

# Royston Town Council – Full Council meeting – Monday 15<sup>th</sup> January 2024

## Agenda item 9 – Draft Budget

Royston Town Council - Draft Budget 2024-2025 - 7 months to October 2023						
Summary	2024-2025	2023-2024	2023-2024	2023-2024	2022-2023	2021-2022
	Budget	Revised forecast	YTD -7 months to October 2023	Budget	Year End	Year End
<b>EXPENDITURE</b>						
Admin/Democracy	167,822	160,799	89,080	151,339	156,191	106,883
Museum	104,665	100,737	100,737	100,000	92,235	97,364
Town Hall	55,886	54,081	21,949	68,162	49,325	43,847
Priory Rooms	29,784	28,691	10,695	26,446	12,223	9,705
Market Hill Rooms	31,986	30,822	12,218	37,995	25,303	21,107
Plantations	21,985	17,587	3,544	21,329	15,158	17,352
Other Expenses	27,171	23,583	11,244	23,083	12,969	8,193
Royston Cave	23,697	22,813	13,452	22,568	20,698	18,610
Allotments	7,851	7,460	3,783	7,205	6,793	4,993
War Memorial	4,878	4,594	3,033	4,405	4,358	2,224
30 Kneesworth St	1,343	1,260	869	1,194	1,174	935
Public Conveniences	4,299	4,171	2,187	4,089	4,244	3,019
Markets and Parking	88,487	84,953	47,889	85,339	68,825	65,718
<b>TOTAL EXPENDITURE</b>	<b>569,854</b>	<b>541,551</b>	<b>320,680</b>	<b>553,154</b>	<b>469,496</b>	<b>399,950</b>
<b>INCOME</b>						
Interest	7,500	10,000	5,320	2,500	3,240	133
Museum	0	-	-	0	0	63
Town Hall	18,000	17,000	10,335	22,000	20,509	20,687
Priory Centre	2,000	2,500	2,034	1,000	1,965	815
Market Hill Rooms	13,000	12,000	7,492	12,000	12,398	9,248
Allotments	6,235	5,900	666	5,900	6,349	5,938
30 Kneesworth St	20,269	34,603	24,854	17,599	4,153	15,580
Royston Cave	20,000	21,000	20,436	14,000	15,722	4,260
Markets and Parking	67,000	67,000	42,440	60,000	67,383	65,354
<b>TOTAL INCOME</b>	<b>154,004</b>	<b>170,003</b>	<b>113,577</b>	<b>134,999</b>	<b>131,719</b>	<b>122,078</b>
<b>NET EXPENDITURE</b>	<b>415,850</b>	<b>371,548</b>	<b>207,103</b>	<b>418,155</b>	<b>337,777</b>	<b>277,872</b>
<b>Precept</b>	<b>404,099</b>	<b>386,863</b>	<b>386,863</b>	<b>386,863</b>	<b>345,133</b>	<b>331,469</b>
<b>CTRS Grant</b>	<b>11,751</b>	<b>11,292</b>	<b>11,292</b>	<b>11,292</b>	<b>11,133</b>	<b>11,179</b>
<b>Net difference</b>	<b>0</b>	<b>26,607</b>	<b>191,052</b>	<b>-20,000</b>	<b>18,489</b>	<b>64,776</b>
<b>Unbudgeted payments/income surplus</b>		<b>-15,000</b>	<b>-3,883</b>		<b>-45,819</b>	<b>20,124</b>
<b>Net annual difference</b>		<b>11,607</b>	<b>187,169</b>	<b>-20,000</b>	<b>-27,330</b>	<b>84,900</b>

Agenda item 9b – Precept Request

Precept Charges for Royston Town Council											
	<u>Year</u>	<u>Budgeted Expenditure</u>	<u>From Reserves</u>	<u>Amount of Precept Levied</u>	<u>Less CTRS Grant</u>	<u>Net Precept Amount to be raised</u>	<u>Number of Equivalent Band D properties in Royston</u>	<u>Yearly cost per Band D household</u>	<u>Variation in cost from previous year</u>	<u>Approx. Weekly increase/decrease</u>	<u>Band D household % change from previous year</u>
	2009			£202,530			6096	£33.22	£3.69	£0.07	
	2010			£222,780			6166	£36.13	£2.91	£0.06	8.75%
	2011			£222,780			6199	£35.94	-£0.19	£0.00	-0.52%
	2012			£244,310			6206	£39.37	£3.43	£0.07	9.53%
	2013			£258,600	£27,130	£231,470	5984.1	£38.68	-£0.69	-£0.01	-1.74%
	2014			£272,900	£23,879	£249,021	6056.7	£41.11	£2.43	£0.05	6.29%
	2015			£278,120	£20,263	£257,857	6113.5	£42.18	£1.06	£0.02	2.59%
	2016			£277,656	£14,927	£262,729	6240.9	£42.10	-£0.08	£0.00	-0.19%
	2017	£290,013	£9,253	£280,760	£11,450	£269,313	6396.4	£42.10	£0.0	£0.00	0.0%
Actual request											
	2017	£290,013		£280,760	£11,450	£269,310	6332.43	£42.53	£0.42	£0.01	1.0%
NHDC calculation											
	2018	£286,327	£2,718	£283,609	£11,339	£272,270	6402	£42.53	£0.00	£0.00	0.00%
	2019	£317,338		£317,338	£11,404	£305,934	6469.8	£47.29	£4.76	£0.09	11.19%
	2020	£329,231		£329,231	£11,321	£317,910	6555.8	£48.49	£1.21	£0.02	2.55%
	2021	£342,648		£342,648	£11,179	£331,469	6511.7	£50.90	£2.41	£0.05	4.97%
	2022	£356,266		£356,266	£11,133	£345,133	6618.1	£52.15	£1.25	£0.02	2.45%
	2023	£418,155	£20,000	£398,155	£11,292	£386,863	6773	£57.12	£4.97	£0.10	9.53%
	2024	£415,850		£415,850	£11,751	£404,099	6823.6	£59.22	£2.10	£0.04	3.68%



**ROYSTON TOWN COUNCIL  
INTERIM AUDIT REPORT  
FOR THE PERIOD ENDED 30<sup>TH</sup> SEPTEMBER 2023**  
*Conducted 09/11/2023*

**ROYSTON TOWN COUNCIL  
INTERIM AUDIT REPORT  
FOR THE PERIOD ENDED 30<sup>TH</sup> SEPTEMBER 2023**

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**ROYSTON TOWN COUNCIL  
INTERIM AUDIT REPORT  
FOR THE PERIOD ENDED 30<sup>TH</sup> SEPTEMBER 2023**

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**Introduction**

The interim internal audit was carried out on 9<sup>th</sup> November 2023. The interim audit was conducted at the offices of the Town Council.

**Summary of Work Completed**

The work completed is identified in the following table below:

AREA OF WORK	WORK COMPLETED
Bank and Cash Reconciliations	<p>a) Bank reconciliations were reviewed and agreed each month to ensure that controls were working effectively throughout the period.</p> <p>b) The reconciliation for the period to 30/09/2023 was verified to the accounting data as entered onto SAGE accounting software.</p> <p>c) Cash reconciliations were reviewed to the period up to 30/09/2023.</p>
Substantive Income and Expenditure Testing	<p>a) A sample of income and expenditure was confirmed to supporting documentation. Receipts and payments were confirmed to the bank statements respectively.</p>
Review of Trial Balance	<p>a) The trial balance was reviewed for reasonableness</p> <p>b) The balances as per the trial balances were verified to the nominal ledger activity report.</p>

**ROYSTON TOWN COUNCIL  
INTERIM AUDIT REPORT  
FOR THE PERIOD ENDED 30<sup>TH</sup> SEPTEMBER 2023**

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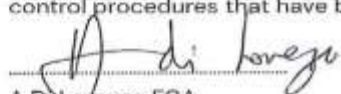
**Results**

The work completed is identified in the following table below:

AREA OF WORK	OBSERVATIONS/POINTS
Bank and cash Reconciliations	Bank and reconciliations were reviewed and confirmed to be done on a monthly basis with due care and attention. Bank balances were confirmed to statements as at 30 September 2023.
Substantive Income and Expenditure Testing	<p>No issues were identified with income and expenditure testing.</p> <p>A sample of fifteen transactions were reviewed to supporting evidence and checked to ensure payments cleared the bank.</p> <p>Authorisation procedures were confirmed to be working effectively.</p> <p>Accounting entries were correctly recorded and posted to the correct nominal code.</p>
Other Observations	No other issues were identified to report.

**Conclusion**

In our opinion the Council is keeping their books and records in order and is following internal control procedures that have been established.



A Di Lorenzo FCA  
Audit Partner  
Haines Watts  
First Floor, Woburn Court  
2 Railton Road  
Woburn Road Industrial Estate  
Kempston  
Bedfordshire  
MK42 7PN

ROYSTON TOWN COUNCIL



VEXATIOUS COMPLAINTS POLICY

Adopted by Full Council 15<sup>th</sup> January 2024

Minute number: /24

Review date: May 2027

**A policy for dealing with abusive, persistent or vexatious complaints and complainants**

**1. Introduction**

**1.1** This policy identifies situations where a complainant, either individually or as part of a group, or a group of complainants, might be considered to be habitual or vexatious. The policy also details the Council's ways of responding to these situations.

**1.2** In this policy the term habitual means 'done repeatedly or as a habit'. The term vexatious is recognised in law and means 'denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant'. This policy intends to assist in identifying and managing persons who seek to be disruptive to the Council through pursuing an unreasonable course of conduct.

**1.3** The term complaint in this policy includes requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998 and reference to the Complaints Procedure is, where relevant, to be interpreted as meaning a request under those Acts.

**1.4** Habitual or vexatious complaints can be a problem for Council staff and members. The difficulty in handling such complainants is that they are time consuming and wasteful of resources in terms of Officer and Member time. While the Council endeavours to respond with patience and sympathy to the needs of all complainants there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

**1.5** Raising of legitimate queries or criticisms of a complaints procedure as it progresses, for example if agreed timescales are not met, should not in itself lead to someone being regarded as a vexatious or an unreasonably persistent complainant. Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, should not necessarily cause him or her to be labelled vexatious or unreasonably persistent.

**1.6** The aim of this policy is to contribute to the overall aim of dealing with all complainants in ways which are demonstrably consistent, fair and reasonable.

**2. Habitual or Vexatious Complainants**

**2.1** For the purpose of this policy the following definitions of habitual or vexatious complainants will be used: The repeated and/or obsessive pursuit of:

- (1) Unreasonable complaints and/or unrealistic outcomes;
- and/or
- (2) Reasonable complaints in an unreasonable manner.

**2.2** Prior to considering its implementation the Council will send a copy of this policy to the complainant to give them prior notification of its possible implementation.

**2.3** Where complaints continue and have been identified as habitual or vexatious in accordance with the criteria set out in Section 3, the Town Clerk and members of the HR Committee will seek mutual agreement to treat the complainant as a habitual or vexatious complainant and agree the appropriate course of action to be taken. Section 4 details the options available for dealing with habitual or vexatious complaints.

**2.4** The Clerk on behalf of the Council will notify complainants, in writing, of the reasons why their complaint has been treated as habitual or vexatious and the action that will be taken.

**2.5** The status of the complainant will be kept under review. If a complainant subsequently demonstrates a more reasonable approach, then their status will be reviewed.

### **3. Definitions**

**3.1** Royston Town Council defines unreasonably persistent and vexatious complainants as those complainants who, because of the frequency or nature of their contacts with the Council, cause disruption and can waste resources.

The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.

**3.2** Examples include the way in which, or frequency with which, complainants raise their complaints with staff or how complainants respond when informed of the Council's decision about the complaint.

**3.3** Features of an unreasonably persistent and/or vexatious complainant include the following (the list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category):

#### **An unreasonably persistent and/or vexatious complainant may:**

- Have insufficient or no grounds for their complaint and be making the complaint only to annoy
- refuse to specify the grounds of a complaint despite offers of assistance
- refuse to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- refuse to accept that issues are not within the remit of the complaints policy and procedure despite having been provided with information about the scope of the policy and procedure
- refuse to accept that issues are not within the power of the Council to investigate, change or influence
- insist on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice (e.g. insisting there is no written record of the complaint)
- make what appear to be groundless complaints about the staff dealing with the complaints, and seek to have them dismissed or replaced
- make an unreasonable number of contacts with the Council, by any means in relation to a specific complaint or complaints
- make persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to the complainant (an example of this could be a complainant who insists on immediate responses to questions)
- harass or verbally abuse or otherwise seek to intimidate staff dealing with their complaint, use of foul or inappropriate language or by the use of offensive and racist language



- publish their complaints in other forms of media
- raise subsidiary or new issues whilst a complaint is being addressed that were not part of the complaint at the start of the complaint process
- introduce trivial or irrelevant new information whilst the complaint is being investigated and expect this to be taken into account and commented on
- change the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed
- deny statements he or she made at an earlier stage in the complaint process
- are known to have electronically recorded meetings and conversations without the prior knowledge and consent of the other person(s) involved
- adopts a 'scattergun' approach, for instance, pursuing a complaint or complaints not only with the Council, but at the same time with, for example, a Member of Parliament, other Councils, elected Councillors of this and other Councils, the Council's Independent Auditor, the Standards Board, the Police, other public bodies or solicitors
- refuse to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given
- make the same complaint repeatedly, perhaps with minor differences, after the complaints procedure has been concluded and insist that the minor differences make these 'new' complaints which should be put through the full complaints procedure
- persistently approach the Council through different routes or other persons about the same issue
- persist in seeking an outcome which Council has explained is unrealistic for legal or reasons
- refuse to accept documented evidence as factual
- complain about or challenge an issue based on an historic and/or an irreversible decision
- combine some or all of these features.

#### **4. Imposing Restrictions**

**4.1** The Council will ensure that the complaint is being, or has been, investigated properly according to the adopted complaints procedure.

**4.2** In the first instance the Clerk will consult with the members of the HR Committee prior to issuing a warning to the complainant. The Clerk will contact the complainant in writing, or by e-mail, to explain why this behaviour is causing concern and ask them to change this behaviour and outline the actions that the Council may take if they do not comply.

**4.3** If the disruptive behaviour continues, the Clerk will issue a reminder letter to the complainant advising them that the way in which they will be allowed to contact the Council in future will be restricted. The Clerk will make this decision in consultation with the members of the HR Committee and inform the complainant in writing of what procedures have been put in place and for what period.

**4.4** Any restriction that is imposed on the complainant's contact with the Council will be appropriate and proportionate and the complainant will be advised of the period of time over which that the restriction will be in place. In most cases restrictions will apply for between three to six months, but in exceptional cases this may be extended.

**4.5** Restrictions will be tailored to deal with the individual circumstances of the complainant and may include:

- banning the complainant from making contact by telephone except through a third party e.g. a solicitor, a Councillor or a friend acting on their behalf
- banning the complainant from sending emails to individuals and/or all Council Officers and insisting they only correspond by postal letter
- requiring contact to take place with one named member of staff only
- restricting telephone calls to specified days and/or times and/or duration
- requiring any personal contact to take place in the presence of an appropriate witness
- letting the complainant know that the Council will not reply to or acknowledge any further contact from them on the specific topic of that complaint

**4.6** When the decision has been taken to apply this policy to a complainant, the Clerk will contact the complainant in writing to explain why the decision has been taken, what action has been taken and the duration of that action.

**4.7** The Clerk will enclose a copy of this policy in the letter to the complainant.

**4.8** Where a complainant continues to behave in a way that is unacceptable, the Clerk, in consultation with the members of the HR Committee may decide to refuse all contact with the complainant and stop any investigation into his or her complaint.

**4.9** Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, other options will be considered, e.g. the reporting of the matter to the police or taking legal action. In such cases, the complainant may not be given prior warning of that action.

## **5. New complaints from complainants who are treated as abusive, vexatious or persistent**

**5.1** New complaints from people who have come under this policy will be treated on their merits. The Clerk and the members of the HR Committee will decide whether any restrictions that have been applied before are still appropriate and necessary in relation to the new complaint.

**5.2** The fact that a complainant is judged to be unreasonably persistent or vexatious, and any restrictions imposed on Council's contact with him or her, will be recorded and notified to those who need to know within the Council.

## **6. Review**

The status of a complainant judged to be unreasonably persistent or vexatious will be reviewed by the Clerk and the members of the HR Committee every three months.

## **7. Record Keeping**

The Clerk will retain adequate records of the details of the case and the action that has been taken.

## **Agenda Item 13 – Investment Strategy 2024-2025**

### **Royston Town Council Investment Strategy 2024-2025**

Approved by Full Council 15<sup>th</sup> January 2024 – Minute number /24

#### **1. Introduction**

Royston Town Council (the Council) acknowledges the importance of prudently investing the temporary surplus funds held on behalf of the community. This strategy complies with guidance issued by the Secretary of State under section 15(1)(a) of the Local Government Act 2003.

#### **2. Investment Objectives**

The general policy objective for the Council is the prudent investment of its balances. The Council's investment priorities are:

- a) The security of its reserves
- b) The liquidity of its investments
- c) The yield obtained from any investment

The Council will aim to achieve the optimum return on its investments commensurate with proper levels of security and liquidity.

All investments will be made in sterling.

#### **3. Specified Investments**

Specified investments are those offering high security and high liquidity, made in sterling and with maturity of no more than a year. Such short term investments made with the UK Government or a Local Authority (as defined) or a Town/Parish Council will automatically be specified investments.

For the prudent management of its treasury balances, the Council may use:

- Deposits with banks, building societies, local authorities or public authorities
- Treasury deposits with UK clearing banks
- Money market funds
- UK Government issued gilts
- Other approved public sector investment funds

The choice of institution and length of deposit will be at the approval of the Finance Committee/Full Council.

#### **4. Non Specified Investments**

These investments have greater potential risk and are usually for longer periods and with bodies that are not as highly credit rated. Examples include investment in money markets, stocks and shares. Given the unpredictability and uncertainty surrounding such investments the Council will not use this type of investment.

#### **5. Liquidity of Investments**

The Responsible Financial Officer, in consultation with the Finance Committee or Full Council, will determine the maximum periods for which funds may be prudently committed so as not to compromise liquidity.

#### **6. Long Term Investments**

Long term investments shall be defined as greater than one year. The Council does not currently hold any long term investments.

#### **7. Risk Assessment**

The Town Council's funds are not covered by the Financial Services Compensation Scheme as turnover exceeds 500,000 euros and must therefore be carefully managed to mitigate the risk of losses.

To reduce risks, funds should be held in more than one organisation/fund. The Council will only invest in institutions of “high credit quality”. The Council will monitor the risk of loss on investments by reference to credit ratings. The Council will also have regard for the general and political environment in which institutions operate. The investment position will be reviewed by the Responsible Financial Officer and reported to the Finance Committee or Full Council if necessary.

The Council does not employ, in-house or externally, any financial advisors but will rely on information which is publicly available.

#### **8. Investment Strategy 2024-2025**

The Council will invest as much of its balance as possible in a low risk product in order to achieve its investment objectives.

The Public Sector Deposit Fund (PSDF) has been identified as a low risk, high liquidity option. Funds can be moved in or out on the same day and it has an AAmmf credit quality and sensitivity rating by Fitch. £100,000 will remain in this investment for 2024-2025 subject to its performance and credit rating being monitored.

The balances remaining, after accounting for working capital requirements, will be invested in either a Treasury Deposit with Barclays Bank or a Treasury Business Premium account with Barclays Bank. The Treasury Deposit is invested for one or two months, the amount being determined and instructed by the Town Clerk.

Barclays currently has an A+ rating from Fitch.

Whilst the Treasury deposit is slightly less liquid than the PSDF or the Treasury Business Premium account, it is deemed unlikely that any funds invested in it will need to be accessed sooner than the investment period.

Working capital sums will be held in bank accounts at Barclays bank.

The Town Clerk shall have delegated authority (as contained within the Financial Regulations) to set up any accounts/funds as approved in this policy, and undertake transfers between Barclays accounts and the PSDF as required.

#### **9. Review and Amendment of Regulations**

The investment strategy will be reviewed annually by Full Council and revised if considered necessary. The Council reserves the right to make variations to the investment strategy at any time subject to the approval by Full Council. Any variations will be made available to the public.

#### **10. Freedom of Information**

In accordance with the Freedom of Information Act 2000, this document will be posted on the Council’s website and a hard copy will be available from Royston Town Council offices.

## **Royston Town Council**

### **Grievance Procedure**

**Adopted by Full Council 15<sup>th</sup> January 2024 - Minute number XXXX**

#### **1. Introduction**

Royston Town Council recognises that employees may from time to time have problems or concerns for example about their work, working conditions, working relationships, risks to their health and safety at work, terms and conditions, equal opportunities or any perceived breach of their contractual or statutory rights about which they wish to seek redress.

The Town Council supports free communication between its employees and the Town Clerk to ensure questions and problems arising during the course of employment can be aired and, where possible, resolved quickly to the satisfaction of all concerned. However, if it is not possible or appropriate to resolve the matter informally the following formal Grievance Procedure is available to all employees which also explains the further stages available if dissatisfied with the outcome of the initial consideration of the grievance.

The aims of the Grievance Procedure are to ensure that employees are treated fairly and consistently and in particular to:-

- foster good relationships between the Town Council and its employees by discouraging the harbouring of grievances;
- ensure issues are dealt with promptly and consistently;
- settle grievances as near as possible to their point of origin;
- ensure that the Town Council treats grievances seriously and resolves them as quickly as possible;
- ensure any necessary investigations are carried out thoroughly;
- give employees the right to be accompanied at any formal meetings as part of the Procedure.

Employees cannot use the Grievance Procedure in respect of:-

- appeals against salary or grading;
- income tax, national insurance matters, rates of pay collectively agreed at the national or local level;
- rules of the pension scheme;
- their failure to comply with the time limits within the Procedure unless the Council agrees to a particular time limit being waived;
- an attempt within six months of completion of action under the Procedure to restart the procedure in respect of the same or similar grievance unless an action decided upon to redress that grievance has not been implemented;
- a grievance in connection with an alleged act of misconduct or unsatisfactory performance for which the employee has been notified of the date of an investigatory
- meeting or disciplinary hearing or on which disciplinary action has been taken;
- a grievance about a matter over which the Town Council has no control.

Time limits are set down for each stage of the Grievance Procedure. If the grievance is not dealt with within the specified time limit without a legitimate reason, the employee has the right to proceed to the next stage of the procedure. If the employee fails to comply with a time limit the Procedure will cease and the grievance will be considered to have been settled or withdrawn. In special circumstances the Council may agree that the time limits may be extended.

Nothing in this Procedure prevents any employee discussing a grievance or general concern informally with the Town Clerk as appropriate and at any time.

## **2. Procedure**

### **(a) Informal Resolution**

It is in everyone's best interest to ensure that employee grievances are resolved informally and dealt with quickly and fairly and at the lowest level possible at which the matter can be resolved. Most routine complaints and grievances are therefore best resolved through informal discussion and in the interests of maintaining good working relations.

As the first option therefore, any concerns should be discussed informally with the Town Clerk or in the case of a complaint against the Town Clerk the Chairperson of the HR Committee normally within a short time of the complaint arising, and both parties should try to resolve the matter at this stage. However, if this informal approach is unsuccessful or the employee considers that it is not appropriate and they wish to pursue it as a formal grievance they may raise the grievance in accordance with the following formal procedure.

### **(b) Formal Procedure – First Stage**

The employee must set out the grievance in writing (the "Statement of Grievance"), normally within a short time of the cause of the grievance occurring, to the Town Clerk or in the case of a complaint against the Town Clerk the Chairperson of the HR Committee.

In some circumstances, particularly complex situations, the Town Clerk or someone appointed externally may be asked to undertake an investigation into the grievance(s) and provide a report to the Panel.

The employee will be invited in writing to attend a grievance hearing to be held by a

Grievance Hearing Panel of three Councillors who are Members of the HR Committee (including the Chair of the HR committee), and who have not been involved in the matter, to discuss the matter and:-

- the employee must take all reasonable steps to attend the meeting;
- the Grievance Hearing will normally be convened within fourteen (14) days of the Council receiving the "Statement of Grievance";
- a work colleague, a certified trade union representative or trade union official may accompany the employee at any Grievance Hearing if the employee so wishes.

If there are insufficient Members of the HR Committee who have not been previously involved, other Members may be required to serve on the Grievance Hearing Panel.

The Chairperson of the HR Committee will chair the Grievance Hearing.

If the date of the Hearing is not convenient for the employee or their companion, the employee will have the right to ask for the meeting to be re-arranged normally by up to five (5) working days of the original proposed date by writing to the Chairperson of the HR

Committee setting out the reasons for the postponement request. If the request is due to the employee's ill-health it must be accompanied by a medical report from the employee's GP confirming that the employee should not attend the Hearing.

If the employee fails to attend the Grievance Hearing or has given an unacceptable reason for requesting a postponement of the Hearing, arrangements may be made to hear the grievance in the employee's absence.

The invitation to the Grievance Hearing will set out:-

- the composition of the Grievance Panel and the detail and role of others to attend the Grievance Hearing;
- a summary of the employee's grievance based on his/her written submission;
- the date, time and place for the meeting giving reasonable notice of the meeting in accordance with the time frames set out in this Procedure;
- the employee's right to be accompanied by a workplace colleague, a certified trade union representative or a trade union official and their role at the Hearing;
- a copy of the Council's Grievance Procedure;
- a copy of an investigation report (if one was commissioned);
- confirmation that, if necessary, witnesses may attend on the employee's behalf and that the employee should provide the names of his/her witnesses at least three working days before the Hearing along with any supporting evidence.

The employee will have the opportunity at the Grievance Hearing to present their grievance, provide any evidence or witnesses in support of the grievance and explain what action they are seeking to resolve the grievance. The Panel will be able to question the employee on the grievance and their evidence and witnesses. The Grievance Hearing may be adjourned if necessary to enable matters raised during the course of the meeting to be investigated or to afford further time to consider the decision.

After considering the grievance fully the Panel holding the grievance meeting will make a decision on the balance of probabilities (the normal civil proceedings test) which may be announced at the Hearing or later and will be confirmed in writing as soon as is reasonably practicable, but normally within five (5) working days. If it is not possible to respond to the employee within this time frame the employee will be given an explanation and told when a response can be expected.

The outcome of the Grievance Hearing will either be:

- to reject the grievance; or
- to uphold the grievance in full or in part and determine action to be taken to rectify the cause of the grievance.

A note-taker will attend the Grievance Hearing to make a record of the meeting which when agreed with the employee will be placed on the employee's personnel file with the other grievance documents.

## **Formal Procedure – Stage Two**

If the employee is dissatisfied with the decision of the Grievance Hearing they have a right to appeal against it. The appeal must be put in writing to the Chairperson of the HR Committee, setting out the grounds of the appeal and with what the employee disagrees in the original decision and providing any new evidence, within five (5) working days of receiving written confirmation of the Grievance Hearing decision.

An appeal will not be by way of a re-hearing and the normal grounds of appeal will usually be based on:-

- a failure by the Council to follow its grievance procedure;
- the decision was not supported by the evidence;
- the action proposed by the Grievance Panel was inadequate/inappropriate;
- new evidence has come to light since the Grievance Hearing.

The employee will be invited in writing to attend an Appeal Hearing to be held by an Appeal Panel which will be made up of three Members of the HR Committee who were not involved in the matter or on the Grievance Panel who held the original Grievance Hearing.

If there are insufficient Members of the HR Committee who have not been previously involved, other Members may be required to serve on the Appeals Panel. A Chairperson will be appointed from the Appeal Panel Members. The employee must take all reasonable steps to attend that meeting and they may be accompanied by a work colleague, a certified trade union representative or trade union official.

The Appeal Hearing will normally be convened within fourteen (14) days of receipt of the employee's appeal. The employee will be invited in writing to attend the Appeal Hearing and be advised of the time, date and location of the Hearing and their right to be accompanied by a workplace colleague, trade union official or trade union representative.

If the date of the Hearing is not convenient for the employee or their companion, the employee will have the right to ask for the meeting to be re-arranged normally by up to five (5) working days of the original proposed date by writing to the Chairperson of the HR Committee setting out the reasons for the postponement request. If the request is due to the employee's ill-health it must be accompanied by a medical report from the employee's GP confirming that the employee should not attend the Hearing.

At the Appeal Hearing the Chairperson will:-

- introduce the Panel members to the employee and their companion;
- explain the purpose of the meeting, which is to hear and discuss the employee's reasons for appealing against the decision of the Grievance Hearing;
- explain the options for the action that the Appeal Panel may take.

The employee will have the opportunity at the Appeal Hearing to explain in full their appeal grounds and provide any new evidence or witnesses in support of the appeal. The Appeal Hearing may be adjourned if necessary to enable any new material to be investigated before a decision is made.

The outcome of the appeal will either be:

- to reject the appeal and confirm the original decision; or
- to uphold the appeal in full or in part and/or substitute a different decision.

The result of the appeal will be confirmed in writing within five (5) working days of the Appeal Hearing and this decision will be final and binding as there are no further stages to the Grievance Procedure.

A note-taker will attend the Appeal Hearing to make a record of the meeting which when agreed with the employee will be placed on the employee's personnel file with the other grievance documents.

### **3. Right to be Accompanied**

The employee has the right to be accompanied at a Grievance or Appeal Hearing by a work colleague, certified trade union representative or trade union official or at any such meetings held in respect of the grievance with the exception of an investigatory meeting which is at the Council's discretion. For instance, a companion may be allowed to attend if otherwise the employee would be put at a disadvantage for example due to a disability.

If the employee so wishes, their companion may address the Grievance or Appeal Hearing during the proceedings to put the employee's case, to sum up that case and to confer with the employee during the Hearing. The companion may not answer questions directly on behalf of the employee, address the Panel against the employee's wishes or prevent the employee from explaining their case.

### **4. Special Requirements**

If the employee requires assistance in using any part of the Grievance Procedure due to a disability, other impairment or language difficulty, this should be made known to the Town Clerk or the Chairperson of the relevant Hearing Panel prior to any Hearing so that suitable arrangements can be made to ensure that the employee takes a



full part and/or understands the true meaning of the subject matter. This may include permission to be accompanied by a suitable person at all stages of the procedure to provide specific assistance to the employee e.g. sign language, mobility support, mental health support worker, or where English isn't the employee's first language.

## **5. Mediation**

There may be circumstances at any stage of the Grievance Procedure where both sides jointly agree to mediation being carried out by a suitably competent and experienced thirdparty mediator. The mediator will not be connected to the case or either of the parties and both parties will need to agree to abide by the outcomes and agreement reached.

## **6. Grievances Concerning the Town Clerk**

If an employee's grievance is about the Town Clerk, they should raise the matter in writing with the Chairperson of the HR Committee. The matter will be dealt with in accordance with the above Procedure and the Grievance Hearing Panel will be comprised of three Members of the HR Committee and chaired by the Chairperson of the HR Committee.

The Panel may wish to have an external HR Adviser appointed to give legal and professional practice guidance to the Panel, but who will not have voting rights.

If the Town Clerk wishes to appeal against the outcome of the Grievance Hearing the grounds of the appeal should be set out in writing to the Chairperson of the HR committee and an Appeal Hearing will be arranged as in Stage Two above and conducted by three Members of the HR Committee who were not involved in the matter or served on the original Grievance Hearing Panel. If there are insufficient Members of the HR Committee who have not been previously involved, other Members may be required to serve on the Appeals Panel. A Chairman will be appointed from the Appeal Panel Members.

The Town Clerk must take all reasonable steps to attend the meetings and they may be accompanied by a work colleague, a certified trade union representative or trade union official.

## **7. Overlapping Grievance and Disciplinary Issues**

If an employee raises a grievance during a formal disciplinary process the disciplinary process will normally be halted temporarily in order to deal with the grievance. If the two issues are related, then the two procedures may run concurrently.

## **8. Grievances after Leaving Town Council Employment**

An employee may still, within one month of leaving the Council's employment, raise a grievance using the same procedure as set out above. The Council will investigate and then set out a response to it in writing within a reasonable time without the need for a Grievance Hearing or right of appeal. The Council will nominate two Members of the HR Committee to consider the grievance and respond to the ex-employee in writing within fourteen (14) days setting out the basis for the Council's decision.

## **9. Confidentiality**

All proceedings under this Grievance Procedure should be treated as being confidential and restricted to those involved in the grievance.

## **10. Safeguards**

Recordings of the proceedings at any stage of the Grievance Procedure are prohibited, unless agreed as a reasonable adjustment that takes account of an employee's physical or mental impairment.

No employee will be reprimanded or subjected to disciplinary action as a result of seeking resolution of a grievance in good faith through this Grievance Procedure unless the complaint is found to have been made maliciously. In addition, no employee will suffer detriment, harassment or victimisation as a result of seeking resolution of a grievance through this Procedure.

Records will be kept detailing the nature of the grievance, the response, any action taken and the reasons for it. These records will be kept confidential and retained in accordance with data protection rules principles and the Council's Data Protection Policy and the General Data Protection Regulations 2018. Employees involved may of course exercise their Subject Data Right to access and view any documents or other material, electronic or paper based that contains their personal data.

## **11. Review**

The Grievance Procedure will be reviewed in January 2027, or earlier if required, to assess its effectiveness and make any appropriate changes. Any proposed changes to the Grievance Procedure will conform to all current legal requirements.

The procedure was reviewed and adopted by Full Council on 15<sup>th</sup> January 2024

Review date: January 2027

## **Royston Town Council**

### **Disciplinary Procedure**

**Adopted by Full Council 15<sup>th</sup> January 2024 – Minute number XXXX**

#### **1. Principles**

Royston Town Council recognises that discipline is necessary for example to manage the Council's services effectively, to rectify misconduct, to encourage improvement, to safeguard the health and safety at work of all employees and to maintain appropriate standards of conduct or performance.

The Town Council therefore adopts a fair and systematic approach to the enforcement of standards of conduct and performance affecting all employees by utilising when appropriate this Disciplinary Procedure which also explains to whom and how employees can apply if dissatisfied with any disciplinary decision and the further steps available by way of appeal.

The Council's approach and procedure conform to the ACAS Code of Practice and none of the action taken by the Town Council is intended to breach the underlying principle of fairness and equity of treatment for all employees. The Disciplinary Procedure, which is non-contractual, is intended to ensure that employees are dealt with fairly in relation to any alleged breach of our standards of conduct, performance or behaviour and applies to all employees who have satisfactorily completed their period of probationary service.

In using the Procedure, the Town Council will ensure that:-

- potential issues or areas of concern are addressed as quickly as possible to avoid further action being required;
- issues are dealt with promptly and consistently;
- investigations are carried out fairly and thoroughly in accordance with the Equality Act 2010;
- employees are informed of the nature and detail of the allegations against them and given an opportunity to comment and put their case;
- employees have the right to be accompanied at any formal meetings as part of the Procedure with the exception of an investigatory meeting which is at the Council's discretion. For instance, a companion may be allowed to attend if otherwise the employee would be put at a disadvantage for example due to a disability.

The Council recognises that misconduct and unsatisfactory work performance are different issues and the Disciplinary Procedure will only apply to work performance issues when a performance management process has been ineffective to meet the Council's required standards.

In general, minor faults will be dealt with informally by the Town Clerk, or the Chairman of the HR Committee in the case of the Town Clerk, with a view to agreeing a course of action to remedy the situation, but where the matter is more serious the formal procedure outlined below will apply.

Nothing in the Procedure is intended to prevent the Town Clerk (or the Chairperson of the HR Committee in the case of the Town Clerk) raising any work-related issue with an employee at any time.

The Disciplinary Procedure may be entered into at, or advanced to, any stage depending on the seriousness of the offence(s) involved.

#### **2. Procedure**

##### **(a) Scope**

The Disciplinary Procedure applies to all employees of Royston Town Council once the probationary service period has been successfully completed.

## **(b) Responsibility**

The Town Clerk is generally responsible to the Town Council as appropriate for:-

- ensuring that workplace rules and standards of conduct are clearly known, understood and followed;
- securing satisfactory work performance and conduct;
- ensuring employees are suitably trained for their role;
- supporting employees to attain and maintain the required work performance standards; and/or
- instigating action in accordance with this Disciplinary Procedure when necessary with external professional HR advice and assistance engaged if appropriate.

Where disciplinary proceedings are instigated against the Town Clerk, the Disciplinary Procedure will still be followed but the actions prescribed for the Town Clerk instigating the Procedure will be the responsibility of the Chairperson of the HR Committee.

## **(c) Disciplinary Rules**

The Council believes that it is necessary for the efficient and safe performance of work and the maintenance of good relations between employees and management to have clear disciplinary rules. If an employee breaches a disciplinary rule they will render themselves liable to disciplinary action under this Disciplinary Procedure. However, acts of misconduct not falling within one or more of the rules or set out elsewhere may also give rise to disciplinary action and certain offences will be considered to be gross misconduct (see below).

Examples of misconduct and employee behaviour that may lead to the Council taking disciplinary action in accordance with this Disciplinary Procedure are as follows:-

- failure to comply with a reasonable order, instruction, contractual requirement or Council rule or procedure;
- misuse of the Council's resources and facilities including telephone, email and Internet;
- failure to comply with the Council's Health and Safety Policy and rules including a failure to wear personal protective clothing or using protective equipment provided by the Council;
- failure to wear an acceptable standard of dress and/or the uniform provided and maintain personal hygiene at all times whilst engaged on Council duties;
- undertaking any work or task for which the employee is not trained or competent to undertake;
- using plant or equipment which the employee is not authorised to use;
- any act which may result in an action against the Council for negligence or for breach of duty of care;
- immoral, indecent or other conduct which is likely to bring discredit to the Council;
- discussing or disclosing to a third-party confidential information obtained during the course of employment without prior permission;
- rudeness, inappropriate or abusive behaviour to service users, colleagues or Councillors;
- late attendance and/or poor timekeeping;
- unauthorised absence from work without proper cause or certification;
- while purporting to be absent sick, working or indulging in activities inconsistent with the reason for absence or not conducive to recovery;
- a breach of trust which may damage the interests of the Council;
- loss, damage to or misuse of the Council facilities, plant, equipment, property, assets or funds through wilfulness, negligence or carelessness;
- use of the Council property or equipment for personal use without prior permission;
- failure to follow the Council security procedures and rules;
- misuse or loss of Council funds, money or stocks or careless loss or damage to tools or equipment;
- unauthorised use of our computer, telephone system and/or access to the Internet;

- breaches of licensing, excise or employment law or statutory regulations;
- theft of, misappropriation of, failure to account for or falsely claiming entitlement to stock, cash, property or funds of the Council;
- providing false information orally or by the falsification of the Council's application forms, records or documents to secure employment, payment or benefits for gain;
- unauthorised alteration, mutilation, destruction or retention of the Council records or documents;
- possessing, dispensing or using alcoholic beverages (unless with the permission of the Council management), drugs or controlled substances (except in accordance with documented medical authorisation) while on the Council premises;
- any form of harassment, bullying or victimisation or other offensive behaviour on grounds of any protected characteristic under the Equality Act 2010;
- failure to observe the Council's equal opportunities policy and obligations;
- failure to report or record any matter which it is the employee's duty to report or record;
- horseplay, improper, disorderly or unacceptable conduct at, during or when arriving at work;
- committing an act outside work or being convicted of a criminal offence which is liable to adversely affect the performance of the employee's duties and/or relationship with the Council;
- any act of misconduct other than or coming within one or more of the above rules or stated elsewhere in your Principal Statement of Particulars of Employment or the Employee Handbook.

In the event of the most serious level of any of the above the offence may be considered to be gross misconduct as defined below.

#### **(d) Gross Misconduct**

Where the Town Council is satisfied following investigation and a disciplinary hearing, that an act of gross misconduct (see below) has occurred, the result will normally be summary dismissal i.e. without notice.

Gross misconduct is regarded as misconduct of such a nature that it fundamentally breaches an employee's contractual relationship with the Town Council and justifies no longer accepting their continued presence at their place of work. Offences under this heading are so serious that an employee who commits them will normally be summarily dismissed if established after an investigation and a Disciplinary Hearing and without notice of termination or payment in lieu of notice.

The following are examples of gross misconduct:-

- gross negligence, gross insubordination or wilful refusal to obey a reasonable instruction;
- unauthorised and deliberate alteration, mutilation or destruction or falsification of the Town Council's documents or records or for claims for personal or financial gain;
- misuse of the Town Council's credit or debit card;
- theft, fraud, deception or misappropriation of funds, assets or property from colleagues, the Town Council or customers;
- other offences of dishonesty or corrupt or improper practice and/or in contravention of the Council's Anti-Bribery and Corruption Policy;
- serious professional misconduct or breach of confidence;
- sexual misconduct at work;
- sexual, racial or other unlawful discrimination, harassment, bullying or victimisation or other serious offensive and unwanted behaviour;
- serious verbal abuse, intimidation, physical assault, fighting or other violent behaviour within the workplace;
- deliberate damage, misuse or unauthorised disposal of the Town Council's goods, property or equipment;
- being under the influence of alcohol or drugs at work (except in the latter case where it would be appropriate to regard this as a medical/psychiatric condition requiring treatment);
- being found dealing, trafficking or being in possession of illegal drugs at work or in the environs of the workplace;

- serious breach of the Town Council's Health and Safety Policy and health and safety rules and regulations;
- intentional misuse or negligence with Town Council equipment, materials, funds or cash;
- unauthorised or personal use of the Council's suppliers or contractors;
- conviction of a criminal offence which affects the employee's ability to perform their duties and/or brings the Town Council into disrepute;
- bringing the Town Council into serious disrepute or behaviour which is prejudicial to the Town Council and affects the relationships with the community, service users, suppliers or contractors;
- unauthorised use, alteration, mutilation or destruction of Town Council computer programmes or systems contrary to the Council's computer use policy and rules;
- divulging, without approval, confidential Town Council information or personal data contrary to the Data Protection Act, General Data Protection Regulations 2018 and the Council's Data Protection Policy;
- sending abusive, scandalous, obscene or defamatory communication of any kind including by e-mail, on the Internet or on any social media;
- serious contravention of the Council's Social Media Policy which damages the reputation of the Town Council or amounts to serious bullying and harassment of a colleague or a Councillor;
- accessing or downloading any pornographic, obscene or offensive images or other material from the Internet or by e-mail or otherwise being in possession of pornographic, rude, obscene or offensive material or publications or images in any media whilst at work and on or by using the Town Council's computers or other devices;
- being responsible for any act which jeopardises or is likely to jeopardise any of the Council's licences or insurances;
- any wilful breach of licensing, excise or employment law or Regulation.

The above list is neither exhaustive nor definitive. In appropriate circumstances other acts of misconduct may be considered to come within the definition of gross misconduct. If considered appropriate the gross misconduct offence may be referred to the police or another relevant authority but this will not delay any appropriate action by the Town Council.

#### **(e) Informal Warning**

For minor breaches of misconduct an informal warning will be given by the Town Clerk (or Chairperson of the Staffing Committee if regarding the Town Clerk) and the employee made aware of the change in conduct or required improvement in performance that needs to be achieved and within a specified period. A note that an informal warning has been given may be recorded in the employee's file and it is expected that if possible this warning may quickly resolve any minor concerns. The employee will be informed at this point that this warning is informal and does not constitute part of the official disciplinary process as it is intended to alert the employee that unless performance improves or there is the same or other misconduct, formal proceedings will begin and potentially, formal disciplinary action will be taken.

#### **(f) Suspension**

If considered necessary an employee may be immediately suspended from work by the Town Clerk or in the case of the Town Clerk by the Chairperson of the HR Committee on normal pay pending or whilst an investigation is undertaken into suspected misconduct and in particular:-

- if the matter to be investigated is thought to involve gross misconduct leading to the possibility of summary dismissal; or
- due to the nature of the allegation, to enable the investigation to take place or to protect sensitive information or witnesses; or
- where there are grounds as to the employee's unsuitability to continue to work or it is not in the Town Council's best interest that they continue to attend work.

Similarly, if during the course of an investigation it is considered at that stage that a serious breach of discipline has occurred and any of the above apply the employee may then be suspended.

Such suspension will be precautionary, not disciplinary, pending the outcome of the matter. The employee will normally be advised personally of the suspension, the reasons for the suspension and the likely duration and this will be confirmed in writing as soon as possible afterwards. During the period of suspension, which will be kept as short as possible, the employee will be paid normal pay and the employee will be kept informed of any delay in the investigation or process.

### **(g) Investigation**

Where a matter arises that is suspected or believed to be a disciplinary matter it will be investigated promptly and thoroughly by the Town Clerk or, if appropriate, the Town Council may appoint a Councillor with experience of undertaking such investigations or an external HR Adviser or solicitor to undertake the investigation. The investigation will be a fact-finding exercise to obtain all relevant information and evidence. It will include interviewing and obtaining statements from any witnesses or third parties who can provide relevant information as well as the employee (the latter will be an investigatory not disciplinary meeting but they will not necessarily be entitled to be accompanied at the meeting as explained earlier). The purpose of the investigation will be to determine whether there is a case to answer and a referral to a formal Disciplinary Hearing.

The terms of reference of the investigation will be to outline:-

- what the investigation is required to examine;
- whether a recommendation is required;
- how the findings should be presented;
- to whom the findings should be reported and who to contact for further direction if unexpected issues arise or advice is needed during the investigation.

The employee will be advised, in writing, of the alleged misconduct and invited, to attend a meeting with the Investigator. The employee will be given at least five (5) working days' notice of the meeting so that they have reasonable time to prepare for it. The letter will explain the investigatory process and the purpose of the meeting whilst being provided with a copy of the Council's Disciplinary Procedure. The employee will have the opportunity to comment on the allegations of misconduct at the meeting.

Employees may not be accompanied or represented at any investigatory meeting unless the Council uses its discretion to allow this as explained earlier.

The Investigator has no authority to take disciplinary action as their role is to establish the facts of the case as quickly as possible and prepare a report that recommends to the Chairperson of the HR Committee whether or not the matter requires consideration by a

Disciplinary Hearing. The Investigator's report will contain recommendations and the findings on which they were based and the outcome will be that either:-

- the employee has no case to answer and there should be no further action under the Council's Disciplinary Procedure;
- the matter is not serious enough to justify further use of the Disciplinary Procedure and can be dealt with informally; or
- the employee has a case to answer and there should be action under the Council's Disciplinary Procedure.

Notes of each meeting and/or witness statements as part of the investigation will be obtained and a report prepared on the investigation findings. When the investigation is concluded, the employee will be advised whether the matter is considered on the balance of probabilities to require action more than informal action and whether or not that there is a case to answer at a Disciplinary Hearing. In cases of minor misconduct or poor work performance, the matter will then be dealt with informally as set out above.

If the Council decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

#### **(h) Invitation to Disciplinary Hearing**

If appropriate, following the investigation the employee will be invited in writing to attend a Disciplinary Hearing, which will be held as soon as practicable, normally within ten (10) working days of completion of the investigation report and at a reasonable time and in a convenient location. The employee will be given reasonable notice of the Hearing at seven (7) working days so that he/she has sufficient time to prepare for it.

The invitation will include:-

- the names of the Panel Members and others to be in attendance;
- details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the meeting;
- a copy of the investigation report, all the supporting evidence and a copy of the Council's Disciplinary Procedure;
- the date, time and place for the meeting;
- that witnesses may attend on the employee's and/or the Council's behalf and that both parties should inform each other of their witnesses' names at least five (5) working days before the meeting
- that the employee and the Council will provide each other with all supporting evidence at least five (5) working days before the Hearing;
- that if witnesses are not attending the meeting, witness statements will be submitted to the other side at least five (5) working days before the Hearing;
- that the employee may be accompanied by a companion who must be a workplace colleague, a certified trade union representative or a trade union official;
- the level of disciplinary action or dismissal which may result.

If the date of the Hearing is not convenient for the employee or their companion, the employee will have the right to ask for the meeting to be re-arranged normally by up to five (5) working days of the original proposed date by writing to the Chairperson of the HR Committee setting out the reasons for the postponement request. If the request is due to the employee's ill-health it must be accompanied by a medical report from the employee's GP confirming that the employee should not attend the Hearing.

If the employee is unable to attend the re-arranged hearing, it will, depending on the circumstances, proceed in their absence, but, if requested by the employee, with their companion being provided with an opportunity to present their case on their behalf. Any submission the employee wishes to make in writing at this stage will be considered.

#### **(i) Disciplinary Hearing**

The Disciplinary Hearing will be conducted by a Disciplinary Panel of three Members of the HR Committee including the Chairperson of the HR Committee. If there are insufficient Members of the HR Committee to form the Panel, other Members of the Council may serve on the Panel. The purpose of the Hearing will be to hear both sides of the case, to examine the evidence and to reach a conclusion on the basis of the evidence. The Hearing will be chaired by the Chairperson of the HR Committee and conducted fairly so as to ensure that the employee has every chance to understand and respond to the allegations. The Investigator will attend the Disciplinary Hearing but will have no voting rights. An external HR Adviser may be invited to attend to give legal and professional practice guidance to the Panel but will not have voting rights.

At the Disciplinary Hearing the outcome of the investigation will be outlined by the Town Clerk (or other Investigator) together with any supporting evidence. The Disciplinary Panel and the employee and/or their companion will be given a full opportunity to question the Investigator.



The employee may respond to the allegations, present their evidence and call witnesses and have the opportunity to address the Hearing to provide any explanation or evidence in mitigation and be questioned by the Panel. The employee or their companion will have the opportunity to sum up their case.

Witnesses may be called by the employee or the Council or support their statements and may be questioned by all parties when appropriate.

The Hearing may be adjourned at any stage if it appears necessary or desirable to allow matters raised during the course of the meeting to be further investigated, to check or obtain further information and/or to afford the Disciplinary Panel time to consider the decision. Any adjournment will be for a stated purpose and an estimated period.

At the end of the Hearing and/or after any necessary further investigation has been concluded the Disciplinary Panel will consider, in private, all the facts, responses and any mitigating circumstances thoroughly before coming to a decision on the appropriate disciplinary action, if any, on the basis of the balance of probabilities (the usual civil proceedings test).

The employee will be advised of the decision after thorough consideration either at the Disciplinary Hearing or in writing as soon as possible after its conclusion and, if appropriate, the disciplinary action that will be imposed. Every attempt should be made to do this quickly and generally within a maximum of five (5) working days. As part of this notification the employee will also be informed of their right of appeal against the disciplinary action or dismissal and the process to be followed to make the appeal. A written record of all proceedings will be made and retained on the employee's personnel file for the life of any warning or other appropriate period and in accordance with the Data Protection Act, the General Data Protection Regulations 2018 and the Council's Data Protection Policy.

## **(j) Disciplinary Action**

In cases, other than those involving gross misconduct or where an informal warning is sufficient, where there is a reasonable belief, on the balance of probabilities of the employee's guilt of the alleged misconduct or performance failure has been established at the Disciplinary Hearing, the following disciplinary action may be taken which must always be appropriate, reasonable and proportionate to the offence. The Council will not dismiss an employee on the first occasion that it decides there has been misconduct

If the Disciplinary Panel decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action imposed as a result of the disciplinary meeting will remain in force for the prescribed period unless it expires or is modified as a result of an appeal.

### **□ First Written Warning**

Where, following an investigation and Disciplinary Hearing it is a case of more serious misconduct or where there has been a repetition of the misconduct or no change in performance as a result of an informal warning, a first written warning may be issued, which will normally be current for 12 months. This first written stage of the Procedure may be omitted if the offence is of a sufficiently serious nature.

The written warning will set out:-

- the reason for the written warning, the improvement required (if appropriate) and the time period for improvement;
- that further misconduct or failure to improve will result in more serious disciplinary action;
- the employee's right of appeal
- that the written warning will be placed on the employee's personnel file, a copy provided to the employee and the warning will remain in force for 12 months.

## □ **Final Written Warning**

Where there is a further misconduct, a repetition of the misconduct or no improvement in poor work performance/attendance for which a warning has previously been issued and is still in force, or where a serious first offence is committed which falls just short of gross misconduct, a final written warning may be issued which will normally be current for 12 months. The employee will be advised in the warning that a further offence of any kind within the currency of the final warning will result in dismissal from employment.

The final written warning will set out:-

- the reason for the final written warning, the improvement required (if appropriate) and the time period for improvement;
- that further misconduct/failure to improve will result in more serious disciplinary action up to and including dismissal;
- the employee's right of appeal;
- that a note confirming the final written warning will be placed on the employee's personnel file, a copy will be provided to the employee and the warning will remain in force for 12 months.

## □ **Dismissal**

The Council may dismiss an employee:-

- for gross misconduct;
- if there is no improvement within the specified time period in the misconduct which has been the subject of a final written warning;
- if another instance of misconduct has occurred and a final written warning has already been issued and remains in force.

The Council will consider very carefully a decision to dismiss and if an employee is dismissed, they will receive a written statement of the reasons for the dismissal, the date on which the employment will end and details of their right of appeal.

## **(k) Appeal**

Employees have the right to appeal against any disciplinary action taken against them, except a precautionary suspension. Should the employee wish to appeal it should be done in writing (the "Appeal Statement") to the Town Clerk (or in the case of the Town Clerk the Chairperson of the HR Committee), within five (5) working days of receipt of the disciplinary warning or dismissal letter. Appeals made outside of this time limit will not be accepted. The written statement of appeal must specify the full grounds of the appeal.

An appeal will not normally be by way of a re-hearing and the usual grounds of appeal will be:-

- a failure by the Council to follow its disciplinary procedure;
- the disciplinary decision was not supported by the evidence;
- the disciplinary action determined by the Disciplinary Panel was not proportionate and too severe in the circumstances of the case;
- new evidence has come to light since the Disciplinary Hearing.

An Appeal Hearing will be arranged as quickly as possible of the appeal being lodged and if possible within ten (10) working days of receipt of the Appeal Statement. The Appeal will be heard by a Panel made up of three Members of the HR Committee who were not involved in the case or served on the original Disciplinary Hearing. The Investigator may be asked to attend to answer any questions of the investigation findings but will have no voting rights. An external HR Adviser or solicitor may be invited to attend to give legal and professional practice guidance to the Panel but will not have voting rights.

If there are insufficient Members of the HR Committee to form the Panel who have not previously been involved in the matter or served on the Disciplinary Hearing other Members of the Council may be serve on the Panel. The Appeal Panel will appoint a Chairperson from one of its Members.

The employee will be notified, in writing, within ten (10) working days of receipt of the notice of appeal of the time, date and place of the Appeal Hearing. The employee will be advised of their right to be accompanied by a workplace colleague, a certified trade union representative or a trade union official.

At the Appeal Hearing, the Chairperson will:-

- introduce the Panel members to the employee and their companion;
- explain the purpose of the meeting and process to be followed;
- explain that the employee (or his companion) will be asked to explain the grounds for appeal, call any witnesses and provide any relevant new evidence;
- explain the options for action that the Appeal Panel may take.

Any new evidence or relevant witnesses (remembering this is not a full re-hearing) may attend the Appeal Hearing at the request of the employee and having read and heard all the evidence the Appeal Panel will ensure that any mitigating circumstances are considered and make a judgement based upon the soundness of the previous decision and in line with current employment law and advice.

The Appeal Panel's decision, which will be final and binding, and the reasons for the decision will be confirmed in writing normally within five (5) working days of the Appeal Hearing and either be:-

- to reject the appeal and confirm the original decision; or
- to uphold the appeal in full or part and/or substitute a less serious sanction or decide that no disciplinary action is necessary.

If it decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file.

If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of dismissal and continuity of service will be preserved.

### **3. Disciplinary Action Notifications**

All formal disciplinary action will be confirmed in writing by the Chairperson of the HR Committee within five (5) working days of the decision and will include the following:-

- the reason for the warning
- the improvement or change in conduct required
- the timescale for improvement to be achieved or maintained
- the life of the warning
- the consequence(s) of a further recurrence of the issue(s) within the currency of the warning
- the right and procedure to follow to appeal against the disciplinary action.

A warning may be referred to in any subsequent disciplinary proceedings or action during the currency of the warning and a copy will be placed on the employee's personal file for the period that it is current. Once the time period of the warning has expired all written documentation relating to the matter will be removed from the employee's personnel file.

Where the Disciplinary Hearing decision is to dismiss, the letter will confirm:-

- the details of the offence(s) and reasons for dismissal
- the effective date of termination and final salary/remuneration arrangements
- the right of appeal against the dismissal and the procedure to be followed.

#### **4. Overlapping Grievance and Disciplinary Issues**

If an employee raises a grievance during a formal disciplinary process the disciplinary process will normally be halted temporarily in order to deal with the grievance. However, if the two issues are related, then the two procedures may run concurrently.

#### **5. Confidentiality/Records**

Where a disciplinary issue arises, it may be inevitable that other employees will sometimes find out what is going on. However as far as possible it is the Town Council's intention that all disciplinary action is treated as confidential between the employee and any persons directly concerned in the matter and the process. A record of the reason for disciplinary action and the action taken by the Council is confidential to the employee and the records of any disciplinary action will be placed in the employee's personal file only and maintained only for the life of the warning.

Under normal circumstances therefore the disciplinary documents and records of any employee free of any disciplinary action for the life of a disciplinary warning will be removed from the file and disregarded in the consideration of any future disciplinary issues. These records will be kept and used in accordance with the Data Protection Act, the Council's Data Protection Policy and the General Data Protection Regulations 2018. Employees involved may of course exercise their Subject Data Right to access and view any documents or other material, electronic or paper based that contains their personal data.

Recordings of the proceedings at any stage of the Disciplinary Procedure are prohibited, unless agreed as a reasonable adjustment that takes account of an employee's physical or mental impairment.

#### **6. Special Requirements**

If the employee requires assistance in using the Disciplinary Procedure due to a disability or other impairment or language difficulty, it should be made known to the Town Clerk or the Chairperson of the HR Committee prior to any investigatory interview or Disciplinary Hearing (or if given a warning) so that suitable arrangements can be made to ensure that the employee can take a full part and/or understand the true meaning of the subject matter. This may include permission to be accompanied by a suitable person at all stages of the procedure to provide specific assistance to the employee e.g. sign language, mobility support, mental health support worker, or where English isn't the employee's first language.

#### **7. Right to be Accompanied**

The employee has the right to be accompanied at a Disciplinary or Appeal Hearing by a work colleague, certified trade union representative or trade union official or at any such meetings held in respect of the grievance except for any investigatory meeting, although the Council has discretion to allow this in special circumstances as explained earlier.

If the employee so wishes, their companion may address the Disciplinary or Appeal Hearing during of the proceedings to put the employee's case, to sum up that case and to confer with the employee during the Hearing. The companion may not answer questions directly on behalf of the employee, address the Panel against the employee's wishes or prevent the employee from explaining their case.

The companion may not prevent the Council from explaining the case against the employee or any other authorised person from contributing to the Disciplinary Hearing. The employee may request a postponement of a Disciplinary Hearing, if they or their companion is not available as outlined above.

#### **8. Mediation**

There may be circumstances at any stage of the Disciplinary Procedure where both sides jointly agree to mediation being carried out by a suitably competent and experienced third-party mediator. The mediator will not be connected to the case or either of the parties and both parties will need to agree to abide by the outcomes and agreement reached.

## **9. Review**

The Disciplinary Procedure will be reviewed in January 2027, or earlier if required, to assess its effectiveness and make any appropriate changes. Any proposed changes to the Disciplinary Procedure will conform to all current legal requirements.

This Disciplinary Procedure was approved by the Council at the meeting held on 15<sup>th</sup> January 2024

Review date: January 2027

## Agenda Item 16 – Document Retention Policy

Royston Town Council  
Document Retention Policy  
Adopted by Full Council 15<sup>th</sup> January 2024      Minute number: XX/24

This policy details the minimum retention time required for council documents before disposal for the council to comply with the Freedom of Information Act 2000 Publication Scheme. Where variable times are indicated the Council will review storage after the minimum period has elapsed.

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
Signed minutes	Indefinite	Archive, Public Inspection
Agendas	Indefinite	Archive
Draft minutes/notes taken at meetings	Until minutes are approved	Management
Scales of fees and charges	6 years	Management
Financial returns/income and expenditure accounts/audited accounts/budgets	Indefinite	Archive
Receipt books	6 years	VAT
Bank statements	Last completed audit year	Audit
Bank paying in books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Quotations and tenders	6 years	Limitation Act 1980 (as amended)
Unsuccessful tenders	3 years	Challenge
Paid Invoices	6 years	VAT
VAT records	6 years generally but 20 years for VAT on rents	VAT
Petty cash and Postage books	6 years	Tax, VAT, and Limitation Act 1980 (as amended)
Expenses book	6 years	Tax, VAT
Timesheets	3 years	Audit Personal injury (best practice)
Payroll records	12 years	Superannuation, Limitation Act 1980 (as amended)
Insurance Policies	As long as it's possible for a claim to be made under it.	Management & legal proceedings.
Certificates for Insurance against liability for employees	Indefinite	Future claims
Investments	Indefinite	Audit, Management
Title Deeds, leases, agreements, contracts	Indefinite	Audit, Management
Members allowances register	6 years	Tax, Limitation Act 1980 (as amended)

Allotment register and plans	Indefinite	Audit, Management
Hall and Room Hiring: <ul style="list-style-type: none"> <li>• Application to hire</li> <li>• Letting diaries</li> <li>• Hirers Invoices</li> </ul>	6 years 6 years 6 years	VAT VAT VAT
Routine correspondence, papers and notes	Retain as long as useful then destroy	Management
Recruitment records – Application forms, CVs, interview notes	6 months from date of appointment	Discrimination/Equal opportunities claim from interviewees
Employee records – Application forms, Contracts of Employment, Sickness records, Routine employee documents	6 years from date of leaving	Personal injury claims, tribunal claims
Maps, plans and surveys of property owned by the Council	Indefinite	Audit, Management
Email (excluding spam)	3 years, unless earlier deletion is required under another category or longer retention is required to fulfil other purposes	Local choice
Risk Assessments	3 years	Audit, Management, Limitation Act 1980 (as amended)
Health and Safety Records	Indefinite	Audit, Management, Limitation Act 1980 (as amended)
Market licence holder records	6 years after leaving market	Management

To ensure there are no breaches of Data Protection regulations, any documents identified for disposal, in accordance with this policy, will be destroyed by shredding and will not be entered into public recycling streams.

Review date – January 2027

## **Agenda Item 17 – Biodiversity Policy**

**Royston Town Council**  
**Biodiversity Policy**  
**Adopted by Full Council 15<sup>th</sup> January 2024 - Minute number: /24**  
**Review date: January 2025**

### Introduction:

In accordance with the duty imposed on town and parish councils by Section 40 of the Natural Environment and Rural Communities Act 2006, updated by Section 102 of the Environment Act 2021, Royston Town Council will in exercising all its functions have regard to the purpose of conserving biodiversity.

This duty also means that town and parish councils can spend funds in conserving biodiversity.

### Definition:

According to Defra (Biodiversity 2020), biodiversity is the variety of all life on Earth. It includes all species of animals and plants – everything that is alive on our planet.

Biodiversity is important for its own sake and has its own intrinsic value. A number of studies have shown this value also goes further. It is the building block of our 'ecosystems'. These provide us with a wide range of goods and services that support our economic and social wellbeing. These include essentials such as food, fresh water and clean air, but also less obvious services such as protection from natural disasters, regulation of our climate, and purification of our water or pollination of our crops. Biodiversity also provides important cultural services, enriching our lives.

### Aims and Objectives:

The object of this policy is to work towards enhancing and protecting the biodiversity of Royston.

All committees of Royston Town Council will consider sustainability, environmental impact and biodiversity when making decisions and will develop and implement policies and strategies as required.

In particular, Royston Town Council will aim to improve the biodiversity of the area in the following ways:

- consider the potential impact on biodiversity represented by planning applications.
- manage its land and property using environmentally friendly practices that will promote biodiversity.
- support local businesses & council operations where possible in the adoption of low impact practices.
- support residents and local organisation activities to enhance and promote biodiversity.

### Actions:

#### **Planning applications**

- The council, when commenting on planning applications, will support site and building design that benefits biodiversity through the conservation and integration of existing habitats or provision of new habitats.
- It will support protection of sensitive habitats from development and will consider whether the development would mean the loss of important habitats for wildlife in respect of all applications.
- It will consider what each proposed development might make in terms of biodiversity net gain and seek to go over and above 10% where possible.

#### **Land and property management**

- The council will carry out a biodiversity audit of its landholdings.
- The council will consider the conservation and promotion of local biodiversity with regard to the management of its open spaces. This will include adopting beneficial practices with regarding to cutting and removal of vegetation, application of chemicals and timing of maintenance work.
- Special care will be taken to ensure that the work carried out on open spaces, whilst reaching acceptable standards, does not harm the natural environment.
- The council will consider biodiversity issues and the implementation of changes when managing its buildings.



SITE / OBJECTIVE	ACTION	OUTCOME	TARGET (Years)	REPORTING / PUBLICITY
Whole council area	Raise local awareness of biodiversity.	Gain local support for action.	Ongoing	Website Newsletter Social Media
Protect and support biodiversity	Encourage suitable planting to support biodiversity.	Connect & diversify habitats to meet the needs of a variety of wildlife species	Ongoing	
Green Walk and Stile Plantations	Take expert advice on the management of the sites.  Encourage residents to remove litter and pick up after their dogs.  Work with volunteers, contractors and other agencies to enhance the areas.  Plant more diverse hedging and wildflowers where possible.  Encourage residents to adopt areas to look after.  To have regular bat surveys.  Cutting back, bird box and path maintenance to take place outside of bird nesting season.	Sustain & enhance natural habitats.  Protecting habitats  Protecting/enhancing habitats  Enhance habitats  Regular attention.  Sustain & protect habitat.  Protect habitat.	Ongoing	Website Newsletter Social Media
Green Street Allotments	Encourage allotment holders to continue to embrace biodiversity and recognise their contribution.  Encourage the use of organic treatments rather than chemicals and pesticides.  Hedge cutting to take place outside of bird nesting season.	Protecting/enhancing habitats  Protecting wildlife.  Protecting wildlife.	Ongoing	Website Newsletter
The Built Landscape	Ensure that planning consultations are considered against the requirements of the Local Plan.  Provision of land for allotment space should be considered on all suitable larger applications to assist RTC in its statutory duty to provide these and further biodiversity.  Encourage hedgehog/small animal highways with permeable boundaries.	Protecting/enhancing habitats  Enhancing habitats  Extending habitats	Ongoing  Ongoing  Ongoing	Website

Increase community awareness of biodiversity	<p>Ask residents for their views on what they would like to be done to conserve biodiversity within the parish.</p> <p>Raise awareness of the importance of gardens as habitats for wildlife, with ideas for actions highlighted on the website e.g. installing Swift boxes.</p> <p>Maintain a page on the town council website updating actions taken, ongoing projects, photographs, and useful links.</p>	<p>Engagement/ownership of biodiversity</p> <p>Promote biodiversity.</p> <p>Promote biodiversity.</p>	Ongoing	Website Newsletter
Support Community Projects	<p>Support hedge/tree planting in any appropriate areas.</p> <p>Work in partnership with schools to develop young people's awareness of the environment around them.</p> <p>Consider events and offer volunteering opportunities to support biodiversity, working with local organisations.</p>	<p>Extending habitats.</p> <p>Promote biodiversity.</p> <p>Promote biodiversity.</p>		Website Newsletter

#### Local community

- The council will raise public awareness of biodiversity issues, including through its website and newsletters.
- The council will engage with local businesses and residents regarding biodiversity in the community and how members of the community can assist and make a difference.
- It will, where feasible, involve the community in biodiversity projects on its land including for example tree planting, wildflower planting.

#### Partners

- Royston Town Council will work in partnership with other organisations to protect, promote and enhance biodiversity within areas of the town.

In addition, an action plan will be drawn and progress against its objectives will be reported at the Annual Town Meeting and in the Annual Report.

## **Agenda Item 18 – Procedure for Marking the Death of a Senior National Figure**

### **Royston Town Council Marking the Death of a Senior National Figure Agreed by Full Council on 15<sup>th</sup> January 2024 – minute number /24**

This procedure is for marking the death of the reigning monarch, their spouse/consort and the heir to the throne.

At the time of writing, this relates to the King, Queen Consort and the Prince of Wales. By agreement of the Full Council, it may also be used for other prominent people.

The King will be given a State Funeral. The Queen Consort and the Prince of Wales will be given a Ceremonial Royal Funeral.

High Sheriffs have responsibility for reading the Proclamation within their county and will work closely with the county Lord-Lieutenant.

Plans to mark a death should only be implemented when a formal announcement has been made.

#### **Flags**

The Town Council will lower the flag in Grossalmerode Gardens to half-mast from the time of the announcement until 8am on the day following the funeral.

#### **Book of Condolence**

A Book of Condolence will be opened on the first working day after the day of death. The Town Council will provide the Book of Condolence and it will be available in the reception area of the Council offices during opening hours. A good-size table covered with a suitable cloth, a chair and a supply of pens will be provided. If a suitable photograph is available, that may be in a frame on the table, adorned with black ribbon and a small flower arrangement will be provided.

The Book of Condolence should be closed at the end of day 11, the day following the funeral. The book is a historical record of the sentiments expressed by local people on the death of the national figure. The pages will be collated and bound with a letter being sent to the Private Secretary at Buckingham Palace advising that the Book of Condolence is held in the Council archives.

#### **Website**

The Council's website homepage will be overwritten with a black page carrying a portrait of the national figure who has died. There will be a tab to the Council's homepage during the period of mourning. The website will include details of the Council's arrangements agreed in this procedure. A statement from the Mayor will also be added to the Council's homepage.

#### **Events and Activities**

From the day of the death until the day after the funeral, careful thought should be given to the types of events and activities which should take place. The question 'why is it really necessary and appropriate for this event to go ahead' should be considered. For instance, if a celebratory event were to be due to take place during the time of mourning, it may not be appropriate, but it might be possible to hold Council meetings with an appropriate period of silence at the start.

**Dress Code**

Councillors will be encouraged to dress soberly on official business. The Councillors and the Clerk will be provided with black arm bands.

**Public Holiday**

The day of the state funeral will be a Public Holiday and the Council offices and all other Council sites will be closed on that day.

**Area to Lay Flowers**

The Town Council will inform local residents where the agreed area is to lay flowers in remembrance. This will be included in the information published on the website.

Review date - to be reviewed in March 2027 or when legislation dictates.



Royston Town Council Health, Safety & Welfare Policy 2024

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## **POLICY STATEMENT**

### **1. Introduction**

This Policy provides a business framework for the implementation and development of an effective Health & Safety management system for Royston Town Council that facilitates a high standard of employee care and wellbeing together with compliance to the Health & Safety at Work Act 1974 and other legislation. It has an overriding purpose to reduce, as far as reasonably practicable, the risk of injuries, ill health and other losses. This applies to the employees of the Town Council, elected members, the general public and other organisations that may be affected by our actions.

### **2. Purpose**

- To promote a positive Health, Safety and Welfare culture throughout the organisation;
- To provide adequate control of the health and safety risks arising from our work activities as far as reasonably practicable;
- To consult with our employees on matters affecting their health and safety;
- To promote clear channels of communication for Health, Safety and Welfare between all services;
- To provide information, instruction and supervision for employees;
- To provide and maintain safe plant and equipment;
- To ensure safe handling and use of substances (COSHH);
- To ensure all employees are competent to do their tasks and to give them adequate training;
- To prevent accidents and cases of work-related ill health;
- To maintain safe and healthy working conditions;

### **3. General statement**

The health and safety of our employees is of paramount importance. We aim to provide and maintain safe and healthy working conditions, equipment and systems of work for all our employees and to provide them with the necessary information, instruction and training to achieve this aim.

Appropriate preventive and protective measures are and will continue to be, implemented following the identification of work-related hazards and assessment of the associated risks.

We recognise the importance of employer/employee consultation on matters of health and safety and the value of individual consultation prior to allocating specific health and safety functions. We also accept our responsibility for the health and safety of other persons who may be affected by our activities.

The allocation of duties for safety matters, the identity of competent persons appointed with particular responsibilities and the arrangements made to implement this policy are set out in this policy and in associated risk assessments and safety documents and records.

Expert advice will be sought as necessary when determining health and safety risks and the measures required to guard against them.

The objectives of this policy statement can only be achieved through the support and co-operation of employees and all other persons who use our premises, e.g. members of the public (hirers, customers, users), Councillors, contractors and visitors.

The contents of this policy statement is informed by statutory guidance and good practice issued by the Health & Safety Executive (HSE) or industry recognised bodies.

The Policy will be reviewed formally every three years or earlier if conditions dictate.

#### 4. Roles and Responsibilities

**Full Council has the overall responsibility for the Town Council's health, safety and welfare policy**, and review and consider this policy at the agreed intervals. The committee which undertakes the internal review of the effectiveness of internal audit controls will review all the council's risk assessments on an annual basis.

The responsibility for ensuring the application of this policy is delegated to the Town Clerk. The following staff have responsibility for health and safety standards for their respective service areas:

Nominated Staff Member	Service areas
Administration Officer	Town Hall, Annex, Market Hill Rooms
Market Manager	Market Place
Cave Manager	Royston Cave
Deputy Town Clerk	Allotments, War Memorial, Plantations

Staff are accountable to the Town Clerk for the effective implementation of and legal compliance with health & safety legislation, this policy, agreed practices and be responsible for safety management responsibilities as determined, directed or defined as part of their role (including the production, implementation, review and monitoring of documented risk assessments).

**All employees** are expected to:

- Co-operate with managers on all health, safety, welfare/wellbeing matters;
- Actively consider their safety and the safety of others and help RTC develop and maintain a good safety culture with a low level of risk. All employees are encouraged to make suggestions to improve health, safety and welfare in their workplace;
- Correctly use work items, including personal protective equipment as instructed;
- Not misuse or interfere with anything provided in the interests of health and safety;
- Read all relevant risk assessments and comply with the control measures;
- Report all accidents, incidents, near misses and dangerous occurrences, whether there is injury/damage or not, and complete a form provided for the purpose;
- Promptly report foreseeable hazards (or situations considered to be potentially hazardous);
- Report all property and equipment defects;
- Use any machinery, equipment, substance, transport or safety device provided in accordance with training and instructions, in compliance with regulations;
- Inform their Manager of any work situation or shortcomings in protective arrangements which he/she considers represents a significant risk to health, safety and welfare, or a risk to other persons (i.e. contractors, visitors, customers, the general public and members); and
- Take reasonable care of their own health and safety.

#### **MANAGING HEALTH AND SAFETY**

##### 5. Accidents

*Health and Safety at Work Act 1974*

*Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)*

##### **Reporting and Recording Accidents**

There is a legal duty placed upon the Council to report and record all accidents at work.

Details of all accidents involving employees or members of the public shall be recorded in an Accident Book and submitted to the Town Clerk.

Individual employees are responsible for reporting accidents and potential accidents/near misses that occur at work on the mandatory Accident Record Forms in the accident books which are available from the Town Hall Office and Caretaker's Office and have been distributed to the Market Manager and Cave Manager.

Details of all accidents/near misses and Accident Record Forms will be kept in a file in the Town Hall Offices.

All accidents and cases of ill health as a result of an accident at work are to be recorded in the accident book. The Town Clerk will ensure that accidents and work-related causes of sickness absences are investigated and that the causes are analysed to assist in formulating preventative measures and will report to the Council's HR committee who will ensure the agreed preventative measures are implemented.

The Town Clerk is responsible, where required by law, for reporting accidents, diseases and dangerous occurrences to the enforcing authority.

## **6. Employee Consultation**

*Health and Safety (Consultation with Employees) Regulations 1996*

*Safety Representatives and Safety Committees Regulations 1977*

Consultation with employees will be undertaken at:

- Sub-committee and working party meetings; and
- One to one meetings with individual staff members.

## **7. Fire & Evacuation Procedures**

*Dangerous Substances and Explosive Atmospheres Regulations 2002*

*Regulatory Reform (Fire Safety) Order 2015*

UK fire regulations require a fire risk assessment for all workplaces. Nominated Staff Members are responsible for ensuring a fire risk assessment is undertaken and implemented, including appropriate provision of fire exits, signs, alarms and extinguishers.

Exit corridors, landings and stair cases must be kept clear at all times.

Fire extinguishers should be visually inspected in the Town Hall, Annex and Market Hill Rooms by the caretaker and maintained and checked regularly by compliance contractors and the Fire Protection Service.

Fire Alarm call points are tested alternatively on a weekly basis and tested by the Fire Protection Service on an annual basis.

Emergency evacuation procedures must be tested six monthly. Fire evacuation procedures are to be provided at each place of work/public office

Flammable materials must not be stored, even for a temporary period, in the offices or corridors, unless the storage is in a fire resistant structure such as a metal cupboard or bin, clearly marked "Flammable Materials".

Emergency lighting should be tested regularly in the Town Hall, Annex, Market Hill Rooms and Cave by the compliance contractors and the Fire Protection Service.

All staff will attend fire marshal training.

## **8. First Aid**

*The Health and Safety (First Aid) Regulations 1981*

First aid means treating minor injuries at work and giving immediate attention to more serious casualties until medical help is available. Through this initial management of injury or illness suffered at work, lives can be saved and minor injuries prevented from beginning major ones.

All staff are required to attend an "Emergency First Aid at Work Course". First aid equipment is readily



accessible at each premises and is kept stocked, clean and ready for use.

## **9. Contractors & Visitors**

### Fire & Evacuation Procedures

Fire action notices are positioned around all the Council's premises to inform visitors of the action to be taken in an emergency. Fire exits are clearly marked.

### Contractors

Contractors shall, at all times, comply with the requirements of the Health and Safety at Work Act and the Management of Health & Safety at Work Regulations 1992 and of any other Acts Regulations or Orders pertaining to the health and safety of employees.

The Contractor shall identify risks to the health and safety of employees and others and provide Risk Assessments, method statements or other depending on the type of work being undertaken. The Contractor shall have regard to the Council's Health and Safety Policy and whilst on premises owned by the Council the Contractor shall ensure that his employees comply with the policy.

## **10. Personal Protective Equipment**

Nominated Staff Members will be responsible for ensuring that Personal Protective Equipment is supplied where necessary.

Periodic reviews are to be initiated to ensure that Personal Protective Equipment is compatible with the wearer, in hygienic condition, in effective working order, in good supply and that the measures are satisfactory for the work being undertaken.

## **11. Risk Assessments**

Risk assessments will be undertaken by the Nominated Staff Members for all activities carried out. Where technical expertise is required and/or there are serious/significant risks being assessed, the staff member will liaise with qualified experts to advise and undertake the assessment. Employees will also help to inform the assessments.

All risk assessments will be reviewed by the members of the committee for the internal review of the effectiveness of internal audit controls. The risk management assessment will be approved by Full Council in accordance with statutory requirements.

Action required to remove/control risks will be approved by the Town Clerk or Nominated Staff Member.

The Nominated Staff Member will be responsible for ensuring the action required is implemented and will check that the implemented actions have removed/reduced the risks.

Employees will be made aware and a copy of the risk assessment/s applicable to their area of work will be made available to them.

Risk Assessments will be reviewed annually or when activities change, whichever is sooner.

## **12. Training**

Training will be identified, arranged and monitored by the employees manager who will also make arrangements for refresher training to be completed on an annual basis or such approved frequency determined by the risk assessment.

Centralised training records are kept by the Administration Officer.

## **13. Workplaces (Health, Safety & Welfare)**

Nominated Staff Members are responsible for ensuring that a periodic review is undertaken in their service areas to check working conditions and ensure safe working practices are being followed.

All Employees have a duty to familiarise themselves with the Risk Assessments relevant to their work and adopt the procedures and working practices contained within them.

## **RISKS TO HEALTH AND SAFETY**

### **14. Asbestos**

*The Control of Asbestos Regulations 2012*

Asbestos is the largest single cause of work related fatal disease and ill health in Great Britain. Where people work with asbestos or come into contact with it during repair and maintenance work, they are at risk. Working with asbestos should be avoided if possible but, if not, it must be done safely. Working with asbestos must only be carried out by professional contractors and not staff members.

The Control of Asbestos at Work Regulations 2002 (CAWR) introduces an explicit duty to manage asbestos in non-domestic premises, to manage the risk of exposure to asbestos or asbestos containing material (ACM). The duty to manage requires those in control of premises to:

- Take reasonable steps to determine the location and condition of materials likely to contain asbestos;
- Presume materials contain asbestos unless there is strong evidence that they do not;
- Make and keep an up to date record of the location and condition of the ACMs;
- Assess the risk of the likelihood of anyone being exposed to fibres from these materials;
- Prepare a plan setting out how the risks from the materials are to be managed;
- Take the necessary steps to put the plan into action;
- Review and monitor the plan periodically; and
- Provide information on the location and condition of the materials to anyone who is liable to work on or disturb them.

Nominated Staff Members are responsible for ensuring that a copy of the applicable Council's 'Asbestos survey' is issued to Employees/Contractors who carry out any type of maintenance, repair or refurbishment work. The survey is completed regularly by the compliance contractors.

### **15. Display Screen Equipment**

*Health and Safety (Display Screen Equipment) Regulations 1992*

Using a computer or other kinds of display screen equipment (visual display units) can give rise to back problems, repetitive strain injury or other musculoskeletal disorders. These health problems may become serious if no action is taken. They can be caused by poor design of work stations (and associated equipment such as chairs), insufficient space, lack of training or not taking breaks from display screen work. Working with a screen does not cause eye damage, but many users experience temporary eye strain or stress. This can lead to reduced work efficiency or taking time off work.

All employees will be given any necessary training and complete a display screen risk assessment.

### **16. Hazardous Substances**

*Control of Substances Hazardous to Health Regulations 2002 (COSHH)*  
*Classification, Labelling and Packaging Regulations 2008 (CLP)*  
*Control of Lead at Work Regulations 2002*

#### **COSHH**

COSHH Guidance Procedures and safety data sheets are in the caretaker's office.

Nominated Staff Members are responsible for identifying substances which need a COSHH assessment and a product safety data sheet. Employees who use hazardous substances will be responsible for undertaking to comply with Health and Safety guidelines whilst they are being used. Those employees will undertake COSHH training.

## **17. Working at Heights**

*Provision and Use of Work Equipment Regulations 1998*

*Lifting Operations and Lifting Equipment Regulations 1998 Construction*

*(Design & Management) Regulations 2015*

A fall from height has sudden and irreversible consequences and can only be prevented by ensuring that each task associated with working at height is carefully planned before deciding if the method of gaining access is appropriate. The overriding principle is to do all that is practicable to prevent anyone falling. Strict adherence to the principles and practices within the Work at Height Regulations 2005, and its Schedules, is the only acceptable solution.

## **18. Lone Working**

Staff working alone have the responsibility to take reasonable care of themselves and other people affected by their work. They should ensure that any entry doors are secure and entry to the building by visitors is within their control. Staff should check credentials if they are not satisfied as to the bona fides of any visitor acting in an official capacity.

Staff should be trained in emergency procedures (fire, first aid etc.)

Under no circumstances should staff use ladders or work at height if working alone.

Should a member of staff working alone become ill or sustain an accident and require medical attention they should (if able) ring the emergency services.

Staff should be in ready contact with the office through a mobile phone or similar. Arrangements must be in place to have contact with a third party during any lone working situation.

Staff should be trained on how to handle potentially dangerous situations. These may include aggressive behaviour, being approached for valuables, etc.

Officers using their own vehicles should ensure their vehicle is serviced, maintained and correctly insured.

## **19. Machinery**

*Management of Health and Safety at Work Regulations 1999*

*Provision and Use of Work Equipment Regulations 1998*

Vibration from work with powered hand held tools, equipment or processes can damage the hands and arms of users causing 'hand-arm vibration syndrome'. This is a painful, irreversible condition which includes 'vibration white finger' and the effects can be impaired blood circulation, damage to the nerves and muscles, and loss of ability to grip properly.

The Nominated Staff Members are responsible for ensuring that an assessment is carried out in respect of all new machinery and equipment.

Staff are advised to report any faults immediately to their Manager.

The use of the Council's equipment is restricted to only the trained operatives and staff.

## **20. Maintenance & Building Work**

*Construction (Design & Management) Regulations 2015 Construction*

*(Design and Management) Regulations 1994*

*Lifting Operations and Lifting Equipment Regulations 1998 Provision and*

*Use of Work Equipment Regulations 1998*

*Confined Spaces Regulations 1997*

All contractors should be qualified and competent for the work to be carried out. The Contractor shall provide Risk Assessments, method statements or other depending on the type of work being undertaken.

The Contractor shall have regard to the Council's Health and Safety Policy and whilst on premises owned by the Council the Contractor shall ensure that his employees comply with the Policy.

## **21. Manual Handling**

*Manual Handling Operations Regulations 1992*

*Management of Health and Safety at Work Regulations 1999*

The Manual Handling Operations Regulations apply to the manual handling of loads, i.e. human effort, as opposed to mechanical handling by crane or forklift truck.

The Regulations impose the need to avoid manual handling tasks wherever reasonably practicable. If it is not reasonably practical to avoid moving loads, or the operation cannot be automated or mechanised – and there is a risk of injury – then the task must be assessed, risks reduced and adequate information, instruction and training provided in the residual risk.

Nominated Staff Members must ensure that all manual handling tasks are identified within the areas of their control, and where appropriate, carry out manual handling assessments. All actions arising from the assessments must be addressed.

All Staff who are required to conduct manual handling tasks will need to decide for themselves how they will carry out any manual handling tasks they undertake but they must recognise their own limitations and use mechanical devices to reduce all instances of manual handling. Once they have been trained they must put the training into action.

It is compulsory for all staff to complete manual handling training. Training options on line or otherwise will be provided to staff. In addition, practical attendance training will be provided for staff at higher risk if circumstances allow face to face training.

On line training is available at <https://www.youtube.com/watch?v=Nt4PEss3Ppk>

Refresher training is required to be completed on a 24 monthly rolling cycle. New employees must complete training within 4 weeks of starting employment.

### Procedures and Practices

First principles of manual handling are not to undertake such a task in the first place if you can avoid doing so. Recognising this is often impractical, manual handling tasks should be identified during a pre-assessment walk through. This can be part of the procedure for general risk assessments required under the Management of Health and Safety at Work Regulations.

The regulations clarify that the risk assessment should specifically consider:

- The physical suitability of the employee to carry out the operations;
- The clothing, footwear or other personal effects he/she is wearing;
- His/her knowledge and training;
- The results of any relevant risk assessment carried out to comply with management regulations;
- Whether the employee is within a group of employees identified by that assessment as being especially at risk; and
- The results of any health surveillance provided for that employee.

In most cases managers should be able to carry out the assessments themselves as they are best placed to know about the manual-handling taking place in their own departments. There may be a requirement to draw on the knowledge of others who have greater knowledge, experience and have been trained in risk assessment to advise or assist in the assessments.

If after assessment it is determined that staff require training to minimise the residual risk then training must be carried out by competent/qualified trainers. Staff must be made aware of the fact that safe handling is not just work related but also a lifestyle issue.

Manual handling risk reducing principles should be adopted for all types of lifting or when the manual movement of an item is being contemplated. By applying a simple dynamic risk assessment before commencing with a manual activity the risk of injury can be greatly minimised. It is a simple thought process, ask yourself:

- Does the object look awkward to hold, has it sharp edges or is difficult to grip;
- Have I lifted the same type of object before, how did I feel, did I cope;
- Is it heavy - perhaps just rock the object backwards and forwards to make a judgement on how heavy it is;
- Could the load have an unequal centre of gravity that could put me off balance or add to straining;
- What is my capability today at this time, am I tired or have I suffered with recent back pain or twinges;
- Are sack trucks or a trolley available to take the load;
- Can I ask someone to help me with a two person lift; and
- Where do I need to take the object, are there stairs or is the walking surface slippery.

By asking these simple types of question you can risk assess the task and give yourself the best chance to avoid injury, remember if in doubt – do not lift.

## **22. Noise at Work**

*The Control of Noise at Work Regulations 2005*

*Noise at Work Regulations 1989*

High levels of noise at work can cause hearing loss. This can take many years to become serious. Young people can be damaged as easily as the old and deafness can make people feel isolated from their family, friends and colleagues.

A preliminary decision on whether an assessment is needed can usually be reached without making detailed noise measurements.

As a rough guide, an assessment of daily personal exposure (Lep,d) will usually be needed wherever people have to shout or have difficulty being heard clearly by someone about 2 metres away or they find it difficult to talk to each other.

Whenever it is decided that a more detailed assessment is needed, expert advice will be sought.

## **23. Plant, Mechanical and Electrical Equipment**

*Provision and Use of Work Equipment Regulations 1998*

*Lifting Operations and Lifting Equipment Regulations 1998*

*Supply of Machinery (Safety) (Amendment) Regulations 2011*

Work equipment covers an enormous range of items. Important points include: selecting the right equipment for the job, making sure equipment is safe to use and keeping it safe through regular maintenance, inspection and, if appropriate, thorough examination, training employees to use equipment safely and following manufacturers' or suppliers' instructions. Accidents involving work equipment happen all the time – many serious, some fatal.

Royston Town Council is committed to ensuring that equipment is suitable for its intended use.

Nominated Staff Members will:

- Ensure that all inspection and maintenance regimes are complied with;
- Will check that new plant & equipment meets health & safety standards before purchased;

- Arrange for periodic inspections of portable items;
- Ensure all persons are adequately trained in using electrical equipment; and
- Ensure any fixed electrical installations are safe and tested on a regular basis

### Electrical Equipment

#### *Electricity at Work Regulations 1989*

Electricity can kill. Even non-fatal shocks can cause severe and permanent injury. Shocks from faulty equipment may lead to falls from ladders, scaffolds or other work platforms. Those using electricity may not be the only ones at risk. Poor electrical installations and faulty electrical appliances can lead to fires which can also result in death or injury to others.

User checks on electrical equipment can be made by the person using the equipment. Aspects to look for should include damage to the plug, cable or equipment casing, use of tape to join wiring, overheating, and whether the item has been exposed to conditions for which it is not suitable, e.g. a wet environment. Formal visual inspections and changing plugs or altering electrical equipment must be completed by a qualified electrician.

Any items on council premises that have not been PAT tested must not be connected to the Council's electricity supply.

Any faults with electrical equipment should be reported immediately to the person responsible for the maintenance and the equipment taken out of use immediately.

## **24. Stress at Work**

### *Management of Health and Safety at Work Regulations 1999*

There is a clear link between poor work organisation and subsequent ill health. The Health & Safety Executive defines stress as "*the adverse reaction people have to excessive pressure or other types of demand placed on them*". Stress at work can be tackled by identifying the hazards, assessing who is at risk and the level of risk, deciding how to manage the risk and putting the plans into action.

In order to reduce stress in the organisation, Managers and the staff they are responsible for should keep in regular contact. Managers should ensure they hold regular meetings with individual members of staff, providing an opportunity for all to raise any issues of concern and explore a way to resolve them.

Any member of staff who is absent from work, even for one day, should complete a return to work form and have a conversation with their Manager about the reasons for absence and whether any support or action can be taken to prevent future reoccurrences.

## **25. Trip & other Dangerous Hazards**

### *Workplace (Health, Safety and Welfare) Regulations 1992*

The most common cause of injuries at work is the slip or trip, resulting in falls which can be serious. It's a particularly important subject since members of the public use our premises. Measures to prevent such injuries are often simple, cheap and lead to other benefits.

Where any member of staff discovers spillages, wet surfaces, broken objects, damaged furniture or equipment, they must take every step to initially make the area safe and where the member of staff can deal with the danger safely, they must do so. Otherwise it should be immediately reported to the appropriate responsible officer.

## **26. Pandemics**

If a pandemic is announced then all council activities and functions will be risk assessed and any necessary procedures and restrictions will be implemented.

Government advice will be strictly adhered to, checked regularly and procedures will be updated as required.

Health and safety and wellbeing of staff, councillors, service users and members of the public is paramount.

## **27. Abuse and Threats to Staff**

Abuse and threats to staff from members of the public, councillors or other employees will not be tolerated in any circumstances.

Appropriate action will be taken which may include, but is not limited to, reporting the abuse and threats to the police, reporting members under the council's code of conduct and utilising the council's policies such as the disciplinary procedure and the vexatious complaints policy.

Policy approved by Full Council: 15<sup>th</sup> January 2024

Minute number: XXXX

Review date: January 2027 or earlier if conditions dictate.

**ROYSTON TOWN COUNCIL**  
**Protocol and guidance on meetings with developers**  
**Adopted by Full Council 19<sup>th</sup> October 2020 – Minute number 83/21**  
**Reviewed and adopted by Full Council 15<sup>th</sup> January 2024- Minute number XXXX**

**PURPOSE**

Royston Town Council (the 'Council'), acknowledge that developers, may wish to present proposals at different planning application stages to the Council.

The National Planning Policy Framework states: "Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community."

The Council welcomes the desire of developers to consult with the Council and the local community more widely. However, the Council is also aware of the importance of public perception in planning and the critical need to avoid any appearance that the Council is conducting secretive negotiations or, colluding with developers or their Agents. In order to avoid improper lobbying by a developer or creating a perception that the Council has a predetermined position about a proposed development, we will follow this protocol guidance.

This protocol has been prepared to ensure that in the planning process there are no grounds for suggesting that a decision taken by the Town Council has been biased, partial or not well founded and that the Councillors are aware of their role within the planning process.

The designated authority for all local planning decisions is North Hertfordshire Council. The Town Council is a statutory consultee.

**SCOPE**

This document applies to all Town Councillors, its committees, employees and contractual third parties and agents of the Council who work and act on behalf of the Council. This document also applies to all developers, landowners, their employees, and agents that act on their behalf.

**DEVELOPERS BRIEFINGS WITH TOWN COUNCILLORS**

A developer's briefing is a meeting of the Council at which a developer provides information on their proposed planning application to the Town Council and members of the public.

The Council is, in general, willing to hold meetings with developers/agents. If the Clerk receives a request from a developer/agent to meet with the Council to discuss a development, the Clerk will inform the Chair and Vice-Chair of the Planning Committee.

The Clerk will ask the developer/agent in advance of any meeting to provide information about the proposed development affecting the town and any information received will be forwarded to all members of the Planning Committee.

The Council will consider any material provided by the developer/agent as public information which the Council may make available to the public.



All information held by the Town Council about a proposed development is subject to disclosure under the Freedom of Information Act 2000.

Communications between the developer and the Council about a pre-planning application development will not bind the Council into making any decision. Any views expressed are, at best, provisional because not all the relevant information will be available to the Council and formal consultations will not have taken place at this stage.

## **PROTOCOL FOR DEVELOPERS BRIEFING**

Developers are invited to provide the Town Council with a development briefing that is:

- Without prejudice and not binding in respect of the formal response the Town Council will make to the planning application consultation.
- Held in advance of a meeting of the Planning Committee.
- Advertised on the public meeting agenda.
- The presentation should not normally last longer than 15 minutes plus time for questions and answers.
- The meeting will be open to members of the public in accordance with the Public Bodies (Admission to Meetings) Act 1960.

## **PROTOCOL & GUIDANCE FOR COUNCILLORS**

The Town Council's role as a consultee, is for Councillors collectively to make planning decisions openly, impartially, with sound judgement and for justifiable reasons during Town Council Meetings.

Councillors are reminded that a presentation by a developer or their agent at this stage is not part of the formal planning process. A presentation is a form of lobbying, therefore Councillors must not express any strong view or state how they might vote if a planning application is submitted in the future.

The role of the Members at the meeting is to learn about the emerging proposal, identify outstanding issues to be dealt with, but not to form or express a view on the proposal which would pre-determine their participation in making a representation on any formal application. In this respect Members are at liberty to identify elements which they believe the community would be likely to be supportive of or have concerns about.

Members will be able to ask questions following the presentation but must refrain from entering into debate directly with the applicant or giving advice that indicates a prejudging of the proposals. However, this is all about achieving a balance and there is no reason why a Member should not advise what they believe the community will be concerned about, as long as this is framed in a suitable manner.

Statements such as 'I will never support this scheme' would be considered pre-determination. However, advice such as 'I believe that local residents will be very concerned about the increased traffic and therefore we would want this issue to be fully explored further should you submit an application' is acceptable.

Members must maintain an impartial listening role and avoid expressing an opinion to the application which could be regarded as pre-judging the proposal. Questions and comments should focus upon clarifying aspects of the proposal or to flag up issues of concern but must not develop into negotiations. It is equally important at this stage for Members not to have closed minds as to the merits of the proposal.

## **Declaration of Interests**

The Law and the Code of Conduct sets out the requirements and guidance for Councillors on declaring personal and prejudicial interests and the consequences of those interests.

Councillors must disclose the existence and nature of any interest at any relevant meeting, whether a Full Council meeting, committee meeting or a meeting with a developer/agent. Preferably, disclosing the interest at the beginning of the meeting and not just at the commencement of discussion on that item. If a Councillor is in any doubt about the application of this Protocol to their own circumstances, they should seek advice early on if they think they are required to declare any personal or pecuniary interests. Initially they can ask for guidance from the Town Clerk or contact the NHC Monitoring Officer for further guidance.

## **Pre-determination**

In all meetings with developers, Town Council Members, employees and professionals working on the Councils behalf are reminded of the critical importance of not pre-determining the position on any possible future planning application.

For individual Town Councillors in particular, this could require them to take no part in the discussion/decision making, when an application becomes live and appears on the Town Council agenda for consideration. It is noted, however, that expressing a pre-disposition, for example of either 'welcome in principle' or 'concerns because of x, y or z', is permissible.

## **Councillors Code of Conduct**

Town Councillors will, when having meetings with developers:

1. Always apply the rules in the Councillors Code of Conduct.
2. Always apply the guidance in this Protocol, which seeks to explain and supplement the Councillors Code of Conduct for the purposes of making impartial decisions.

If a Councillor does not abide by this Protocol and the Code of Conduct, they may:

1. Put the Town Council at risk of proceedings on the legality or maladministration of any decisions made.
2. Put themselves at risk of being challenged with an allegation of misconduct in not complying with the Protocol and/or Code of Conduct

## **Individual Councillor discussions/meetings**

Individual Councillors may be approached by developers for informal discussions and meetings for possible future applications. Such informal discussions and meetings should not take place unless expressly authorised by the Council.