be redacted and as far as possible individual's identities will be protected.,
- (ii) members of the public should be advised if something confidential is to be raised they should speak to their ward member.

G 24. Members Questions

This agenda item is to give Councillors an opportunity to ask questions which are relevant to the work of the Committee.

No matters were raised.

The meeting closed at 15:31hrs

Cullompton Town Council
Business Procedures Risk Register
(Approved by Council 25 November 2021)

Governance Committee reviewed 23rd May 2022 – Recommended amendments are in bold red text

No	Short Risk Description	Uncertainty ?	Leading To?	Resulting In?	Possible Causes	"T" action	Controls / Actions	(Residual) Impact Assessment	(Residual) Likelihood Assessment	(Residual) Risk Score
1	Misappropriation of Council Funds	Could Council funds be misappropriated?	<ul style="list-style-type: none"> • Fraudulent activity • Unauthorised expenditure 	<ul style="list-style-type: none"> • Loss of Council reputation • Lack of funds to proceed with authorised expenditure / projects • Legal action 	<ul style="list-style-type: none"> • Inadequate financial procedures • Lack of internal controls • Procedures not followed • Bank Reconciliations not completed 	Treat	<ul style="list-style-type: none"> • Financial Regulations reviewed annually by Council • Council formally approving all expenditure transactions in open session • Cheques require 2 Councillor signatories • 2 councillors independently authorise bank transactions • Councillors who are not bank signatories undertake bank reconciliations 	Major	Rare	Low

No	Short Risk Description	Uncertainty ?	Leading To?	Resulting In?	Possible Causes	“T” action	Controls / Actions	(Residual) Impact Assessment	(Residual) Likelihood Assessment	(Residual) Risk Score
							<ul style="list-style-type: none"> • Financial Regulations amended to include the RFO undertaking a bank reconciliation at least once a quarter. • RFO is undertaking regular monthly reconciliations • Rota compiled for Councillors to undertake bank reconciliations monthly • Reconciliations of debit and credit card transactions to be undertaken • The completion or otherwise of bank reconciliations to be included in the regular Financial report to Resources 			

No	Short Risk Description	Uncertainty ?	Leading To?	Resulting In?	Possible Causes	"T" action	Controls / Actions	(Residual) Impact Assessment	(Residual) Likelihood Assessment	(Residual) Risk Score
							with the name of the responsible Councillor. <ul style="list-style-type: none"> • Councillors undertaking payment authorisations or bank reconciliations are given a simple guide as to what is expected of them • The Guides on payment authorisations and bank reconciliations to include time frames • Committees regularly reviewing actual income / expenditure compared to budget • Purchase orders raised for all orders (except payments from petty cash) 			

No	Short Risk Description	Uncertainty ?	Leading To?	Resulting In?	Possible Causes	“T” action	Controls / Actions	(Residual) Impact Assessment	(Residual) Likelihood Assessment	(Residual) Risk Score
							<ul style="list-style-type: none"> • Spending limits set in Financial Regulations • Supplier invoices checked against orders for accuracy • Blank cheques are never signed • Internal and external audits • Cash payments to the Council discouraged • Salaries-are paid into bank accounts as per written instruction by the employee 			
2	Petty Cash	Is petty cash dealt with properly?	<ul style="list-style-type: none"> • Fraudulent activity • Inappropriate expenditure • Legal action 	<ul style="list-style-type: none"> • Loss of Council reputation 	Procedures not followed	Treat	<ul style="list-style-type: none"> • Petty cash held does not exceed an agreed maximum amount as defined in Financial Regulations 	Minor	Rare	Low



Town Clerk: Miss Joy Norris MSc ACG

The Town Hall, 1 High Street, CULLOMPTON, EX15 1AB

enquiries@cullomptontowncouncil.gov.uk

01884 38249

Minutes of the meeting of the Governance Committee held on 9 June 2022 commencing at 18:00 hrs

Present

Chair: Councillor I Findlay

Councillors: J Buczkowski, L Knight and R Dietrich

In attendance

Note: Councillors attending by remote access are not able to participate nor vote in the meeting

Officers: J Norris (Town Clerk)

No members of the public attended the meeting.

G 25. Election of Chair

Consideration was given to the election of a Committee Chair.

RESOLVED that Cllr Findlay be elected Chair for this meeting

G 26. Chair's Announcements

There were no Chair's announcements.

G 27. Apologies for Absence

There were no apologies for absence.

G 28. Declarations of Interests

No declarations of interest were made at this stage of the meeting.

G 29. Public Participation

This agenda item allows members of the public present at the meeting to raise matters which are relevant to the work of the Committee.

No matters were raised.

G 30. Minutes

To confirm the Minutes of the Governance Committee meeting held on 23 May 2022 as a correct record. (Supporting Paper A)

RESOLVED to defer consideration of the draft minutes of the Governance Committee meeting held on 23 May 2022 until the next meeting

G 31. Internal Audit Report

Consideration was given to the internal report on the year end audit. (Supporting Paper B to the Agenda)

RESOLVED to recommend to Council that the report and observations, in particular the observation regarding bank reconciliations, are accepted.

G 32. Annual Governance Statement 2021/2022

Consideration was given to the draft Annual Governance Statement for 2021/2022 (Supporting Paper C to the Agenda)

RESOLVED to recommend to Council that the draft Annual Governance Statement, with the answer to each of the governance assertions completed as "Yes", is agreed

G 33. Accounting Statements 2021/22

Consideration was given to the draft Accounting Statements for 2021/22. (Supporting Paper D to the Agenda)

RESOLVED to recommend to Council that the draft accounting statements for 21/22 as presented to the Committee are approved.

G 34. Members Questions

This agenda item is to give Councillors an opportunity to ask questions which are relevant to the work of the Council.

No matters were raised.

The meeting closed at 18:10hrs

Invoice Date	Invoice Number	Ref No	Supplier A/c Name	Net Value	VAT	Invoice Total	A/C	Centre	Notes
01/08/2022	INVOICE 01	4529	CAROLINES GLEAM TEAM	£120.00	£0.00	£120.00	4405	400	Town Hall Deep Clean
			CAROLINES GLEAM TEAM Total			£120.00			
02/08/2022	INV-D-01185	4495	CLOUDYIT	£2,685.00	£537.00	£3,222.00	4068	100	New IT development - For info only, authorised on bank already.
			CLOUDYIT Total			£3,222.00			
28/07/2022	85354	4509	D & H PLANT	£318.00	£63.60	£381.60	4310	300	Digger and Dumper Hire
			D & H PLANT Total			£381.60			
26/07/2022	55048457	4511	DEVON COUNTY	£110.00	£22.00	£132.00	4035	100	Devon Jobs - Bronze - Town Clk
			DEVON COUNTY Total			£132.00			
31/07/2022	51339	4545	EDENVALE	£4.00	£0.80	£4.80	4310	300	Seeded Turf x2
			EDENVALE Total			£4.80			
01/08/2022	INV-6005	4528	GREENBEAM	£65.00	£13.00	£78.00	4060	100	Broadband - Aug'22
			GREENBEAM Total			£78.00			
06/07/2022	3265	4510	HALCYON	£172.45	£34.49	£206.94	4125	600	Play Area Grounds Maintenance
04/08/2022	3325	4531	HALCYON	£172.45	£34.49	£206.94	4125	600	Play Area Grounds Maint Aug'22
04/08/2022	3346	4532	HALCYON	£650.00	£130.00	£780.00	4310	300	Grounds Maintenance - Jul'22
			HALCYON Total			£1,193.88			
10/08/2022	T03373	4526	HUSH FARMS	£250.00	£50.00	£300.00	4115	100	Chainsaw Cancellation, PG & PS
			HUSH FARMS Total			£300.00			
11/05/2022	206099	4518	LABDON	£29.19	£5.83	£35.02	4200	200	Postfix Concrete Fast Set 20KG
16/05/2022	206668	4517	LABDON	£4.34	£0.87	£5.21	4310	300	P60 Course Mini Roll 5Mtr
23/06/2022	211117	4516	LABDON	£1.31	£0.26	£1.57	4310	300	2.5 Ltr Plastic Paint Can
07/07/2022	212689	4520	LABDON	£8.68	£1.74	£10.42	4310	300	Sandpaper P60 Coarse Mini 5m
25/07/2022	214612	4519	LABDON	£618.50	£123.70	£742.20	4310	300	Wurth SDS Drill Bit 8x210 2 Pa
26/07/2022	4219	4521	LABDON	-£26.43	-£5.29	-£31.72	4310	300	Cemetery Gate - Paint
02/08/2022	215550	4546	LABDON	£113.90	£22.78	£136.68	4120	800	Armour Steel Padlock Container
03/08/2022	215788	4547	LABDON	£11.39	£2.28	£13.67	4120	800	Self Locking Cable Ties x100
09/08/2022	216385	4542	LABDON	£28.80	£5.76	£34.56	4120	800	Asbo Graffiti Remover 400ml x4
10/08/2022	216648	4544	LABDON	£10.38	£2.08	£12.46	4310	300	Anthracite 300ml - Fence
11/08/2022	216655	4541	LABDON	£17.09	£3.42	£20.51	4310	300	2 xCement 6KG - Cemetery Fence
11/08/2022	216685	4543	LABDON	£9.60	£1.92	£11.52	4310	300	Metal Iron Washers x 200
			LABDON Total			£992.10			
10/08/2022	1373	4535	LGRC	£2,530.62	£506.12	£3,036.74	4035	100	Locum Deputy Clerk - Jul'22
10/08/2022	1374	4534	LGRC	£6,255.01	£1,251.01	£7,506.02	4035	100	Locum Clerk - Jul'22
			LGRC Total			£10,542.76			
26/07/2022	6631	4515	MARBLES	£620.00	£124.00	£744.00	4150	800	Public Toilet Cleaning - Jul
			MARBLES Total			£744.00			
27/07/2022	20032653	4514	MDDC	£177.46	£35.49	£212.95	4150	800	Running Costs - Station Rd
			MDDC Total			£212.95			

31/07/2022	11251	4508 METCALFE ALLEN	£65.00	£13.00	£78.00	4310	300 Cemetery Alarm Inspection
		METCALFE ALLEN Total			£78.00		
01/08/2022	16469	4533 MICROSHADE	£529.96	£105.99	£635.95	4068	100 Hosting Service - Aug'22
		MICROSHADE Total			£635.95		
03/08/2022	708549	4549 NALC	£300.00	£60.00	£360.00	4035	100 Advertisement - Town Clerk/RFO
		NALC Total			£360.00		
28/07/2022	5291	4507 RYAL MEDIA	£100.00	£20.00	£120.00	4035	100 Town Clerk Advert - Issue 238
		RYAL MEDIA Total			£120.00		
10/08/2022	QL201803-1	4538 SLCC	£410.00	£0.00	£410.00	4115	100 CiLCA - Steve R
		SLCC Total			£410.00		
20/07/2022	63892947	4522 SOMERSET WEST	£628.00	£125.60	£753.60	4120	Hanging Baskets - Planting - For info only, 800 authorised on bank already.
		SOMERSET WEST Total			£753.60		
17/08/2022	\IN0206997	4548 TUDOR	£553.20	£47.03	£600.23	4120	800 PPE - Outside Staff
		TUDOR Total			£600.23		
10/08/2022	9055498	4525 VIKING	£267.34	£53.47	£320.81	4052	100 Wireless Keyboards, Footrest
17/08/2022	9088650	4524 VIKING	£24.95	£4.99	£29.94	4052	100 Ergosoft mouse mat
		VIKING Total			£350.75		
01/08/2022	15145	4523 VISION	£286.50	£57.30	£343.80	4068	100 Website Host Oct'22 to Sept'23
		VISION Total			£343.80		
31/07/2022	OUT-5920	4513 WASTEOLGY	£20.00	£4.00	£24.00	4310	300 Skip Hire - July 22
13/08/2022	OUT-6094	4539 WASTEOLGY	£300.00	£60.00	£360.00	4310	300 Skip Exchange - Cemetery
		WASTEOLGY Total			£384.00		
		Grand Total			£21,960.42		

Overtime Payments

Week commencing	Employee	Hours	Amount
25/07/2022	Ian (Norman) Dan	5 hours	£77.90
25/07/2022	Perry Stickland	2 hours	£31.16
01/08/2022	Perry Stickland	1.5 hours	£23.37
01/08/2022	Paul Gummer	1.5 hours	£29.07



CULLOMPTON TOWN COUNCIL

TERMS OF REFERENCE

COMMITTEE NAME:	Services, Property and Outdoor Spaces
TYPE OF COMMITTEE:	Advisory
PURPOSE:	To manage Cullompton Town Council's property and outdoor spaces.
SCOPE:	<p>To work with other authorities to promote the public rights of way network within the Parish through schemes such as the Parish Paths Partnership.</p> <p>To follow ROSPA guidance regarding the management of play areas and play equipment under the control of the council.</p> <p>The care, maintenance and management of the 'Top Field' and Haymans Close allotment sites, including review of fees.</p> <p>To determine any requests for funding - grants or otherwise – for work on The Leat</p> <p>The maintenance and management of St Andrews car park, Codners Corner and any public toilet facilities ..</p>
AUTHORITY:	The Chairman of the committee shall make informed recommendations to the full Council for its approval.
MEMBERSHIP:	7 Councillors will be elected to the Services, Property and Outdoor Spaces Committee at each Annual Meeting. The Chairman and Vice-Chairman of the council shall be 2 of those 7
QUORUM	3
MEETING ARRANGEMENTS:	<p>To meet monthly on the first Thursday of the month.</p> <p>Chairman of the committee to be elected at the first meeting of the Services, Property and Outdoor Spaces committee each year.</p> <p>The Standing Orders of the Council apply to all meetings.</p>



REPORTING:	The Chairman of the Committee shall report back to the Full Council with recommendations
RESOURCES:	The Committee will have the use of the Council Office for meetings and the Clerk/RFO will produce agenda, minutes and advise on correct procedure.
REVIEW:	Annually at the Annual Meeting of the Council

DRAFT



CULLOMPTON TOWN COUNCIL

TERMS OF REFERENCE

COMMITTEE NAME:	Community, Economy and Tourism
TYPE OF COMMITTEE:	Advisory
PURPOSE	<p>Responsibility for any matter which impacts on the general health and wellbeing of those living in the Cullompton parish to include youth services provision, community events, town centre revitalisation, floral enhancement of the town etc.</p> <p>To make appropriate representations to any relevant agency in relation to any incident event or action which, in the opinion of the Council, is detrimental to the health of the community in its area.</p>
SCOPE:	<p>To organise the Christmas lighting display and other community events.</p> <p>Public safety and crime and disorder.</p> <p>To prepare, monitor and review the Council's Sport and Leisure Strategy.</p> <p>To oversee the Council's archive project.</p> <p>To establish and foster civic relationships with such bodies or organisations as the Council may authorise.</p> <p>To investigate opportunities to improve transport links, to include community bus service.</p> <p>Public relations and promotion: including newsletter and appropriate communication documents.</p> <p>To have overall responsibility for the Emergency Plan</p> <p>To manage, monitor and regulate the Council's market activities and finances.</p> <p>Project and economic development to improve the viability of the town centre.</p>



AUTHORITY:	The Chairman of the committee shall make informed recommendations to the full Council for its approval.
MEMBERSHIP:	7 Councillors will be elected to the Community, Economy and Tourism Committee at each Annual Meeting. The Chairman and Vice-Chairman of the council shall be 2 of those 7
QUORUM	3
MEETING ARRANGEMENTS:	To meet on the fourth Thursday of each month. Chairman of the committee to be elected at the first meeting of the Community, Economic and Tourism Committee each year. The Standing Orders of the Council apply to all meetings.
REPORTING:	The Chairman of the Committee shall report back to the Full Council with recommendations
RESOURCES:	The Committee will have the use of the Council Office for meetings and the Clerk/RFO will produce agenda, minutes and advise on correct procedure.
REVIEW:	Annually at the Annual Meeting of the Council



CULLOMPTON TOWN COUNCIL

TERMS OF REFERENCE

COMMITTEE NAME:	Planning, Licencing and Strategic Growth
TYPE OF COMMITTEE:	Advisory
PURPOSE	To consider and respond on all planning and licencing applications received to Cullompton Town Council.;
SCOPE:	<p>To respond to all planning and licencing applications where the Council is consulted having due regard for:</p> <ul style="list-style-type: none"> ➤ The Neighbourhood Plan ➤ The National Planning Policy Framework. ➤ The Planning Authority's Local Plan. ➤ The Conservation Area Management Plan. ➤ The Greater Exeter Strategic Plan. ➤ The view of parishioners as appropriate. ➤ All other information and advice that may be available. <p>To represent the council at meetings of Mid Devon District Council's Planning & Licencing Committees and to make written or verbal representation on behalf of the council in the event of a planning or licencing application being appealed.</p>
AUTHORITY:	The Chairman of the committee shall make informed recommendations to the full Council.
MEMBERSHIP:	7 Councillors will be elected to the Planning, Licencing and Strategic Growth Committee at each Annual Meeting. The Chairman and Vice-Chairman of the council shall be 2 of those 7.
QUORUM	3
MEETING ARRANGEMENTS:	<p>To meet on the third Thursday of each month.</p> <p>Chairman of the committee to be elected at the first meeting of the Planning, Licencing and Strategic Growth each year.</p> <p>The Standing Orders of the Council apply to all meetings.</p>
REPORTING:	The Chairman of the Committee shall report back to the Full Council with recommendations

RESOURCES:	The Committee will have the use of the Council Office for meetings and the Clerk/RFO will produce agenda, minutes and advise on correct procedure.
REVIEW:	Annually at the Annual Meeting of the Council

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CULLOMPTON TOWN COUNCIL

TERMS OF REFERENCE

COMMITTEE NAME:	Governance, Finance and Resources Committee
TYPE OF COMMITTEE:	Advisory
PURPOSE:	<p>Overall responsibility for the management of the Council’s financial affairs, human resources, administration and policies and procedures in accordance with legislative requirements, regulations and guidelines.</p> <p>To oversee the Council’s health and safety and fire safety processes.</p>
Scope of Governance:	<p>To monitor and update the Financial Regulations and Standing Orders and to ensure that they are observed by the Council.</p> <p>To ensure that the Council’s strategies, policies and procedures are undertaken in accordance with statutory and legislative requirements.</p> <p>To ensure the policies and procedures of the council are regularly reviewed and updated by the agreed “review” date.</p> <p>To respond to consultative documents from Government and other bodies other than those specifically allocated to other Committees.</p>
Scope of Finance:	<p>Monitor the financial administration of the Council.</p> <p>Provide advice and guidance to the Chairs of other Committees of the Council and to the full Council on all aspects of financial management.</p> <p>In consultation with the Chair of the Council and the Town Clerk/RFO, co-ordinate the detailed budget of the Council and recommend to the full Council the annual budget and the annual precept to be levied.</p> <p>To ensure that the RFO prepares the accounts of the Council and arranges their internal and external audits.</p>



Monitor the administration and review of day to day financial matters including internal audit of the Council's income and expenditure.

Conduct an annual review of the council's insurance policies and monitor the procedure for risk assessment of all of the Council's activities.

To consider forward planning and provide earmarked reserves for the replacement of equipment, vehicles, buildings and specific items of expenditure required in the future in order to lessen the precept burden in any one year.

Undertaking an annual review of all fees, charges and allowances.

To consider all applications for grants (to charities) and donations (to other organisations or individuals) and make recommendations to Full Council, in line with the Council's Policy.

To seek grant aid and appropriate support in respect to the responsibilities of the Council.

Scope of Resources:

To recruit, retain and develop staff to undertake the work of the council.

The Chairman of the Governance, Finance and Resources Committee, the Town Mayor or Deputy Town Mayor is to conduct the annual appraisal of the Town Clerk. agree objectives and bring a report back to the Committee

To agree and monitor training requirements for staff and councillors within an agreed budget.

To consider requests from members' and staff to attend conferences, courses and meetings relevant to the work of the council.

To consider and bring to a final conclusion to any matters emanating from grievance and disciplinary procedures contained in the Contract of Employment applicable to all members of staff employed by the council.

To receive and note annual and other appraisals and be the point of contact for any appeal.

To deal with any staff complaint concerning the Town Clerk.

To deal with any staff matters referred by the Town Clerk.



	<p>To deal with any other personnel matters.</p> <p>To decide, with the Town Clerk and any other staff concerned, any issues relating to staffing levels and re-grading, pay levels and staffing structures.</p> <p>To ensure that the council complies with health and safety and fire safety legislation.</p> <p>To maintain a continuous general oversight on the Council's administration.</p> <p>To oversee the strategic and policy issues affecting the Council's acquisition and development of information technology.</p> <p>To recommend on the acquisition and renewal of vehicles and ensure the maintenance and serviceability of vehicles in a roadworthy state</p>
AUTHORITY:	The Chairman of the committee shall make informed recommendations to the full Council for its approval.
MEMBERSHIP:	7 Councillors will be elected to the Finance Committee at each Annual Meeting. The Chairman and Vice-Chairman of the council shall be 2 of those 7
QUORUM	3
MEETING ARRANGEMENTS:	<p>To meet on the second Thursday of January, April, July and October.</p> <p>Chairman of the committee to be elected at the first meeting of the Governance, Finance and Resources Committee each year.</p> <p>The Standing Orders of the Council apply to all meetings.</p>
REPORTING:	The Chairman of the Committee shall report back to the Full Council with recommendations
RESOURCES:	The Committee will have the use of the Council Office for meetings and the Clerk/RFO will produce agenda, minutes and advise on correct procedure.
REVIEW:	Annually at the Annual Meeting of the Council



CULLOMPTON TOWN COUNCIL

TERMS OF REFERENCE

COMMITTEE NAME:	Appeals Committee
TYPE OF COMMITTEE:	Executive
PURPOSE:	To make decisions relating to matters brought before it following procedures taken by the Governance, Finance and Resources Committee or by a temporary Grievance Panel.
SCOPE:	<p>The Committee will consider and decide whether individual appeals have established grounds for appeal according to the disciplinary or grievance procedures.</p> <p>To gather further evidence at appeal committee hearings and to decide, on the basis of that information, whether an appeal should be upheld or rejected.</p>
AUTHORITY:	To determine whether any appeal made by a member of staff under any of the Council's personnel policies are valid.
MEMBERSHIP:	5 Councillors will be elected to the Appeals Committee at each Annual Meeting. Either the Chairman or Vice-Chairman of the council shall be 1 of those 5
MEETING ARRANGEMENTS:	<p>Chairman of the Committee to be elected at the first meeting of the Appeals Committee each year.</p> <p>The Standing Orders of the Council apply to all meetings.</p>
REPORTING:	The Chairman of the Committee shall report the decisions of the Appeals Committee to the Full Council
RESOURCES:	The Committee will have the use of the Council Office for meetings and the Clerk/RFO will produce agenda, minutes and advise on correct procedure.
REVIEW:	Annually at the Annual Meeting of the Council



Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

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

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

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

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

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

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

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

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

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

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

General principles of councillor conduct

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

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

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

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

In undertaking my role:

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

Application of the Code of Conduct

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

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

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

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

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

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

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

Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

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

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

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

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

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

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

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

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

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and

contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

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

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

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

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

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

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

5. Disrepute

As a councillor:

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

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

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

6. Use of position

As a councillor:

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

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

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

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

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

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

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport

- access and use of local authority buildings and rooms.

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

8. Complying with the Code of Conduct

As a Councillor:

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

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

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

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

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

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

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

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

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

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

10. Gifts and hospitality

As a councillor:

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

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

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

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

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

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

Integrity

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

Objectivity

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

Accountability

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

Openness

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

Honesty

Holders of public office should be truthful.

Leadership

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

Appendix B Registering interests

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

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

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

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

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests

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

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registerable Interests as set out in **Table 2**

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

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

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

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

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

Table 1: Disclosable Pecuniary Interests

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

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council. ‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor’s knowledge)—</p> <p>(a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and (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 (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

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

Table 2: Other Registrable Interests

<p>You must register as an Other Registrable Interest :</p> <ul style="list-style-type: none"> a) any unpaid directorships b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) any body <ul style="list-style-type: none"> (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) <p>of which you are a member or in a position of general control or management</p>

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.



DIGNITY AT WORK POLICY

Cullompton Town Council believes that civility and respect are important in the working environment, and expect all councillors, officers and the public to be polite and courteous when working for, and with the council.

Purpose

Cullompton Town Council is committed to creating a working environment where all council employees, councillors, contractors and others who come into contact with us in the course of our work, are treated with dignity, respect and courtesy. We aim to create a workplace where there is zero tolerance for harassment and bullying

In support of this objective, Cullompton Town Council has signed up to the Civility Pledge, as a commitment to civility and respect in our work, and politeness and courtesy in behaviour, speech, and in the written word. Further information about the Civility and Respect Pledge is available [NALC](#) & [SLCC](#)

We recognise that there is a continuum where unaddressed issues have the potential to escalate and become larger, more complex issues and this policy sets out how concerns will be managed however the emphasis of this policy is on resolution and mediation where appropriate, rather than an adversarial process.

This document:

- explains how we will respond to complaints of bullying or harassment;
- ensures that we respond sensitively and promptly; and,
- supports our employees in ensuring their behaviour does not amount to bullying and/or harassment by giving examples.

Scope

This policy covers bullying and harassment of and by clerk/chief officers, councilors and all employees engaged to work at Cullompton Town Council. Should agency staff, or contractors have a complaint connected to their engagement with Cullompton Town Council this should be raised to their nominated contact, manager, or the Chair of the Council, in the first instance. Should the complaint be about the chair of the council the complaint should be raised to either of the deputy chair, Town Clerk or Governance, Finance and Resources Committee.

Agency staff, or contractors are equally expected to treat council colleagues, and other representatives and stakeholders with dignity and respect, and the council may terminate the contract, without notice, where there are suspicions of harassment or bullying.

Complaints about other employment matters will be managed under the council's grievance policy.



It is noted that the management of a situation may differ depending on who the allegations relate to (e.g. employees, contractor, councillor), however, the council will take appropriate action if any of its employees are bullied or harassed by employees, councillors, members of the public, suppliers or contractors.

The position on bullying and harassment

All staff and council representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. Cullompton Town Council will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether harm is intended or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. You should also be aware that, if you have bullied or harassed someone (e.g. physical violence, harassment), in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

We expect all representatives of the council to treat each other with respect and uphold the values of the code of conduct, civility and respect pledge, equality opportunities policy, and all other policies and procedures set by the Council.

We expect you to demonstrate respect by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. See the grievance policy for further details regarding the process. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. While we will assume that all complaints of bullying and harassment are made in good faith, in the event that allegations are found to be malicious or vexatious the person raising the complaint may be subject to action under the council's disciplinary procedure.



Harassment

- Where a person is subject to uninvited conduct that violates their dignity, in connection with a protected characteristic
- Behaviour that creates a hostile, humiliating, degrading or similarly offensive environment in relation to a protected characteristic

Bullying

- Behaviour that leaves the victim feeling threatened, intimidated, humiliated, vulnerable or otherwise upset. It does not need to be connected to a protected characteristic.

What Type of Treatment amounts to Bullying or Harassment?

'Bullying' or 'harassment' are phrases that apply to treatment from one person (or a group of people) to another that is unwanted and that has the effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.

Examples of bullying and harassment include:

- Physical conduct ranging from unwelcome touching to serious assault
- Unwelcome sexual advances
- The offer of rewards for going along with sexual advances e.g. promotion, access to training
- Threats for rejecting sexual advances
- Demeaning comments about a person's appearance
- Verbal abuse or offensive comments, including jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Unwanted nicknames, especially related to a person's age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Spreading malicious rumours or insulting someone
- Lewd or suggestive comments or gestures
- Deliberate exclusion from conversations, work activities or social activities.
- Withholding information a person needs in order to do their job
- Practical jokes, initiation ceremonies or inappropriate birthday rituals
- Physical abuse such as hitting, pushing or jostling
- Rifling through, hiding or damaging personal property



- Display of pictures or objects with sexual or racial overtones, even if not directed at any particular person
- Isolation or non-cooperation at work
- Subjecting a person to humiliation or ridicule, belittling their efforts, whether directly and / or in front of others
- The use of obscene gestures
- Abusing a position of power

Bullying and harassment can occur through verbal and face to face interactions, but can also take place through sharing inappropriate or offensive content in writing or via email and other electronic communications and social media.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable and behaviour could be harassment when the person had no intention to offend. We all have the right to determine what offends us. Some behaviour will be clear to any reasonable person that it is likely to offend – for example sexual touching. Other examples may be less clear, however, you should be aware that harassment will occur if behaviour continues after the recipient has advised you that the behaviour is unacceptable to them.

Harassment can also occur where the unwanted behaviour relates to a perceived characteristic (such as offensive jokes or comments based on the assumption someone is gay, even if they are not) or due to their association with someone else (such as harassment related to their partner having a disability for example). See the council's equality and diversity Policy.

All employees must, therefore, treat their colleagues with respect and appropriate sensitivity and should feel able to challenge behaviour that they find offensive even if it is not directed at them.

It is important to recognise that bullying does not include appropriate criticism of an employee's behaviour or effective, robust performance management. Constructive and fair feedback about your behaviour or performance from your manager or colleagues/Councillors is not bullying. It is part of normal employment and management routines, and should not be interpreted as anything different.

Victimisation

Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because they have made a complaint or giving them a heavier or more difficult workload.



Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the council will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

Reporting Concerns

What you should do if you feel you are being bullied or harassed by a member of the public or supplier (as opposed to a colleague)

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with your nominated manager in the first instance or, with the clerk/or a councillor. Any such report will be taken seriously, and we will decide how best to deal with the situation, in consultation with you.

What you should do if you feel you are being bullied or harassed by a councillor: If you are being bullied or harassed by a councillor, please raise this with the clerk/chief officer or the chair of the council in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is described below. Formal concerns regarding potential breaches of the Councillors Code of Conduct must be investigated by the Monitoring Officer.

The council will consider reasonable measures to protect your health and safety. Such measures may include a temporary change in duties or change of work location, not attending meetings with the person about whom the complaint has been made etc.

What you should do if you witness an incident you believe to harassment or bullying: If you witness such behaviour you should report the incident in confidence to the clerk/chief officer or a councillor. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

What you should do if you are being bullied or harassed by another member of staff: If you are being bullied or harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.



Informal resolution

If you are being bullied or harassed, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to the council's policy and must stop. Alternatively, you may wish to ask the clerk/chief officer, your nominated manager or a colleague to put this on your behalf or to be with you when confronting the perpetrator(s).

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own nominated manager, you should raise the issue with the chair of the council. (If your concern relates to the chair, you should raise it with the chair of the personnel/staffing committee). The chair (or another appropriate person) will discuss with you the option of trying to resolve the situation informally by telling the alleged perpetrator, without prejudicing the matter, that:

- there has been a complaint that their behaviour is having an adverse effect on a member of the council staff
- such behaviour is contrary to our policy
- for employees, the continuation of such behaviour could amount to a serious disciplinary offence

It may be possible for this conversation to take place with the alleged perpetrator without revealing your name, if this is what you want. The person dealing with it will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The chair (or another appropriate person) will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as extremely serious allegation or in cases where a problem has happened before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

Raising a formal complaint

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about bullying and harassment through the council's grievance procedure. You should raise your complaint to the clerk/chief officer or the chair of the council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.



The clerk/chief officer or the chair of the council will appoint someone to investigate your complaint in line with the grievance policy. You will need to co-operate with the investigation and provide the following details (if not already provided):

- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred,
- The names of any witnesses and
- Any action taken by you to resolve the matter informally.

The alleged perpetrator(s) would normally need to be told your name and the details of your grievance in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to make temporary adjustments to working arrangements whilst the matter is being investigated.

Where your complaint relates to potential breaches of the Councillors Code of Conduct, these will need to be investigated by the Monitoring Officer. The council will consider any adjustments to support you in your work and to manage the relationship with the councillor the allegations relate to, while the investigation proceeds.

Investigations will be carried out promptly (without unreasonable delay), sensitively and, as far as possible, confidentially. When carrying out any investigations, we will ensure that individuals' personal data is handled in accordance with the data protection policy.

The council will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to understand better your complaint (see the grievance policy for further information, and details of your right to be accompanied).

After the investigation, a panel will meet with you to consider the complaint and the findings of the investigation in accordance with the grievance procedure. At the meeting you may be accompanied by a fellow worker or a trade union official.

Following the conclusion of the hearing the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the grievance procedure.



The use of the Disciplinary Procedure

If at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. We will keep you informed of the outcome.

This is a non-contractual policy and procedure which will be reviewed from time to time.

GUIDANCE FOR USING THE DIGNITY AT WORK POLICY

This is an example of an employment policy designed for a council adhering to statutory minimum requirements and does not constitute legal advice. As with all policies it should be consistent with your terms and conditions of employment.

This guidance is provided to support understanding of the policy, and its application, as well as where local adaptations may be required. The guidance is not part of the policy and should be removed from the policy adopted and shared with council employees.

The Dignity at Work Policy will replace a previous 'Bullying and Harassment' Policy, to create a policy that is focussed on encompassing behaviours beyond simply bullying and harassment, and zero tolerance with the aim of dealing with concerns before they escalate. It is important that any commitment made in the policy is applied in practice.

Wording has been suggested to demonstrate a council's commitment to promoting dignity and respect where they have signed up to the NALC, SLCC and OVW Civility and Respect Pledge. Council's that have not signed up to this are requested to consider making this pledge which is based on basic behaviours and expectations of all council representatives to create workplaces that allow people to maintain their dignity at all times. If your council has not agreed to the pledge this wording should be removed.

The policy is drafted with consideration of employment language and terminology that is reflective of a modern working environment, setting a tone that is engaging, collaborative and inclusive. A council may want to update references where relevant to reflect local terminology and structure, however should be considerate of equality, diversity and inclusion.

The examples of bullying and harassment are just that – examples. This should not be considered an exhaustive list.

Notes:

Protected Characteristics



A 'protected characteristic' is defined in the Equality Act 2010 as age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is unlawful to discriminate against an individual because of any of the protected characteristics.

Discrimination includes treating people differently because of a protected characteristic. Employees can complain of harassment even if the behaviour in question is not directed at them. This is because the complainant does not actually need to possess the relevant protected characteristic. An employee can complain of unlawful harassment if they are related someone with a protected characteristic, or because a colleague believes they have a protected characteristic.

Examples of harassment related to a protected characteristic could include;

- Making assumptions about someone's ability due to their **age**, or denying development opportunities to someone based on their age. This could also include assumptions about their lifestyle or making inappropriate jokes related to age.
- Making fun or mimicking impairments related to a health condition, or using inappropriate language about disabilities. Constantly selecting social activities that make it impossible for a colleague with a **disability** to participate in.
- Refusing to treat a person as their new gender, or disclosing information about their gender identity could be harassment on the grounds of **gender reassignment**.
- **Pregnancy/Maternity** harassment could include refusing opportunities due to pregnancy or maternity leave, or inappropriate touching and invasion of personal space such as unwanted touching of a pregnant person's stomach.
- Harassment based on **race** could include derogatory nicknames, or stereotyping based on ethnicity. It could include racist comments or jokes, or assumptions about someone's lifestyle based on their ethnicity.
- **Gender** harassment could include not considering people for a job based on gender stereotyping roles, or implementing practices that disadvantage one gender over another. Rude, explicit jokes, even if not directed at an individual, or comments on individuals' dress or appearance.
- Regularly arranging team meals over periods of fasting or religious occasions or failing to adjust a dress code to accommodate religious dress could be examples of harassment based on **religion/belief**.
- Excluding same sex partners from social events could be both **sexual orientation** and **marriage/civil partnership** discrimination, as could not offering the same work-related benefits.

A person does not need to be employed or have 2 years qualifying service to make a discrimination claim at a tribunal.



- Job applicants who believe they have not been appointed because of a 'protected characteristic' can make a claim.
- New or established employees who are dismissed, or treated unreasonably because of a health condition can make a discrimination claim.
- An employee subjected to harassment can make a discrimination claim at a tribunal.
- An employee asked to retire can make a discrimination claim at a tribunal

Legal risks

Successful unfair dismissal claims are limited to a compensation cap, whereas those for unlawful discrimination have no cap.

A positive employment culture, and swift action if conduct falls beneath acceptable standards will help mitigate the risks. An unhealthy culture will make it difficult to defend claims.

The time to defend and the cost of defending tribunal claims can be significant, irrespective of the outcome.

Culture and behaviour

We work in eclectic communities and working environments, and a positive culture within the council enables employees with different backgrounds and beliefs to share ideas and shape how the council achieves its objectives for their community.

It is important to recognise that different individuals may find different behaviours bullying or harassing so while there is not always intent to offend or cause harm, that does not mean that the effect of the behaviour has not caused harm or offence.

It can take people a period of time to decide to raise their concerns, as they worry about consequences (perhaps from peers by complaining about a colleague who is popular, or they fear victimisation from the perpetrator or others). The council should consider whether there are opportunities (such as 121s to offer opportunity to reflect on relationships/morale) to identify issues earlier and address negative behaviours. Individuals can often mention concerns they are experiencing but not want to take it further. The council should remind the complainant that it has a zero tolerance to bullying and harassment and remind them of the policy in place to address concerns. If the allegations mentioned are significant, the council may want to suggest that it will need to investigate further, even if a 'grievance' is not raised, so as to ensure that any concerns and risks are managed, and the council is meeting its responsibilities and duty of care as an employer.



Whilst both staff and councillors jointly determine the working culture, councillors are key in demonstrating what is and isn't acceptable behaviour. This is apparent from how councillors behave with each other in council meetings and also in how standards of behaviour are applied through the use of informal discussion and formal policies.

Scope

All council representatives are expected to uphold the values of the Dignity at Work Policy, however this policy sets out how allegations from employees will be managed. As indicated in the policy, concerns from a contractor, agency worker etc. should be raised to the identified person, and an appropriate approach will be considered based on the situation and relationship of the complainant with the council.

Likewise, concerns raised about the behaviour of a contractor or agency worker would not generally be managed via the full process (such as the disciplinary process) but appropriate action would be considered based on the situation. To treat people (such as contractors, or a casual worker) engaged by the council the same as an employee could blur the status of the employment relationship, so consider seeking professional advice if needed.

Managers

Recognising that councils are of varying sizes, where the term manager/nominated manager is used it is recognised this could be the clerk/chief officer, another employee of the council, or a councillor depending on the situation. It is good practice to have a clearly identified person who is the responsible 'line manager' or equivalent contact for an employee so that there is clarity on how the employee should report concerns to, who they notify if they are sick or to request leave etc. More often for council employees this may be the clerk/chief officer, and for the clerk/chief officer this could be the chair/deputy Chair, or possibly chair of a staffing/personnel committee.

Bullying and harassment & performance management

The policy sets out that bullying and harassment does not include appropriate criticism of an employee's behaviour or effective, robust performance management. It is not uncommon for an employee, when receiving critical feedback, to claim that this is bullying and/or harassing. It is the role of the nominated manager to provide effective and constructive feedback to encourage performance at the required standard.

Even when the feedback is not positive it should be fair, communicated in a professional and reasonable manner and shared with the objective of aiding understanding and achieving an improvement to overcome the shortfalls. There is no absolute definition of when the feedback may not be appropriate. Often it will be for the person/panel hearing the dignity at work complaint/grievance to determine whether the performance management has upheld the standards expected in terms of respect and civility and any feedback has been shared in a fair and professional way.



Responsibilities

All staff and representatives of the council are responsible for their own behaviour in the workplace and for taking steps to revise unacceptable behaviour and appropriately challenge that of others.

Leaders – councillors, clerks, chief officers, managers - are responsible for ensuring that these standards of treating people with civility, respect and courtesy are upheld, both through their own example, and by communicating and promoting these expectations to all employees. They are also responsible for ensuring that concerns raised are treated seriously and addressed in line with this policy in a timely manner.

During the investigation

Employers have a duty of care to provide a safe place of work. If a complaint is made, discuss how to manage working relationships whilst the allegation is being investigated and until the outcome is disclosed. This is as much for the protection of the alleged perpetrator as for the aggrieved.

Consider whether a neutral person should be offered as a 'listening ear' for both parties in the investigation. This could be a councillor or nominated manager who is not involved in the investigation or allegations and can be a point of check in as raising, or being subject to allegations can be stressful.

Offer other support that may be appropriate to the situation such as signposting to support groups, time off for counselling etc. If you have suspended a staff member, your duty of care continues and it is important to consider their wellbeing and mental health.

Ensure that you communicate regularly with both parties.

The investigation and any subsequent hearing should be completed in accordance with the grievance policy which sets out a process for dealing with concerns. You should ensure that the grievance policy adopted adheres to any local policies and procedures, with consideration of any timescales and escalation routes in your locally adopted policy.

Confidentiality

It may be possible for concerns to be raised with the perpetrator without disclosing the name of the complainant however in a small council it is likely that it will be clear that the accused will know where the accusation has come from. The council representative (clerk/chief officer/councillor) speaking to the alleged perpetrator must be clear that the discussion is confidential and the individual would be at risk of formal disciplinary action if there is any sort of victimisation or retaliation for the individual raising their concern.



During any formal investigation it may be necessary to disclose the nature of the allegations and where they came from to ensure a fair and balanced investigation and process. This should be discussed with the person raising the concerns to understand any issues and how they may be mitigated. In some situations it may be appropriate to provide anonymised witness statements however this would be a last resort, and could compromise the fairness of the process. Where there is a genuine fear of consequences and this may need to be considered, it is recommended that professional advice is sought. For the same reason it can be difficult for a council to consider an anonymous complaint, however if the concerns are significant and compromise the council in their duty of care to employees, then consideration of how the deal with the matter may be required.

Victimisation

All employees have the right to raise genuine concerns without the fear of reprisals. If the aggrieved (or a witness) is treated differently / less favourably because they have raised a complaint, then this is victimisation. This would include isolating someone because they have made a complaint, cancelling a planned training event, or giving them a heavier or more difficult workload. Victimisation can lead to a claim to an employment tribunal.

False allegations

If an employee makes an allegation that they know to be untrue, or gives evidence that they know to be untrue, the council should consider the matter under the disciplinary procedure. Such an allegation would be potentially be gross misconduct.

Complaints against Councillors

Following the Ledbury case, the law is clear that any formal complaint about a councillor regarding a breach of the code of conduct must be referred to the Monitoring Officer for investigation (either by the complainant, or the Council with agreement of the complainant). During the investigation, it is critical to ensure that where an employee of the council has made the complaint, that the council agrees reasonable measures with the employee to protect their health and safety. Such measures may include a temporary change in duties, change of work location, not attending meetings with the person about whom the complaint has been made etc.

Careful consideration is required where a grievance is raised against the council as a whole due to lack of support related to councillor behaviours. The specific allegations will need to be considered to determine whether the allegations can be addressed by the council, or require exploration of the councillors behaviour in order to respond, in which case the Monitoring Officer may be required to investigate the alleged behaviours of a/any councillors where this may relate to the code of conduct. It is a matter of fact whether the complaint is against the council and can therefore be dealt with by the council's grievance procedure or against a councillor and can only be dealt with by the Monitoring Officer.



Motion to sign up to the civility and respect pledge

Definition of Civility and Respect

Civility means politeness and courtesy in behaviour, speech, and in the written word.

Examples of ways in which you can show respect are by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

The National Association of Local Councils (NALC), the Society of Local Council Clerks (SLCC), and One Voice Wales (OVW), believe now is the time to put civility and respect at the top of the agenda and start a culture change for the local council sector.

By our council signing up to the civility and respect pledge we are demonstrating that our council is committed to treating councillors, clerks, employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.

Signing up is a simple process, which requires councils to register and agree to the following statements:

Statement	Tick to agree
Our council has agreed that it will treat all councillors, clerk and all employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.	
Our council has committed to training councillors and staff.	
Our council has signed up to Code of Conduct for councillors	
Our council has good governance arrangements in place including, staff contracts, and a dignity at work policy.	
Our council will commit to seeking professional help in the early stages should civility and respect issues arise.	
Our council will commit to calling out bullying and harassment when if and when it happens.	
Our council will continue to learn from best practice in the sector and aspire to being a role model/champion council e.g., via the Local Council Award Scheme	
Our council supports the continued lobbying for the change in legislation to support the Civility and Respect Pledge, including sanctions for elected members where appropriate.	

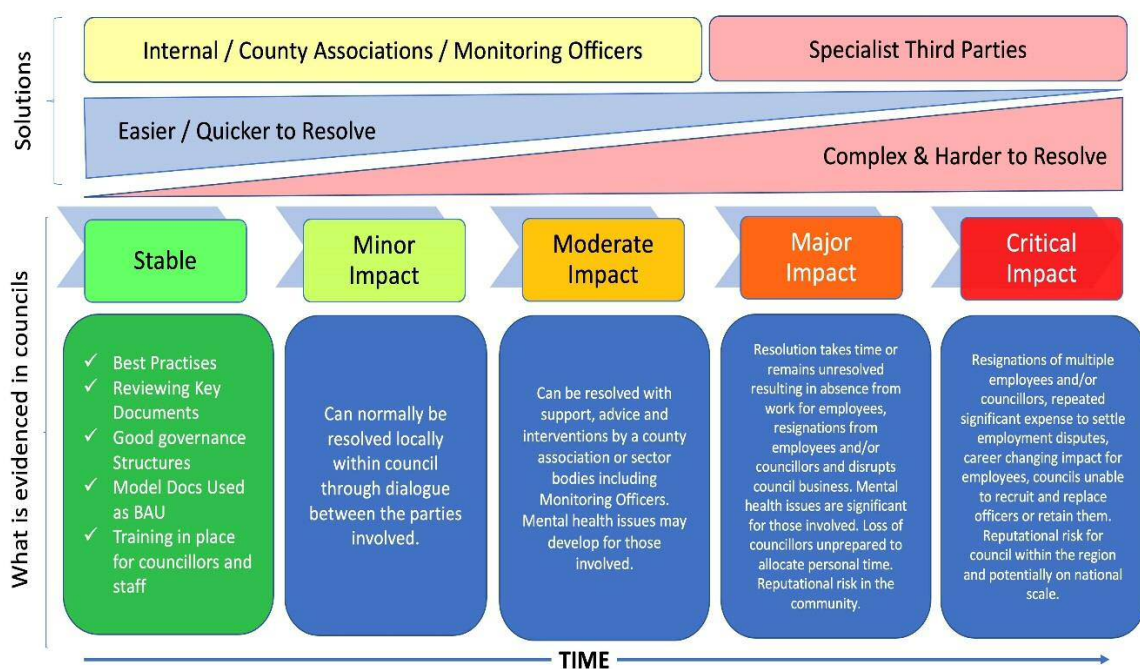


The Civility and Respect Continuum illustrates how issues escalate over time. Our research has indicated that councils experiencing poor conduct or vexatious demands/complaints often experience problems repeatedly over a significant period of time.

The longer an issue is permitted to continue, unaddressed, the more complex, time-consuming, and expensive the resolution becomes. This can eventually result in damage to the reputation of the council and health issues for those involved eventually ending with multiple resignations of both staff and councillors.

Councils that have up-to-date policies and procedures, well-trained councillors and employees can often manage and mediate issues with or without advice and support from county associations and/or monitoring officers.

Where councils become overwhelmed or fail to draw upon the resources available, matters can escalate and come under significant strain and pressure. In these situations, the solutions are often beyond the existing support offered and invariably best resolved by third parties, a costly and time-consuming challenge.



The project is identifying solutions to support councillors, officers, councils, and county officers at every stage of the civility continuum, however, whilst governance and training solutions may help with minor and moderate issues, the options for support at the major end of the scale become more limited. Support from monitoring officers and county associations may provide resolution in some instances but often issues have become too complex to resolve without costly interventions from specialist third parties.

Every attempt should be made to prevent escalation by addressing potential behavioural issues as soon as they arise, calling out bullying and harassment at the earliest opportunity and standing up for civil and respectful behaviour.

If the issues within a council have escalated to critical, then the options for resolution are still further limited, with costly external resolution and legal support often being required to reach resolutions.



Potential action/intervention at this stage is being piloted with a town council struggling with chronic issues. It is being overseen by the joint NALC/SLCC Internal Development Board. If the solution proves successful it may be possible to expand the support programme but much depends on the councils' willingness to make a positive change. Early intervention to head off chronic issues is a far more effective mechanism to handle poor behaviour.



OFFICER REPORT

COMMITTEE:	Full Council
DATE OF MEETING:	25.08.2022
AGENDA ITEM:	13. Motion to approve the banking signatories for Cullompton Town Council as Chair, Vice-Chair, Chair of Governance, Finance and Resources Committee, Vice-Chair of Governance, Finance and Resources Committee, Town Clerk and RFO.
LEGAL AUTHORITY:	N/A
FINANCIAL IMPLICATION:	N/A
IMPACT ASSESSMENT:	Increased work efficiency, access to up to date apps and greater opportunities for collaborative working.
BACKGROUND:	The nature of Town Councils means that a change of key participatory figures is an unavoidable fact. Members will take on different roles and responsibilities however it is fundamental to good governance that there is certainty and an approved protocol for ensuring that the Council meets its financial obligations. This Motion seeks to provide that certainty.
SUMMARY:	<p>It is a requirement of the Financial Regulations of the Council that some Members are authorised signatories for the Council's bank accounts.</p> <p>Members' authorisation is an essential element in the toolkit that Officers employ to mitigate financial risk to the Council.</p> <p>The signatories for the accounts should never be a matter of confusion or uncertainty and the signatories should be readily identifiable by the post they hold within the Council; this helps to avoid confusion and the situation where multiple people are vestigial signatories on the account after their terms have ended.</p>
RECOMMENDATION:	The recommendation is that Councillors resolve to approve the Motion that the banking signatories for Cullompton Town Council be the Chair, Vice-Chair, Chair of Governance, Finance and Resources Committee, Vice-Chair of Governance, Finance and Resources Committee, Town Clerk and RFO.

CONTRACT OF EMPLOYMENT

This contract of employment ("the contract") contains the main terms and conditions of your employment with Cullompton Town Council ("the Council"). It includes all the written particulars required by the Employment Rights Act 1996.

THE EMPLOYER:: Cullompton Town Council

THE EMPLOYEE: _____

DATE OF ISSUE: _____

1. COMMENCEMENT DATE

- 1.1 Your employment with Cullompton Town Council began on. xxxx. ("the commencement date").

2. CONTINUOUS SERVICE

- 2.1 Subject to 2.2 below, no period of employment before the commencement date counts as part of your period of continuous service.
- 2.2 For the purposes of entitlements to annual leave, sick pay arrangements, and maternity arrangements, continuous service includes continuous previous service with any public authority to which the Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999 applies.

3. CONDITIONS OF SERVICE

- 3.1 The National Agreement on Pay and Conditions of Service of the National Joint Council ("the NJC") for Local Government Services ("the Green Book") applies to your employment save as amended by this contract.

4. PROBATION

4.1 Your appointment is subject to satisfactory completion of a probationary period of not less than XX weeks.

5. JOB TITLE

5.1 You are employed as XXXXXXXXXX

6. JOB DUTIES

6.1 You are expected to perform all duties which may be required of you as set out in your job description and the Staff Handbook

6.2 The Council may from time to time wish to amend your job description and the Staff Handbook. You may be required to undertake other duties to meet the requirements of the job.

7. DECLARATION OF OTHER EMPLOYMENT

9.1 You shall not undertake other employment without the Council's written consent. Such consent shall not be unreasonably withheld.

8. PLACE OF WORK

8.1 Your usual places of work are:

XXXXXXXXXXXXXXXXXXXXXXX

9. SALARY

9.1 Your salary is £XXXXXX per annum being the current salary point SCP XX within the SCP XX - XX range in scale LCX (substantive range) as set out in the 2004 National Agreement on Salaries and Conditions of Service of Local Council Clerks in England and Wales.

9.2 Subject to satisfactory performance, you will progress automatically through the range SCP XX – XX in salary scale LCX by annual increments until you reach SCP XX. Your first increment will be payable on 1st xx 20XX and thereafter on the 1st xx each year until you reach the maximum of the scale. The Council may withhold an increment if it is considered that performance fell below the level expected, following an annual appraisal, or award an additional increment for exemplary performance if it chooses to do so.

9.3 Your salary will be paid to you by bank transfer to your bank or Building Society by the last Friday of each month

10. EXPENSES

10.1 The Council shall reimburse you at the rate approved by HMRC at the time (currently 45p per mile) for mileage incurred in the performance of Council business ("mileage expenses") provided that mileage expenses have been approved by the Council.

10.2 The Council shall reimburse you for other expenses which may include overnight accommodation, meals and fares incurred in the performance of Council business ("other expenses") provided that the other expenses have been receipted and approved by the Council.

11. APPRAISAL

11.1 You will receive an annual appraisal.

12. HOURS OF WORK

12.1 You are required to work XX hours per week and, by negotiation with the XXXX Committee, these hours may be worked flexibly to include attendance as required at evening meetings.

13. ADDITIONAL HOURS

13.1 If you work more than your normal working hours, then subject to the Council's approval, you may take time off in lieu at a time to be agreed between you and the Council.

13.2 Overtime is only payable by prior arrangement with your line manager at your hourly rate, if hours worked exceed 37 in one week the rate shall then be payable at a rate of time and a half.

14. ANNUAL LEAVE

14.1 Subject to clause 2.2 of the contract, the calculation of your annual leave commences from the first day of your employment. You are entitled, in addition to the normal bank and public holidays, to XX working days' leave in each leave year.

14.2 Your leave entitlement will increase to XX working days per year (pro rata for part time employees) when you have five years' continuous service immediately prior to the commencement of the leave year. In addition to normal bank and public holidays, you will be entitled to two extra statutory days.

14.3 If your employment commenced or terminates part way through the leave year, your leave entitlement will be calculated on a pro rata basis. Deductions from your final salary payment will be made for any leave taken in excess of your entitlement.

14.4 Annual leave must be taken at times agreed with the Council. You may carry forward up to 5 days' leave into the following leave year, subject to the approval of the Council.

15. SICKNESS ABSENCE

15.1 If you are absent from work on account of sickness or injury, it is your responsibility to inform the Council of the reason for your absence as soon as possible, but no later than the end of the working day on which the absence first occurs.

15.2 You will be provided with a copy of the Council's sickness absence policy.

15.3 The Council shall have the right at any time to require you to submit to examination by an independent medical practitioner selected by the Council, to obtain a confidential report on your condition from such practitioner and to discuss with such practitioner the findings of his/her examination and his/her prognosis of your likely recovery and or fitness to resume work and any recommended treatment.

16. SICK PAY

- 16.1 Provided that you comply with the Council's sickness absence policy, you will receive sick pay when you are absent from work because of sickness as follows:

during 1st year of service	one month's full pay and (after completing 4 months' service) 2 months' half pay
during 2nd year of service	2 months' full pay and 2 months' half pay
during 3rd year of service	4 months' full pay and 4 months' half pay
during 4th & 5th - year of service	5 months' full pay and 5 months' half pay
after 5 years' service	6 months' full pay and 6 months' half pay

17. MATERNITY /PATERNITY /ADOPTION /BEREAVED PARENT LEAVE

- 17.1 Your entitlement to maternity/paternity/adoption/bereaved parent leave is as set out in the relevant legislation.

18. INJURY OR ASSAULT

- 18.1 In the event of death or permanent disablement arising from a violent or criminal assault suffered in the course of employment then all insurance payments will be made in accordance with paragraph 7 of Part 3 of the Green Book.

19. PENSIONS

- 19.1 You will be auto enrolled into the Local Government Pension Scheme; the employee contribution rate is X.X%. Your contributions will be deducted from your salary. Further information on the scheme may be obtained here <https://lqpsmember.org/thinking-joining.php>

20. NOTICE OF TERMINATION OF EMPLOYMENT

During probationary period

- 20.1 Either party may terminate the contract by giving one week's notice in writing.

After completion of probationary period

- 20.2 The length of notice which you are obliged to give to the Council to terminate your employment is X months in writing.
- 20.3 The length of notice which you are entitled to receive from the Council to terminate your employment is four weeks in writing until you have been

continuously employed for four years and thereafter such notice entitlement increases by one week for each year of continuous service until you have completed twelve years of continuous employment after which time you will be entitled to twelve weeks' notice.

- 20.4 Within one week of the termination of your employment you are required to surrender to the Council all Council property including computers and other electronic devices and any documents and other materials, including copies that you have been holding on behalf of the Council. You shall irretrievably delete from all your personal electronic devices all property of the Council and shall produce evidence of such as the Council may require.

21. DISPUTE RESOLUTION

- 21.1 You have been provided with a copy of the Council's grievance and disciplinary procedures in the Staff Handbook
- 21.2 If you have a grievance arising from your employment, you should raise it with your Line Manager, unless the grievance is against your Line manager then in which case, the Mayor or Chairman of the XXXX Committee. If you are dissatisfied with any disciplinary decision made against you, you should raise it with Mayor or Chairman of the Personnel Committee.

22. HEALTH AND SAFETY

- 22.1 You have a duty to ensure the health and safety of yourself and others. You must also co-operate with the Council so that it can comply with its health and safety obligations.
- 22.2 Your Staff Handbook also contains a copy of the Council's Health and Safety Policy.

23. EQUAL OPPORTUNITY POLICIES

- 23.1 You must comply with the Council's Equal Opportunity Policies. These can be found in the Staff Handbook

24. TRAINING AND DEVELOPMENT

- 24.1 The Council shall be responsible for the costs associated with any training and development that it considers necessary. This may include the cost of training and development courses or examinations, and payment of mileage expenses and other expenses in accordance with the Council's expenses policy. Where the Council considers it necessary, it shall give you reasonable paid time off for study.

25. INDEMNITY

- 25.1 The Council undertakes to indemnify you against any actions of commission or omission that are authorised by the Council.

Signed:

Dated:

Name:

Signed for and on behalf of Cullompton Town Council

Signed:

Dated:

Name:

DRAFT

8. WORKING HOURS AND OVERTIME

~~1. Overtime~~

~~The Council takes a positive view on work life balance issues. The organisation will require employees from time to time to work outside their contracted working hours.~~

~~In these cases, overtime will be agreed. In all cases overtime will need to be authorised in advance by the Town Clerk. Employees who are required to work additional hours beyond their working week are entitled to receive enhancements on the following basis:~~

~~Monday to Saturday Time and a half~~

~~Sundays Double time~~

~~Public holidays basic time plus day off in lieu~~

~~Part time employees are entitled to these enhancements only at times and in circumstances in which full time employees would qualify. Otherwise overtime for part time employees will only be paid for hours exceeding 37 hours per week.~~

1. Working Time Regulations 1998

The Working Time Regulations 1998 (as amended) outline that employees should not work more than 48 hours per week on average. An individual employee may agree to work more than 48 hours a week. If so, he or she should sign the opt-out agreement found in Appendix 1, which they can cancel at any time. The employee must give 1 months notice to cancel the opt out agreement.

Employees cannot be fairly dismissed or subjected to detriment for refusing to sign an opt-out.

The Town Clerk will keep a record of who has agreed to work longer hours.

2. Undertaking Additional Work

Full time employees should devote their whole service to the work of the Council, and shall not engage in any other business, including self employment, or take up any other appointment without the express prior consent of the Town Clerk. The Town Clerk reserves the right to withdraw such consent, if it is deemed that it will have a detrimental affect on their work with the Council. Such consent not to be unreasonably withheld.

All prospective employees shall, prior to appointment, provide details of any employment(s) in which they are engaged, giving full details of the employer, job title and the hours worked per week in each job. (This information will be examined to see whether any other existing employment(s) is in conflict with the employment being sought with the Council and whether, in overall terms, the total hours of all the employments exceed 48 per week – as per the Working Time Regulations 1998). Also, existing part-time employees must declare any other employment to the Council to enable the Council to ensure that there is no conflict of interest between such employment and that there is adherence to the Working Time Regulations.

Employees should avoid situations whereby their work and personal interests conflict or may appear to conflict.

Undertaking unpaid activities outside Council's employment may, on occasions, be detrimental to the Council's interests. Employees should be mindful of any potential conflict of interests in such situations.

No personal business activity or outside work of any type should be undertaken by an employee during his/her normal working hours for the Council.

