



# **Wolverton and Greenleys Town Council General Code of Practice**

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## **1. TOWN HALL**

### General

The below are the Officer delegated powers in relation to the Town Hall. These can be delegated to any other officer of the Council. All other delegated powers relating to income and expenditure are detailed in the council's Financial Regulations.

### Delegated Powers

- a. Vary Town Hall office opening hours in the event of an emergency.
- b. Agree use of the Town Hall car park.
- c. Ensure the day to day running of the offices and upkeep of the Town Council and its facilities.

## **2. RETENTION OF DOCUMENTS AND RECORDS MANAGEMENT POLICY**

Wolverton and Greenleys Town Council recognise that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the Town Council. This document provides the policy framework through which this effective management can be achieved and audited. It covers:

- Scope
- Responsibilities
- Relationships with existing policies
- Retention Schedule

### **Scope of the policy**

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

### **Responsibilities**

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

The retention schedule lays down the length of time which the record needs to be retained and the action which should be taken when it is of no further administrative use. Members of staff are expected to manage their current record keeping systems using the retention schedule and to take account of the different kinds of retention periods when they are creating new record keeping systems. The retention schedule refers to record series regardless of the media in which they are stored.

### Record Management table

Document	Min Retention Period	Reason	Where stored
<b>Minutes &amp; Correspondence</b>			
Signed Minutes of Council Meetings	Indefinite	Legal requirement	Town Council store room
Agendas	Indefinite	To support the minutes	Town Council store room
Correspondence & papers on important local issues & activities	6 years	For reference	Town Council store room
<b>Finance</b>			
Invoices	Ten years	VAT inspections carried out every ten years	Town Council store room
Paid cheques	Ten years	VAT inspections carried out every ten years	Town Council store room
VAT records	Ten years	VAT inspections carried out every ten years	Town Council store room
Pension records	Two years after the former employee dies	Recommendation from SLCC	Town Council store room
Management Finance & Payroll Scale of Fees and	5 Years	Recommendation from SLCC	Town Council store room

Charges			
Management Receipt and Payment accounts	Ten years	VAT inspections carried out every ten years	Town Council store room
Archive Accounts/Financial Annual Return	Ten years	VAT inspections carried out every ten years	Town Council store room
Receipt Books of all kinds	Ten years	VAT inspections carried out every ten years	Town Council store room
VAT Bank Statements (including deposit/savings accounts)	Ten years	VAT inspections carried out every ten years	Town Council store room
Bank Paying-in Books	Ten years	VAT inspections carried out every ten years	Town Council store room
Cheque Books Stubs	Ten years	VAT inspections carried out every ten years	Town Council store room
Audit Budgetary Control Papers	5 years	Recommendation from SLCC	Town Council store room
<b>General</b>			
Quotations and Tenders	2 years	Reference only	Town Council store room
Routine correspondence, papers & emails	2 years	Reference only	Town Council store room
Contracts	Six years after the contract has ended	Should a claim be brought under that contract	Town Council store room
Hand written notes from meetings	Shredded after typed up and the typed notes approved at the next available meeting	These are not the legal record of the meeting and are available under the Freedom of Information Act	Town Council store room
<b>Health and safety</b>			
Insurance Policies Cert of Employers Liability	21 years	Should a claim arise	Town Council store room
Insurance Claim Records	7 Years after all obligations are	Should a claim arise	Town Council store

	concluded (allowing for claimant to reach age of 25)		room
Health & Safety Accident Books	(injuries to Adults) 25 Years from closure Management Accident Books (injuries to Children)	Should a claim arise	Town Council store room
Management Premises Inspection Records	25 Years from closure Records	Should a claim arise	Town Council store room
Management Premises Inspection Records	25 Years from closure Records	Should a claim arise	Town Council store room
Management Risk Assessments	25 Years from closure Records	Should a claim arise	Town Council store room
Management Equipment Inspection	25 Years from closure Records	Should a claim arise	Town Council store room
<b><i>Personnel records</i></b>			
Timesheets	2 years	For a comparison of sickness and absence	Town Council store room
Management Personnel/Human Resources Application forms (interviewed - unsuccessful)	6 Months	Should a claim arise	Town Council store room
Personnel files (not payroll information)	6 years after ceasing employment	Should a claim arise	Town Council store room
Title Deeds, leases, agreements and correspondence	Whilst the council owns or occupies the land	Not required after the council is no longer owning or occupying the land	Town Council store room
Contracts	Whilst the contract is active	Not required after the contract has expired	Town Council store room
Members allowances	10 years Tax	VAT inspections conducted every ten years	Town Council store room

Allotment plot holders register	1 year	Only current records required. No need to keep data longer than required.	Town Council store room
Members Register of Members Interests	Destroy after member ceases to be a councillor	Only current records required. No need to keep data longer than required.	Town Council store room
Press Releases	2 years	Reference only	Town Council store room
Surveys & returns	Until project completed	Only current records required. No need to keep data longer than required.	Town Council store room
Newsletters etc. from other bodies	Retain as long as useful	Used for reference purposes and advice	Town Council store room
Planning Applications	Not retained past one year	Held by Planning Authority	Town Council store room
Town Council newsletters	Three years	Reference only	Town Council store room

### **3. COMMUNICATIONS PROTOCOL**

#### **a. Purpose**

- a.1. The purpose of the Town Council's Communications Protocol is to set out and give guidance on, the standard procedures for dealing with all communications to and from the Town Council (including correspondence, e-mails and social media)
- a.2. It is the duty of the clerk to keep all councillors fully informed about communications from the public, Milton Keynes Council and other authorities and agencies.
- a.3. The Clerk as the Proper Officer shall be responsible for all communication on behalf of the Council.
- a.4. The Clerk and the Chair of the Planning Committee to make decisions on planning, tree or licensing applications for the area, where comments are required between Planning Committee Meetings and submit these to Milton Keynes Council accordingly.

#### **Communication with the Town Council**

- a.5. The point of contact for the Town Council is the Town Clerk.
- a.6. The Town Clerk should deal with all correspondence as directed by council following a meeting.
- a.7. No individual Councillor or member of staff should be the sole custodian of any correspondence or information in the name of the Town Council, a committee, sub-committee or working party.
- a.8. To exercise and implement the policies of the Council in respect of the following functions: human resources, external communications, and strategic development relationships with other bodies and organisations where not service specific.
- a.9. All communications should be date stamped with date of receipt when not automatic and dealt with within a specified timescale, as agreed by council.
  - a.9.1. Communications must be acknowledged within three working days.
  - a.9.2. A full reply must be sent within a maximum of ten working days, or a communication sent explaining why this is not possible.
- a.10. If a communication for individual councillors is received by the office councillors should be informed within a one working day.

#### **Agenda items for council and committee meetings**

- a.11. Agenda items should be clear and concise and follow an agreed format. They should contain sufficient information for members and the public to understand what is to be discussed and/or decided.
- a.12. Items for information should be kept to a minimum on council agendas.



- a.13. Where members wish fellow members to receive matters for “information only”, this information may be circulated via the Town Clerk.
- a.14. Councillors are free to exchange information, ideas and drafts of documents by email when this assists the work of the council.

### **Communications with the press and public**

- a.15. Press reports and comments from the council and committees should be issued by the Town Clerk or nominated Member on behalf of the Council or by a reporter’s own attendance at a meeting.
- a.16. Members who are asked for comment by the press or members of the public should ask that it be clearly reported as their personal view.
- a.17. If Members have a complaint or receive a complaint about the council, this should be presented to the Clerk in written format, to be dealt with under the complaints procedure. An e-mail to a member of staff counts as written for this purpose.

### **Councillor correspondence to other agencies**

- a.18. All personal correspondence from a councillor to other agencies should make it clear that the views are the expression of the personal opinions of the writer and not necessarily those of the Town Council unless council has agreed otherwise.
- a.19. It would be good practice if a copy of all outgoing correspondence from councillors relating to the Town Council or one’s role within it should be sent to the Town Clerk.
- a.20. Reports from councillors and staff attending outside bodies should be provided to the Town Clerk to be circulated on regular basis to keep members informed of local issues.
- a.21. Where decisions are required by councillors on outside bodies these should be put on a suitable agenda.

### **Communications with Town Council staff**

- a.22. Town Clerk to act as Head of the Paid Service and to convene and Chair meetings of senior officers/ all staff as appropriate. The Head of Paid Service shall act as the most senior staff of the Council in relation to all staffing matters.
- a.23. Councillors, including the chair must not give instructions to any member of staff, unless authorised to do so by council or a committee of council.
- a.24. Telephone calls should be:
  - Kept to a minimum.
  - Appropriate to the work of the Town Council.
- a.25. Electronic communication and letters should be kept to a minimum, instant replies should not be expected from officers.
- a.26. Meetings between councillors and the Town Clerk or other officers should be relevant to the work of the Council, be clear about the matters they wish to discuss and where possible an appointment should be made but staff should acknowledge that the function of the council is to serve the public.

## **4. Community Engagement**

### **What is Community Engagement?**

Wolverton & Greenleys Town Council defines community engagement as the activities the council undertakes to listen, consult, inform and respond to the local community through ongoing relationships and communications.

### **The Council's Commitment**

Wolverton and Greenleys Town Council recognises its responsibilities to provide community leadership, to promote the democratic process and to undertake activities that serve the community of Wolverton and Greenleys. The council aims to make decisions ethically taking into account the social, economic and environmental well-being of the whole community. Therefore effective engagement with as many people and organisations living or working in Wolverton and Greenleys as possible is central to our activities. This document sets out both the general principles of the council's commitment to community engagement and a specific action plan for the current financial year.

### **Objectives**

The objectives of this policy are:

- 1 To encourage and promote effective local community engagement
- 2 To ensure that all councillors and officers understand the need to engage with the community about decisions which affect them
- 3 To enable feedback obtained from the community to have an impact on decision making and service delivery
- 4 To identify the types and limits of current community engagement activities and to specify the principles which will be used
- 5 To specify an annual action plan

### **Principles of Community Engagement**

Wolverton and Greenleys Town Council will work to inform, consult and involve its community using the following principles:

#### **Information Principles**

- 1 Information will be provided through a range of different media aiming to target all sections of the community

- 2 Information will be as accessible as possible to all groups in the community
- 3 Information will be factually correct and free from political bias
- 4 Procedures for obtaining information will be well publicised and information will be provided in a timely way
- 5 The Council will comply with all relevant legislation including but not limited to the Data Protection Act 1998, Freedom of Information Act 2000, the Localism Act 2011, Local Government Transparency Regulations.
- 6 In some specific circumstances it will not be possible to provide all the information which members of the community may want

### **Consultation Principles**

- 1 Consultation activities will be time-limited and specific and will be well advertised allowing people and organisations sufficient time to participate
- 2 A range of different consultation methods will be used depending on the issue to be consulted upon
- 3 The council will be clear at the start of a consultation activity what output is expected
- 4 Consultation activities may be targeted at a relevant group or groups
- 5 Specific but non-leading questions will be asked.
- 6 Care will be taken to ensure that no one voice is given greater weight than any other
- 7 Consultation outputs will be published by the council

### **Involvement Principles**

- 1 The council cannot force any individual or group to become involved but it will try to make involvement easy and as enjoyable as possible
- 2 The council will make clear, before the start of any involvement or consultation, the extent to which that involvement will inform a decision and if a decision is not in conformity with the consultation output then the reasoning for the decision will be made public
- 3 Not every decision of the council will require consultation or community involvement

### **Current Community Engagement**

The council currently facilitates community engagement in the following ways:

- Allocation of public question time at the beginning of each council and committee meeting providing an opportunity for local people to ask questions or make representations relating to items on the agenda
- Publication of all agendas, minutes and supporting documents for all council meetings on the website, at the Town Hall and, in the case of agendas and minutes, on various notice boards
- Community involvement in the annual town meeting through a public question time
- Publication of a bi-monthly newsletter highlighting local events, council news and developments
- Publicity about the annual audit procedure which provides a formal opportunity for inspection of the council's accounts
- Publication of the annual accounts, governance statement and external audit on the website and noticeboards, a summary of the accounts is also provided at the annual town meeting and via the annual report to the community which is included in the newsletter

- Making Councillors' contact details available on the website and on noticeboards around the town as well as in the bi-monthly newsletter
- Consultation exercises, surveys and questionnaires are undertaken with residents, young people and local user groups for specific projects
- Regular news releases sent to the local news media to keep the public informed
- Members of the council act as representatives of the Town Council on outside bodies eg community groups, local organisations and regularly attend meetings
- Members of the community act as representatives on working groups and volunteer to support council projects and tasks
- Council offices are open to the public daily from Monday to Friday for enquiries
- The Town Clerk or another officer is always available during office opening hours and the Town Clerk is available by appointment on request from any member of the community
- The Projects Officer works directly with the community and directly supports organisations and individuals seeking grants, setting up new projects and delivering services in the community
- Town councillors live within 3 miles of the town they serve and/or work in the town and therefore have close ties to the community making them well placed in terms of informed representation

### Future Improvements

Wolverton and Greenleys Town Council plans to improve its community engagement by committing to the principles set out in this document, by continuing its current programme of engagement activities as shown above and by:

- Identifying and embracing opportunities to work with local community groups, statutory bodies and other partners
- Publicising successful partnership working to encourage new working relationships to be formed between the council and other community groups
- Extending and developing its website
- Making use of other digital platforms for engagement such as Facebook, Twitter, LinkedIn, Pinterest etc. to provide information, but not as a two way communication tool which requires daily management.
- Actively seeking the views and opinions of people and groups who are missed out of community engagement activities
- Participating in local networks to share knowledge and experience of community engagement activities
- Evaluating any specific consultation and involvement exercises to assess effectiveness
- Reviewing all community engagement activities on an annual basis and producing an action plan for each calendar year

Goal	Action	Responsible	Start Date	Finish Date
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Introduce use of new forms of digital engagement ie Twitter and Facebook	<i>Set up Twitter and FB accounts and begin listening to community posts and local issues via Google alerts etc</i>	Town Clerk	<i>December 2015</i>	<i>December 2016</i>
	Install Hootsuite or equivalent software and begin limited programme of content broadcasting	Town Clerk	January 2016	<i>December 2016</i>
	Link social media platforms to new website when completed	Website supplier	April 2016	<i>December 2016</i>
Review community engagement activities and produce an action plan for new council		Members and Town Clerk	October 2016	<i>December 2016</i>

## **5. Newsletter and Website policy**

### **1. Introduction**

The website and newsletter forms part of the council's community engagement activities since it allows the council to inform, consult and respond to the community. They also serve as a vehicle for communication among the residents of Wolverton and Greenleys. This policy and procedure explains the rationale for publishing the newsletter and production of the website, the council's editorial policy and the practical arrangements for managing both.

This document is compatible with the Town Council's Community Engagement Policy and is designed to be read in conjunction with that policy and the Council's current Community Engagement Action Plan.

## **2. Purpose of the Website and Newsletter**

- 1 To comply with legislative requirements and Codes of Practice
- 2 To inform the community about the work of the Town Council
- 3 To consult the community about the work of the Town Council
- 4 To provide information about local issues which are of concern or interest to the community of Wolverton and Greenleys
- 5 To support and publicise the work of statutory bodies, charities and/or non-profit making community organisations working for the benefit of the inhabitants of Wolverton and Greenleys
- 6 To provide promotional and advertising opportunities for business and organisations which offer facilities or services in Wolverton and Greenleys.

### **3(a) Publication/Distribution of the Newsletter**

The newsletter will be published bi-monthly and the council aims to distribute a printed copy to every household in the parish. Additional copies will be made available at the Town Council office and in other strategic locations in the parish. The newsletter will also be produced in a digital version to be displayed on the council's website.

Distribution will be via independent self-employed distributors.

The newsletter will be printed by an external supplier on the basis of a 6 edition contract to be considered when required. The supplier will style and design the newsletter taking into consideration the guidelines provided below.

### **3(b) Publication of Website**

The website will be hosted by an external provider, the contract to be considered when required.

## **4. Governance**

The newsletter/website editorial policy of the council shall be determined by the Town Council (supported by recommendations from the Community Engagement Working Group) and shall be reviewed every two years or more frequently should the need arise.

The management of the editorial policy and arrangements for day to day production of the newsletter/website shall be the responsibility of the Town Clerk which responsibility may be delegated to members of the officer team.

The role of the Community Engagement Working Group is to provide advice to the Town Council, the Town Clerk and staff team, to monitor the implementation of the editorial policy and to ensure that

the production of the newsletter/website complies with the Community Engagement Policy and Action Plan.

## **5. Content of the Newsletter**

Permanent content within the newsletter will include the following:

### **Front page:**

- Front page showing edition number and date, Town Council logo and title of newsletter (currently “The Community Magazine Wolverton Greenleys”)
- Front page picture will be seasonal and if possible from the local area
- Front page will include listing of some content

### **Back page:**

- Paid advertisement charged at premium rate or Town Council feature

### **Regular Content:**

- Editorial message written by Town Clerk or Chair of Council
- Inside back page Councillor names and contact details in accessible and prominent font, Council contact details including staff names and forthcoming council meetings
- Deadline for submission of articles/advertising for next newsletter
- Events diary
- Page number and strap line on every page
- Index of advertisers

## **Guidelines**

- Visually the newsletter must be accessible to the widest possible range of readers therefore clear design, accessible fonts and avoidance of “overdesign” will be considered in the production of each edition
- The newsletter will not exceed 32 pages and will be A4 sized and in colour
- For consistency and clarity no more than two text fonts and two or three headline fonts will be used along with three chosen colours which will run throughout the newsletter. (This does not apply to advertisements)

- Design of the newsletter will make a clear distinction between articles and advertising content
- For continuity every page will have the same margins and standard sizing of advertisements
- Minimum 8 pages (out of 32) of Town Council/Community articles and content excluding front and back pages
- The page count will only be increased for editorial content
- Articles and letters from any local individuals and organisations are welcomed and all will be considered for inclusion in the newsletter. Such articles must be compatible with the legal restrictions binding the Town Council's activities and the broad thrust of its policies. The Council reserves the right to edit or abridge articles and their inclusion in a particular edition will be determined by a combination of the following factors: available space, topicality, regularity/frequency of content on this topic, balance of overall edition, date of submission of article. This list is illustrative and not exhaustive.
- The editorial team reserves the right to provide balancing comments/content when articles or letters are published should this be deemed to be appropriate.
- Images and text for articles must be submitted separately, words must be in plain text, images in a minimum of 200 dpi. Save for paid advertisements which may be provided in a correctly sized pdf according to the dimensions supplied on the booking form.
- Paid advertising will be accepted on a first come first served basis.
- Free (unpaid) advertising may be provided by community groups and organisations to promote events or services which are deemed to be in the interests of the community of Wolverton and Greenleys. The inclusion of such advertisements in a particular edition will be determined by a combination of the following factors: available space, topicality, regularity/frequency of adverts, balance of overall advertising content, date of submission, wideness of appeal etc. This list is illustrative and not exhaustive.
- No party political advertisements will be accepted.
- If articles or advertisements cannot be accepted for inclusion in a given edition a written explanation of the reasons for this will be provided by the Town Council.
- Photographs provided free of charge to the Town Council for use in articles will be credited to the photographer if requested.
- In general free advertisements provided to community groups will be confined to half or quarter pages.



Description	Size	Proposed 2017-18 Charge excl VAT	incl VAT
<b>Advertising in Newsletter</b>			
Full Page Premium position		£ 153.83	£ 184.60

## Appendix I

- **Current Advertising Rates**

Full Page	200x287 mm	£ 109.38	£ 131.25
Half Page	200x144 mm	£ 56.88	£ 68.25
Quarter Page	100x97 mm	£ 30.63	£ 36.75
Sixth Page	50x48 mm	£ 21.87	£ 26.25

## Appendix II

### Draft specification for printer/publisher to include

- Presentation guidelines as in policy and procedure
- Publication date
- Date content to be supplied to printer
- Timescale for printer to organise content and produce draft layout
- Timescale for WGTC to make corrections
- Timescale for final proof to be produced
- Timescale from proof agreement to delivery of printed copies
- Details of delivery destinations
- Quality of paper and finish

## 6. Social Media Policy

### Introduction

Wolverton and Greenleys Town Council recognise the value of social media for engaging with residents. In this policy, the term Social Media includes (but is not limited to) Facebook, Twitter, Myspace, YouTube, LinkedIn and blogs.

This policy permits staff of Wolverton and Greenleys Town Council to have access to social media services and social networking websites at work, either through company IT systems or via their own personal equipment. It is essential however that where an employee, using a social media platform, can be clearly identified as an employee of Wolverton and Greenleys Town Council, they must act professionally and responsibly to maintain the Organisation's reputation and integrity at all times. Appropriate training will be provided to ensure all employees are aware of their responsibilities under the Social Media Policy.

### Terms of Use

- That the Council's reputation is upheld and improved rather than adversely affected

- That Council information remains secure and is not compromised through the use of social media
- That communication by use of social media is effective, useful, timely and appropriate; engages with a wider audience; utilises cross-promotion of other Council communication tools for instance the Town Council website and our quarterly magazine.

## **Our Aim**

Wolverton and Greenleys Town Council intend to use Social Media as an opportunity to communicate to a wide audience instantaneously on a range of subjects relating to its activities, news, providing updates, information and retweeting relevant information from other sources. It also provides an opportunity to communicate with a diversity of people and groups.

Social Media may be used to:

- Post calendar/dates of meetings;
- Advertise events and activities;
- Announce new information i.e. road closures/ reminders;
- Advertise job vacancies;
- Share information from partners, for example Police, Library and Health etc.;
- Gather opinions on particular issues;
- Post or Share information from other Parish related community groups / clubs / associations / bodies e.g. Schools, sports clubs and community groups;
- Refer resident responses to the clerk;
- Release information to the press to promote a decision or work of the Town Council.

## **Legal**

The Social Media Policy must be applied alongside relevant existing WGTC Policies and Procedures and must not post information which is contrary to any of the below;

- The Employee Code of Conduct;
- The Harassment and Bullying Procedure;
- The Equal Opportunities Policy;
- Aspects of the Member's Code of Conduct apply to online activity in the same way it does to other written or verbal communication;
- Data Protection: Avoid publishing the personal data of individuals unless their written permission has been obtained.
- Copyright: Placing images or text on Social Media, from a copy-righted source without permission is likely to breach copyright. Avoid publishing anything unless permission has been granted.

- Obscene Material: This is a criminal offence.

The Council's legal position: The Town Council is apolitical but it is worth noting that party-political material is a misuse of the Parish Council's website. In the six-week run up to an election - local, general or European – the council must be very careful not to do or say anything that could be seen in any way to support any political party or candidate. We will continue to publish important service announcements using social media but may have to remove responses if they are overtly party political.

## **Our Rules**

Users must ensure that they use social media responsibly and ensure that its use will not adversely affect the Council or its business, nor be damaging to the Council's reputation or otherwise violate any Council policies.

The objectives of the policy are to:

- Ensure employees are aware of their responsibilities when using social media networks;
- Ensure the Town Council's information systems are used only for legitimate business purposes;
- Encourage good practice in the use of social media;
- To enable the Town Council to circulate and obtain information in direct support of our activities and to support our work related functions;
- Inform the Town Clerk immediately if they become aware of a posting on a social media site which may contravene the Town Council's Social Media Policy.

Communications from the Town Council will meet the following criteria:

- Be moderated by staff only;
- Never make false or misleading statements;
- Not post images that include young people without parental permission;
- Ensure that security settings are in place;
- Respect the privacy of other councillors, staff and residents;
- Always remember to spell and grammar check;

## **Slanderous Comments Relating to Town Council Staff**

1. When the post is made screen shot the post. This post is then provided to the Clerk to collate.
2. The post is then reported through Facebook by the person discovering the post, to be taken down. This action is to be reported to the Clerk to note the date it was requested and confirmation that it has been removed.
3. The Police and PCSO are made aware to monitor behaviour and intervene if targeting an individual as harassment is unlawful.
4. If posts persist, request that the Wolverton Massive page is removed by Facebook.

5. If the issue still persists then the council engages a solicitor to send a Cease and Assist letter to stop the behaviour.

If behaviour still persists, start high court action to make injunction. This option is most costly and solicitor would need to be engaged to request an injunction.

## **7. MODEL PROTOCOL ON MEMBER/OFFICER RELATIONS**

### **Background**

This protocol is intended to assist Councillors and the Clerk, in approaching some of the sensitive circumstances which arise in a challenging working environment.

The reputation and integrity of the council is significantly influenced by the effectiveness of Councillors, the Clerk and other staff working together to support each other's roles.

The aim is effective and professional working relationships characterised by mutual trust, respect and courtesy. Close personal familiarity should be avoided.

### **Roles of Councillors and Employees**

The respective roles of Councillors and employees can be summarised as follows: Councillors and Officers are servants of the public and they are indispensable to one and other, but their responsibilities are distinct. Councillors are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the council. Their job is to give advice to Councillors and to the council, and to carry out the council's work under the direction and control of the council and relevant committees.

### **Councillors**

Councillors have four main areas of responsibility:

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

All Councillors have the same rights and obligations in their relationship with the Clerk and other employees, regardless of their status or political party, and should be treated equally.

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

### **Chair and Vice-Chair of Committees**

Committee Chairs and Vice-Chairs have additional responsibilities. These responsibilities mean that their relationships with employees may be different and more complex than those of other

Councillors. However, they must still respect the impartiality of Officers and must not ask them to undertake work of a party political nature, or to do anything which would prejudice their impartiality.

## **Officers**

The role of Officers is to give advice and information to Councillors and to implement the policies determined by the Council.

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

## **Expectations**

All Councillors can expect:

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

Officers can expect from Councillors:

- a working partnership;
- an understanding of, and support for, respective roles, workloads and pressures;
- leadership and direction;
- respect, courtesy, integrity and appropriate confidentiality;
- not to be bullied or to be put under undue pressure;
- that Councillors will not use their position or relationship with officers to advance their personal interests or those of others or to influence decisions improperly;
- that Councillors will at all times comply with the council's adopted Code of Conduct.

Some General Principles:

- Close personal relationships between Councillors and Officers can confuse their separate roles and get in the way of the proper conduct of Council business, not

least by creating a perception in others that a particular Councillor or Officer is getting preferential treatment.

- Special relationships with particular individuals or party political groups should be avoided as it can create suspicion that an employee favours that Councillor or political group above others.

## **Political Groups**

The operation of political groups is becoming more of a feature within parish councils, but it is worth repeating that it is NALC policy that party politics should have no place in parish councils. Parish Councillors are there to serve their community as members of the community, and should not be sidetracked by party political issues. Party politics within a parish council can pose particular difficulties in terms of the impartiality of the Clerk and other employees, and the relationship between Councillors and the staff generally.

Party political groups have no power to require the Clerk or any other employee to attend group meetings or to prepare written reports for them, and employees can legitimately refuse to do so. The Clerk and other Officers are responsible to the council as a whole and should not take action under instructions from any individual Councillor, even if he/she has been styled as 'Leader' of the council.

If your council has adopted party political groupings, the Clerk should ensure that any reports or advice offered to a political group are statements of relevant facts, with an appraisal of options and do not deal with the political implications of the matter or options, or make any recommendations. It is not the Clerk's job to make recommendations to a political group.

If a report is prepared for one political group, the Clerk should advise all other political groups that the report has been prepared, or that advice was given.

Any Clerk needing advice or guidance on matters relating to party groups or how to operate within a political environment, should seek advice from their County Association of NALC, or from the Society of Local Council Clerks.

## **When things go wrong**

### Procedure for officers

From time to time the relationship between Councillors and the Clerk (or other employees) may break down or become strained. Whilst it is always preferable to resolve matters informally, through conciliation by an appropriate third party, it is important that the council adopts a formal grievance protocol or procedure.

The district or unitary council's Monitoring Officer may be able to offer a mediation/conciliation role or it may be necessary to seek independent advice. For example, the Society of Local Council Clerks may be able to provide an independent person. The Chair of the council should not attempt to deal with grievances or work related performance or line management issues on their own. The council should delegate authority to a small group of Councillors to deal with all personnel matters.

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

For an example grievance procedure, contact your district or unitary council's Personnel or HR Department or the County Association of NALC.

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

## **9 Appointment of Allotment Representative**

### **Objective**

To provide a policy to appoint Allotment Representatives for the parish of Wolverton and Greenleys Town Council

### **2. Appointment of Allotment Representative for Wolverton and Greenleys Town Council**

2.1. A notice will be displayed of the vacant positions around the parish and allotment noticeboards and all suitable representatives will be considered.

2.2. Applicants wishing to be considered for the role are asked to provide their personal information along with a short statement as to why they would like to be a representative in writing to Wolverton and Greenleys Town Council for consideration by the office staff.

2.3. The applicant needs to be an existing plot holder and available to come in and speak to the office to discuss the role and its responsibilities, as listed below

2.4. Wolverton and Greenleys Town Council upholds the right not to appoint - The Assistant to the Clerks decision is final



### 3. Roles and responsibilities of the Allotment Representative

<b>Roles and responsibilities of the Allotment Representative</b>
1. Contact prospective plot holders from details provided by the office staff, to arrange viewings around the allotment sites
2. Keep all plot holders and potential plot holders personal details as provided confidential in line with the Data Protection Act
3. Understand the Town Councils officers limitations and that our remit is to provide land only to cultivate as stated under the Small Holdings and Allotments Act 1908
4. Attend Council meetings on a quarterly basis, to provide feedback on allotment issues, which are discussed and to agree realistic outcomes. See Officer time as above
5. Promote the allotment sites and encourage 100% occupancy on site.
6. Report any allotment holder seen to be contravening terms and conditions of tenancy agreement to the Town Council and work with the Town Council and plot holder to resolve the problem in a fair and positive way
7. Have the power to intervene to stop any practice that is detrimental or dangerous to persons and report any health and safety issues to the Town Council as soon as possible.
8. Assist with twice yearly site inspections as agreed in May and September
9. Assist with the maintenance of the site e.g. ridings, vacant plots
10. Be the eyes and ears of the site – reporting any issues to the Town Council
11. Work with Office staff building a good working cohesive relationship
12. Provide equality and fairness in their role and not aim any bias towards other plot holders
13. Only communicate what has been agreed by the council and not an individual's personal opinion

**Representatives Accountability** – If any of the council's policies are breached in terms of bullying, harassment, discrimination, vexatious remarks, breach of confidentiality or causing extra workload for staff the Council have the right to revoke the position of the representative's role.

The Assistant to the Clerk's decision is final

### 4. Wolverton and Greenleys Town Council roles and responsibilities

<b>Wolverton and Greenleys Town Council roles and responsibilities – NB 1. Only statutory requirement of the Town Council all other responsibilities are in addition and are not required</b>
1. Town Councils <b>Statutory requirement</b> is to supply land to allotment holders for cultivation (Small Holdings and Allotments Act 1908)
2. To provide contact details of potential plot holders to reps in order to arrange site visits

3. To provide tenancy agreements/rent due notifications annually and collect rent and enforce terms and conditions.
4. Represent the Town council at meetings and ensure that all agendas and minutes of meetings are displayed on site notice boards. Undertake actions where practicable
5. Keep an up to date record of rented and vacant plots which can be easily provided to the reps and maintain a waiting list, in line with the waiting list policy
6. Provide welfare facilities on agreed sites from April to September
7. Assist with twice yearly site inspections, update on to the system and write to plot holders when required
8. Town council agreed to be responsible for maintaining the ridings with up to 6 cuts per year April to September
9. The Town Council is not responsible for any damage caused to the Licensee's property or equipment arising out of malicious damage or vandalism
10. Town Council will make provision to allow access to the sites during normal working hours and access will not be prohibited at any time (subject to security of the estate as a whole)
11. Town Council will provide and maintain locks and keys for the site.
12. Town Council will maintain all existing security fencing.
13. The Town Council policy is not to strim any plots; due to cost.
14. Provide affordable plots to residents
15. Wolverton and Greenleys Town Council are the managers of the all parish allotment sites, except in the case of the Community Orchard, where there is a management agreement in place for this site.

**Summary:**

It is the Assistant to the Clerk's responsibility to ensure that the allotment representative role is fully understood and that the Representatives work with the Town Council staff to provide an effective working relationship for all.

**At a Meeting of Wolverton & Greenleys Town Council on 10<sup>th</sup> November 2016 the above policy was approved. Minute reference - TC16/174**

**10. POLICY/APPROACH TO COMMUNITY ASSET TRANSFERS**

**Purpose**

This policy is devised for a consistent approach to the assets which come up for possible acquisition by the Town Council within the parish of Wolverton and Greenleys Town Council whether through Milton Keynes Council's Community Asset Transfer Scheme or by other means.

**Step One**

Agree one or more members to be on the panel for the asset transfer, if the asset is up for tender through Milton Keynes Council's Community Asset Transfer Scheme. If not, approach the owner of

the property and the current management to advise that the Town Council is looking into this asset, work with them throughout this programme.

### **Step Two**

Is there a group within the community who already wishes to pursue this asset that the Council would look to support for them to obtain and run in the interests of the community? If this is a yes, then the Council should approach the group and see what support they require. If no then proceed to step three.

### **Step Three**

Consult with the public to see the need for this asset and any issues with its current set up.

### **Step Four**

Review the feedback from the consultation and consider whether to progress to step five.

### **Step Five**

If the Council and public still feel there is a need to take on this asset a structural survey of the property should be conducted.

### **Step Six**

Review the structural survey and consider whether to continue to step seven.

### **Step Seven**

This is the business planning stage. If the asset is to be a success then a feasibility study and a rigorous business plan of how to take the property forward should be in place, along with how the project is going to be funded. Once the business plan has been drafted review it for issues not identified which may arise. Is this a breakeven venture or a service to the community which the Council will subsidize? Are there any partners who wish to help in the running of the asset and any occupiers? Who is going to run it long term? How will it be staffed? Is it going to run as a separate entity to the Council and has this been included in the business plan?

### **Step Eight**

If the Council have all the above in place then the next stage is to start negotiations on taking on the property. Once the sale is agreed the business plan will need to be implemented so ensure everything is in place to implement it. If there is anything that is unsure, now is the last time to iron out any issues before the asset belongs to the Town Council.

## 11 DATA PROTECTION AND USE OF PERSONAL DATA

### Introduction

Wolverton and Greenleys Town Council are committed to the protection of personal data and always comply with our obligations under applicable data protection law including the Data Protection Act 1998. This document sets out our staff data protection policy to assist you in handling data correctly in carrying out your duties. Councillors' computers at home which hold data relating to council business are also subject to this policy.

This Policy is not intended to be a fully comprehensive guide to the Data Protection Act and any specific data protection issues should be referred to the Town Council, for advice.

The purpose of this Policy is to outline fundamentals of the Data Protection Act so that all staff and councillors are aware of them and can identify questions or issues that must be referred to the Town Clerk.

### Definitions used in this Policy

**"Personal Data"** is any information that can identify a living individual. This includes Sensitive Data (see below), names, addresses, photographs, National Insurance numbers, bank account details – these are just a few examples and the list is endless.

**"Sensitive Data"** is Personal Data relating to an individual's racial or ethnic origin, political opinions, religious or other beliefs, trade union membership, health, sex life, criminal proceedings or convictions.

**"Processing"** means any operation carried out by the Town Council or its staff on Personal Data e.g. collection, storage, disclosure to anyone, transfer to anyone and deletion. **NB. The Data Protection Act covers both electronic data and data held on manual records.**

### The rules of fair Processing – Key Principles

The Data Protection Act contains 8 **Principles** that apply to all Personal Data Processing. Personal Data must always be:

1. Fairly and lawfully processed.
2. Processed for clearly identified purposes that have been notified to individuals who give us Data.
3. Relevant and not excessive for the purpose told to individuals.
4. Accurate, and where necessary, kept up to date.
5. Not kept for longer than is necessary.
6. Processed in line with the individual's rights
7. Secure.
8. Not transferred to countries without adequate protection.

## Staff Responsibility

**(a) Principles 1/2/3** - The Data Protection Act requires that Personal Data be Processed "fairly and lawfully". Personal Data will not be Processed fairly and lawfully unless one of the following conditions are met:

- ***The individual has consented to the Processing***

We will mainly rely on this condition in respect of Personal Data requested from a member of public via a marketing activity. When requesting data we must tell the individual what we will do with the information and ask them for their consent.

To facilitate this where appropriate we will incorporate a Data Protection Statement in our marketing materials, which will enable the individual to 'opt out' of their details being stored or used for market research, publicity or direct marketing activities.

Sensitive Data will not be processed unless it is with explicit consent or where required, under one of the following circumstances:

- for employment purposes;
- to protect vital interests of the individual or another; or
- for the administration of justice or legal proceedings.

As a source of public information, the Town Council maintains a public information file. Only the public contact details of organizations and individuals should be recorded on this file, which is available to the public.

**(b) Principle 4** – All staff and councillors must make every effort to ensure that any Personal Data entered onto their computers, is recorded accurately. Staff will also be responsible for updating records as and when we receive notification from the individual/contractor/agency/or other of a change in their personal details. NB. When we are notified of bereavement the individual's details must be deleted immediately and replaced accordingly.

**(c) Principle 7** - We take security measures to safeguard Personal Data. This includes technical measures (e.g. password protection on the computer system) or organisational measures (e.g. burglar alarms and door locks). The measures are designed to prevent any unauthorised access to or disclosure of Personal Data. In particular, you must take care to do the following:-

- Always ensure that the doors to the council office are locked.
- PC's are password protected with secure passwords containing numbers and letters.
- Our IT support contractors have remote access to our computers by permission only and when used, staff should watch to ensure that access is not permitted to confidential information.
- Office keys, entry codes and computer password are safe and are not disclosed/passed to anyone other than a fellow employee.
- Do not disclose Personal Data to anyone who is not a fellow employee unless the disclosure is allowed by the Town Clerk. This includes disclosures to the police, other

clients and third parties. *(NB. If in doubt, take the name and address of the person seeking the disclosure and then contact the individual concerned to seek their consent to disclose or facilitate their direct contact).*

- Report all security breaches or suspected breaches.
- Always shred any paperwork that shows Personal Data
- Password protect any sensitive documents.
- All key holders must ensure that they set the burglar alarm correctly when the building is empty.
- All safes must be locked at the end of the day.
- All filing cabinets should be locked at the end of the day.

**(d) Personal Data Requests & Filing** – all requests by individuals or third parties to see their own or another persons' Personal Data held on our electronic or manual files must be received in writing with our response e.g. a letter from a member of the public requesting copies of any correspondence and information we hold on them.

**Please also note:-** *If a third party requests 'sensitive data' on an individual, we must receive consent from the individual concerned to release that data..*

*If an individual requests information about themselves that contains 'sensitive data' recorded by a third party, we must receive consent from the third party to release said data.*

## 11. VAN POLICY

Employees of the Council may be authorised to drive the Council vehicle on Council business by prior agreement with the Town Clerk, on producing a full valid UK driving licence.

- a. Any additional drivers must be authorised annually by the Full Council and will also be required to produce a full valid UK driving licence.
- b. Drivers under the age of 25yrs must be agreed by the Full Council.
- c. A copy of the driving licence of any authorised driver will be kept on the personnel file, and updated annually.
- d. Any driving convictions must be declared to the Town Clerk, including speeding fines, which may influence whether you are permitted to drive the vehicle in the future.
- e. If there are any changes to drivers licences or medical conditions during, before or after supplying a copy of their driving licence this must be reported to the Town Clerk immediately.
- f. Before using the vehicle the driver must inspect the vehicle for any damage and or any safety implications.
- g. Any safety implications must be reported by the driver before anyone else is permitted to use the vehicle.
- h. A drivers log must be kept in the van at all times and completed before use.
- i. The use of the vehicle is only permitted for Town Council business.
- j. Use of the vehicle is not permitted to and from work.
- k. Council vehicles will be secured safely inside the water tower at the end of each day, and the keys locked in a secure box.
- l. Use of the Council vehicle is not permitted outside of working hours unless prior agreement with the Town Clerk.
- m. The vehicle must be locked securely, with the windows, up when not attended.

- n. If any damage is incurred to the vehicle whilst you are at the wheel, this must be reported to the Town Clerk, and any other party involved immediately. Details of the incident, and any other vehicles/persons involved will be expected to be provided.
- o. Two passengers are permitted only if their involvement is with the event/job.
- p. If any fines incurred whilst driving are the driver's responsibility and the Town Council will not be expected to reimburse the driver.
- q. No one is permitted to drive whilst under the influence of alcohol or illegal substances.
- r. The use of mobile phones whilst driving is prohibited.
- s. Smoking in the vehicle is against the law and will be treated as gross misconduct.

## **12 CANCELLATION/TRAVELLERS POLICY**

### **Purpose**

The purpose of the Town Council's Cancellation Policy is to set out and give guidance on the standard procedures for dealing with any cancellations whereby the Town Council has or has not incurred costs.

It is the duty of the clerk to keep all councillors fully informed.

### **Cancellations and Amendments**

- All requests for cancellations must be received in writing.
- Cancellation charges will become effective on the date of written confirmation being received
- The appropriate cancellation charge will apply based on the cost of your booking to include percentage costs of travel, meals/food already committed to and hotel charges.
- Cancellations made 56 Calendar days before the start date of the event will be charged the full amount.
- Cancellations made prior to 56 Calendar days before the start date of the event will be charged the deposit amount.
- In the event of a delegate named on the booking form being unable to attend, we will accept substitution of another delegate on the condition that written notification of the substitution has been received by us prior to the event.
- The delegate unable to attend is responsible for any charges incurred in making the amendments.
- The Town Council reserves the right to cancel or postpone an event or booking.
- In the event of cancellation of an event, we will endeavour to inform delegates 7 days before the event is due to take place, although please be aware that this is not always possible. All the event fees will be reimbursed in full. The Town Council shall not accept liability for any consequential loss and shall have no liability to reimburse any other costs that may have been incurred.
- The Town Council shall not be liable to refund of fees or for any other penalty should the event be cancelled due to war, fire, strike lock-out, industrial action, tempest, accident, civil disturbance or any other cause whatsoever beyond their control.
- Failure to attend the event will result in the full cost being incurred. No refund shall be given.
- It may be necessary, for reasons beyond the control of the Town Council, to change the content and timing of the programme, the date or the venue.

- The Town Council reserves the right to cancel an event due to low enrolment or other circumstances which would make the event non-viable.

### **Deposits**

- Deposits are non-refundable
- Deposits should be made up of travel costs, food and other sundries costs committed to, accommodation costs & entry fees where applicable
- Deposits to be paid within 28 days of request

### **Payment**

- Balance to be paid 12 weeks prior to travel date
- Payment must be made in pounds Sterling by cheque, cash or BACS.
- Upon receipt of your registration/booking form and subsequent payment your place(s) will be confirmed

### **Insurance**

- The Town Council is not liable for personal loss or injury.
- Each delegate must provide their own travel insurance as per booking form.
- The Town Council's insurance does not cover individuals
- The Town Council are not liable for loss or damage to individual's vehicles

### **Miscellaneous**

- Submission of the booking form along with deposit payment will result in securing a place if available.
- It is the responsibility of the delegate to complete the booking form in full.
- Booking form and acknowledgement of cancellation policy to be signed and returned to the office.
- Any person travelling before their 18<sup>th</sup> birthday must have their booking form endorsed by a parent/guardian.

## **CHILD PROTECTION POLICY**

### **Policy information**

Wolverton & Greenleys Town Council recognises its responsibilities for child protection. This policy applies to all staff that work or come into contact with children during the course of their duties with the Council.

There are five main elements to this policy.

- a. The practice of safe recruitment in checking the suitability of staff and volunteers who work with children.
- b. The welfare of a child is paramount.
- c. All children, whatever their age, culture, disability, gender, language, racial origin, religious beliefs and/or sexual identity, have the right to protection from abuse.



- d. All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately.
- e. All staff (paid/unpaid) working for the Council have a responsibility to report concerns to the appropriate officer.

### **Statement**

The Council has a duty of care to safeguard all children involved in activities managed by the Council. All children have a right to protection, and the needs of disabled children and others who may be particularly vulnerable must be taken into account. The Council will ensure the safety and protection of all children through adherence to the Child Protection guidelines contained within this policy.

A child is defined as a person under the age of 18 (The Children Act 1989)

### **Policy Aims**

The aim of the Council's Child Protection Policy is to promote good practice by:

- a. Providing children and young people with appropriate safety and protection whilst in the care of the Council.
- b. Allowing all staff /volunteers to make informed and confident responses to specific child protection issues.

### **Promoting Good Practice**

Child abuse, particularly sexual abuse, can arouse strong emotions in those facing such a situation. It is important to understand these feelings and not allow them to interfere with your judgment about the appropriate action to take.

Abuse can occur in many situations. Some individuals will actively seek employment or voluntary work with young people in order to harm them. All suspicious cases of poor practice should be reported following the guidelines in this document.

### **Good Practice Guidelines**

All employees of the Council should be encouraged to demonstrate exemplary behaviour in order to protect themselves from false allegations. The following are common sense examples of how to create a positive culture and climate.

Good practice means:

- a. Always working in an open environment avoiding private or unobserved situations and encouraging open communication.
- b. Treating all young people/disabled adults with respect and dignity.
- c. Always putting the welfare of each young person first.
- d. Maintaining a safe and appropriate distance with children (e.g. it is not appropriate for staff or volunteers to have an intimate relationship with a child).

- e. Involving parents/carers /carers whenever possible. For example, encouraging them to take responsibility for their children.
- f. Being an excellent role model – this includes not smoking or drinking alcohol in the company of young people.
- g. Keeping a written record of any injury that occurs, along with the details of any treatment given.

#### **Practices to be avoided**

The following should be avoided except in emergencies. If a case arises where these situations are unavoidable (e.g. the child sustains an injury and needs to go to hospital), it should be with the full knowledge and consent of someone in charge or the child's parent.

Otherwise, avoid:

- a. Spending excessive amounts of time alone with children away from others.

#### **Practices never to be sanctioned**

The following should never be sanctioned. You should never:

- a. Engage in rough physical or sexually provocative games, including horseplay.
- b. Allow or engage in any form of inappropriate touching.
- c. Allow children to use inappropriate language unchallenged.
- d. Make sexually suggestive comments to a child, even in fun.
- e. Reduce a child to tears as a form of control.
- f. Allow allegations made by a child to go unchallenged, unrecorded or not acted upon.
- g. Do things of a personal nature for children or disabled adults that they can do for themselves.

#### **Recruitment and training of staff and volunteers**

The Council recognises that anyone may have the potential to abuse children in some way and that all reasonable steps will be taken to ensure unsuitable people are prevented from working with children.

Pre-selection checks must include the following:

- a. All staff/volunteers should complete an application form. The application form will elicit information about an applicant's past and self-disclosure about any criminal record.
- b. Consent should be obtained from an applicant to seek information from the Disclosure and Barring Service'.
- c. The Council will seek an enhanced Criminal Record Bureau check.
- d. Two confidential references must be taken up and confirmed through telephone contact.

- e. Evidence of identity should be provided (e.g. passport or driving Licence with photo)

### **Training**

Training should be offered after recruitment to help staff and volunteers to:

- a. Analyze their own performance against good practice, and to ensure their practice is likely to protect them from false allegations.
- b. Recognise their responsibilities and report any concerns about suspected poor practice or possible abuse.
- c. Respond to concerns expressed by a child or young person.
- d. Work safely and effectively with children.

### **Responding to allegations or suspicions**

It is not the responsibility of anyone working for the Council, in paid or unpaid capacity, to decide whether or not child abuse has taken place. However, there is a responsibility to act on any concerns through contact with the appropriate authorities.

The Council will assure all staff/volunteers that it will fully support and protect anyone who in good faith reports his/her concern that a colleague is, or may be, abusing a child.

Where there is a complaint against a member of staff there may be three types of investigation:

- a. A criminal investigation.
- b. A child protection investigation.
- c. A disciplinary or misconduct investigation.

The results of the police and child protection investigation may well influence the disciplinary investigation, but not necessarily.

### **Action**

Concerns about poor practice:

If following consideration, the allegation is clearly about poor practice, the Town Clerk will deal with it as a misconduct issue.

Concerns about suspected abuse:

- a. Any suspicion that a child has been abused by either a member of staff or a volunteer should be reported to the Town Clerk, who will take
- b. such steps as considered necessary to ensure the safety of the child in question and any other child who may be at risk.
- c. The Town Clerk will refer the allegation to the social services department which may involve the police, or go directly to the police if out-of-hours.

- d. The parents/carers or carers of the child will be contacted as soon as possible following advice from the social services department.
- e. If the Town Clerk is the subject of the suspicion/allegation, the report must be made to the Leader of the Council who will refer the allegation to social services.

### **Confidentially**

Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only.

This includes the following people:

- a. Town Clerk
- b. The parents/carers of the person who is alleged to have been abused
- c. The person making the allegation
- d. Social Service/Police
- e. The Chair of the Council
- f. The alleged abuser

Seek social services advice on who should approach the alleged abuser.

Information should be stored in a secure place with limited access to designated people, in line with data protection laws (e.g. that information is accurate, regularly updated, relevant and secure).

### **Internal enquires and suspension**

- a. The Town Clerk will make an immediate decision about whether any individual accused of abuse should be temporarily suspended pending further police and social services inquire.
- b. Irrespective of the findings of the social services or police enquires the Council's disciplinary procedures will be used to assess all individual cases to decide whether a member of staff or volunteer can be reinstated and how this can be sensitively handled. This may be a difficult decision, particularly where there is insufficient evidence to uphold any action by the police. In such cases, the disciplinary panel must reach a decision based upon the available information, which could suggest that on a balance of probability; it is more likely than not that the allegation is true. The welfare of the child should remain of paramount importance throughout.

### **Allegations of previous abuse**

Allegations of abuse may be made some time after the event (e.g. an adult who was abused as a child or by a member of staff who is currently working with children).

Where such an allegation is made, the Council should follow the procedures as detailed above and report the matter to the social services or the police. This is because other children may be at risk from this person. Anyone who has previous criminal convictions for offences related to child abuse is

automatically excluded from working with children. This is reinforced by the details of the Protection of Children Act 1999.

### **Information for Social Services or the Police about suspected abuse**

To ensure that this information is as helpful as possible, a detailed record should always be made at the time of disclosure/concern, which should include the following:

- a. The child's name
- b. The child's home address and telephone number.
- c. Whether or not the person making the report is expressing their own concerns of those of someone else.
- d. The nature of the allegation, to include dates, time, any special factors and other relevant information.
- e. Make a clear distinction between what is fact, opinion or hearsay.
- f. A description of any visible bruising or other injuries. Also any indirect signs, such as behavioral changes.
- g. Details of witnesses to the incidents.
- h. The Child's account, if it can be given, of what has happened and how any bruising or other injuries occurred.
- i. Have the parents/carers been contacted?
- j. If so, what has been said?
- k. Has anyone been consulted? If so, record details.
- l. If the child was not the person who reported the incident, has the child been spoken to? If so, what was said?
- m. Where possible referral to the police or social services should be confirmed in writing within 24 hours and the name of the contact who took the referral should be recorded.

## **EQUALITY AND DIVERSITY POLICY**

### **Introduction**

The Equality Act 2010 came into force in October 2010. The legislation covers a prescribed set of protected characteristics including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

It also covers prohibited conduct including unlawful discrimination, adjustments for disabled persons, victimisation and harassment; services and public functions; premises; employment; contracts; and, advancement of equality. The latter provision specifies a public sector equality duty, which applies equally to town and parish councils.

### **Policy**

The Town Council is committed to promoting equality and diversity, providing an inclusive and supportive environment for all. In the implementation of this policy the Town Council will:

- a) Ensure that people are treated solely on the basis of their abilities and potential, regardless of race, colour, nationality, ethnic origin, religious or political belief or affiliation, trade union membership, age, gender, gender reassignment, marital status, sexual orientation, disability, socio-economic background, or any other inappropriate distinction
- b) Promote diversity and equality for all staff and value the contributions made by individuals and groups of people from diverse cultural, ethnic, socio-economic and distinctive backgrounds
- c) Promote and sustain an inclusive and supportive work environment which affirms the equal and fair treatment of individuals in fulfilling their potential and does not afford unfair privilege to any individual or group
- d) treat part time staff fairly and equally
- e) challenge inequality and less favourable treatment wherever practicable
- f) promote greater participation of under-represented groups of staff by encouraging positive action to address inequality
- g) promote an environment free of harassment and bullying on any grounds in relation to all staff, Councillors, contractors and visitors attending the Council's offices or meetings.

The task of promoting social inclusion, tackling unlawful discrimination and encouraging equal opportunities are key issues for Wolverton & Greenleys Town Council and the Council is committed to:

- i. eliminating unlawful discrimination, harassment and victimisation

- ii. advancing equality of opportunity between different groups
- iii. fostering good relations between different groups

### **Scope of the Policy**

This policy is designed to value diversity and to ensure equality of opportunity and access to services and that no one receives less favourable treatment on the grounds of:

- a. Race (i.e. colour, ethnic or national origin, nationality or citizenship).
- b. Gender reassignment
- c. Disability
- d. Sex
- e. Sexual orientation
- f. Age
- g. Religion or belief
- h. Caring for others
- i. Trade Union or political activities
- j. Pregnancy and Maternity
- k. Marriage and Civil Partnership

This list is not exhaustive.

### **Objectives of the Policy**

To improve delivery, information and access to services we will:

- a. Ensure all employees, contractors and users of our services are informed about our Equality and Diversity Policy
- b. Apply equal opportunities principles to work undertaken for the council by
  - a. external contractors, other organisations in receipt of council funding and in work with our partners
- c. Rectify any elements of our work which have the potential for unlawful discrimination and prejudice

To improve access and opportunity to employment and training we will:

- a. Implement our Equality and Diversity Policy in our role as an employer
- b. Demonstrate our commitment in the way the Town Council
  - i. recruits and selects people
  - ii. trains and develops people
  - iii. recognises the abilities that individuals demonstrate
  - iv. expects the highest standards of employee conduct and behaviour.
- c. Not accept any form of unfair treatment, unlawful discrimination, bullying or harassment or removal of dignity by any of our employees or to any of our employees
- d. Review and develop procedures in the context of equality and diversity.

To promote equality and diversity with other partners we will:

- a. Promote tolerance and respect between diverse groups and individuals
  - a. Acknowledge and celebrate, wherever possible, the variety of lifestyles and cultures within the town
- b. Challenge all forms of unlawful discrimination within the Town Council and the wider community
- c. Support the development of communities and assist them in challenging unlawful discrimination, harassment, bullying and violence.

## **Responsibility and Liability**

All members of staff remain personally responsible for ensuring that they act within the law. The Town Clerk is responsible for ensuring that staff perform their duties in a lawful manner and that proper training and support is provided accordingly. In certain circumstances the Town Council could be vicariously liable for actions carried out by staff purportedly in the Town Council's name. Any member of staff may be personally liable if, whilst on Council business and despite guidance and training from the Council, they behave illegally in respect of the Equality Act 2010.

## **Equality Aims**

### Age

The Town Council will eliminate unlawful age discrimination and will review policies (including retirement) to ensure that they comply.

### Sexual Orientation

The Town Council will eliminate unlawful discrimination on grounds of sexual orientation or gender.

### Disability

The Town Council will remove barriers to participation by disabled people, wherever possible. Staff who become disabled whilst working with the Council will be offered reasonable adjustments to enable them to continue working.

### Race/Ethnic Origin

The Town Council will encourage participation of minority ethnic groups in its activities.

### Religion

The Town Council will respect people from diverse religious and cultural backgrounds and will give due regard to the needs and requirements of people who adhere to a range of cultural and religious beliefs. This will include staff needs in relation to dietary requirements, and requests for leave and facilities for religious observance.

## **Equal Pay**

The Council is committed to equal pay in employment. It believes its male and female employees should receive equal pay for like work, work rated as equivalent or work of equal value. In order to



achieve this, the Council will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

## **Employee Responsibilities**

Employees have a duty to co-operate with the Council to make sure that this Policy is effective in ensuring equal opportunities and in preventing unlawful discrimination, harassment or bullying. Action will be taken under the Council's disciplinary procedure against any employee who is found to have committed an act of improper or unlawful discrimination, harassment, bullying or intimidation. Serious breaches of this Equal Opportunities and Diversity Policy will be treated as potential gross misconduct and could render the employee liable to summary dismissal. Employees should also bear in mind that they can be held personally liable for any act of unlawful discrimination or harassment. Employees who commit serious acts of harassment may also be guilty of a criminal offence.

Employees must draw the attention of their Manager/Supervisor to suspected discriminatory acts or practices or suspected cases of harassment or bullying. They must not victimise or retaliate against an employee who has made allegations or complaints of unlawful discrimination or harassment or who has provided information about such unlawful discrimination or harassment. Such behaviour will be treated as potential gross misconduct in accordance with the Council's disciplinary procedure.

The Council will also take appropriate action against any third parties or Councillors who are found to have committed an act of improper or unlawful harassment against its employees.

## **Reporting Complaints**

All allegations of unlawful discrimination or harassment will be dealt with seriously, confidentially and speedily. The Council will not ignore or treat lightly grievances or complaints of unlawful discrimination or harassment from employees

If you wish to make a complaint of unlawful discrimination, you should use the Council's grievance procedure.

## **Bullying and Harassment Policy**

Note: This policy should be used in conjunction with the Council's Disciplinary and Grievance procedures.

### **Purpose and scope**

Statement: In support of our value to respect others. Wolverton & Greenleys Town Council will not tolerate bullying or harassment by, or of, any of their employees, officials, members, contractors, visitors to the council or members of the public. The council is committed to the elimination of any form of intimidation in the workplace. This policy reflects the spirit in which the council intends to undertake all of its business and outlines the specific procedures available to all employees in order to protect them from bullying and harassment. It should be read in conjunction with the council's policies on Grievance and Disciplinary handling. The council will issue this policy to all employees as part of their induction and to all members as part of their Welcome Pack. The council may also wish to share this policy with contractors, visitors and members of the public.

### **Definitions**

Bullying "Bullying may be characterised as a pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; an abuse of this use of power or authority which tends to undermine an individual or a group of individuals, gradually eroding their confidence and capability, which may cause them to suffer stress."

Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. This policy covers, but is not limited to, harassment on the grounds of sex, marital status, sexual orientation, race, colour, nationality, ethnic origin, religion, belief, disability or age. These definitions are derived from the ACAS guidance on the topic. Both bullying and harassment are behaviours which are unwanted by the recipient. Bullying and harassment in the workplace can lead to poor morale, low productivity and poor performance, sickness absence, lack of respect for others, turnover, damage to the council's reputation and ultimately, Employment Tribunal or other court cases and payment of unlimited compensation.

Examples of unacceptable behaviour are as follows; (this list is not exhaustive) Spreading malicious rumours, insulting someone, ridiculing or demeaning someone, exclusion or victimisation, unfair treatment, overbearing supervision or other misuse of position or power, unwelcome sexual advances, making threats about job security, deliberately undermining a competent worker by overloading work and/or constant criticism, preventing an individual's promotion or training

opportunities. Bullying and harassment may occur face -to-face, in meetings, through written communication, including e-mail, by telephone or through automatic supervision methods. It may occur on or off work premises, during work hours or non-work time.

### **Penalties**

Bullying and harassment are examples of serious misconduct which will be dealt with through the Disciplinary Procedure at Gross Misconduct level and may result in summary dismissal from the council for employees or through referral to Milton Keynes Standard Committee, as a contravention of the Member's Code of Conduct which may result in penalties against the member concerned. In extreme cases harassment can constitute a criminal offence and the council should take appropriate legal advice, sometimes available from the council's insurer, if such a matter arises.

### **The Legal position**

Councils have duty of care towards all their workers and liability under common law and under the Employment Rights Act 1996 and the Health and Safety at Work Act 1974. Under the following laws bullying or harassment may be considered unlawful discrimination; Sex Discrimination Act 1975, Race Relations Act 1976, Disability Discrimination Act 1995, Employment Equality (Sexual Orientation) Regulations 2003, Employment Equality (Religion or Belief) Regulations 2003, Employment Equality (Sex Discrimination) 2005, Employment Equality (Age) Regulations 2006. In addition, the Criminal Justice and Public Order Act 1994 and Protection from Harassment Act 1997 created a criminal offence of harassment with a fine and/or prison sentence as a penalty and a right to damages for the victim. In addition, a harasser may be personally liable to pay damages if a victim complains to an Employment Tribunal for sexual, racial, disability or age discrimination.

### **Process for dealing with complaints of bullying and harassment**

#### **Informal approach**

Anyone; employee, contractor, member or visitor, who feels he or she is being bullied or harassed should try to resolve the problem informally, in the first instance. It may be sufficient to explain to the person(s) involved in the unwanted behaviour that their conduct is unacceptable, offensive or causing discomfort.

#### **Formal approach**

Employees: Where the employee feels unable to resolve the matter informally any complaint about harassment or bullying can be raised confidentially and informally, initially with the Chair of the Personnel committee or another Cllr if more appropriate. It may be appropriate for the complaint to be put in writing after the initial discussion with the Cllr, as this will enable the formal Grievance Procedure to be invoked.

If your complaint is upheld and the harasser remains in the Council's employment, the Council will take all reasonable steps to ensure that you do not have to continue working alongside him or her if you do not wish to do so. The Council will discuss the options with you.

If your complaint is not upheld, arrangements will be made for you and the alleged harasser to continue or resume working and to repair working relationships.

#### **Others**

Any non-employee, contractor, member, visitor and member of the public who feels he or she is being bullied or harassed should raise their complaint with a councillor, where possible, or the Monitoring Officer if an informal notification to a member has been unsuccessful at eliminating the

problem or where should then be investigated and a hearing held to discuss the facts and recommend the way forward. A member of the public who feels s/he has been bullied or harassed by any members or officers of a council should use the council's official Complaints Procedure.

Disciplinary Action - Following a Grievance Hearing or investigation into allegations of bullying or harassment a full report will be made to all parties and this may result in disciplinary action being taken against the perpetrator of the alleged action/behaviour.

This will follow the council's Disciplinary procedure and would normally be treated as Gross Misconduct.

See Staff Handbook.

Where the Council reasonably believes that a Member or Members have been bullying or harassing another person(s) whilst undertaking council activities the action taken to address the issue may include counselling or training in appropriate skill areas e.g. inter-personal communication, assertiveness, chairmanship etc., may be more appropriate than a penalty. The range of disciplinary sanctions available to the council, where a member has been involved in bullying/harassment include: admonishment and an undertaking not to repeat the process, removal of opportunities to further harass/bully, banning from committees of the council and representation on any outside bodies, a referral to the Standards Committee (or equivalent) by the council and/or the aggrieved victim. There may also be a referral to the Police under the Protection from Harassment Act 1997, in the most extreme cases. This list is not exhaustive.

False or malicious allegations of harassment or bullying which damage the reputation of a fellow employee/member will not be tolerated and will be dealt with as serious misconduct under the Disciplinary Procedure and/or a referral to the Standards Committee.

### **Responsibilities**

All parties to the council have a responsibility to ensure that their conduct towards others does not harass or bully or in any way demean the dignity of others. If unacceptable behaviour is observed then each individual can challenge the perpetrator and ask them to stop.

The council undertakes to share its policy with all members and workers and request that each party signs to demonstrate acceptance of its terms. All new members and employees will be provided with a copy of this policy.

With cases of harassment, while the Council encourages employees who believe they are being harassed or bullied to notify the offender (by words or by conduct) that his or her behaviour is unwelcome, the Council also recognises that actual or perceived power and status disparities may make such confrontation impractical.

## **RECRUITMENT OF STAFF**

- a. When a role becomes vacant the council will decide whether the internal structures of the council should be reviewed with the job duties based on the advice received from the Town Clerk.
- b. Where it is agreed to recruit for the vacant position a carefully structured recruitment plan will map out the strategy for attracting and hiring the best qualified candidate which helps to ensure an applicant pool. This will include placement goals, advertising channels to be used to achieve those goals, a period for advertisement and a recruitment panel.
- c. A recruitment pack will be prepared comprising the job description, application form, a summary of ideal candidate specifications, working hours and salary scale points and closing date for applications.
- d. All applications received within the allotted time frame will be reviewed and short listed. Candidates will be selected taking into account the council equality and discrimination policies. No CV's will be accepted.
- e. All applications will be acknowledged by either a letter of regret or an invitation for interview.
- f. Interviews will be conducted by the agreed panel which will have the power to appoint the successful candidate.
- g. All interviewees will receive a letter of regret if they are unsuccessful. The successful candidate will receive an offer letter, subject to references, and will be appointed with a six month probationary period. References will be taken up from the current employer and immediate past employer. The candidate will be required to provide evidence of eligibility to work in the UK which will be held on their personnel file along with their signed Contract of Employment, signed Job Description.
- h. All employees are paid in accordance with the nationally negotiated local government pay scales in force at the time and in compliance with the Living Wage.
- i. All employees will be automatically enrolled into the council's pension scheme (LGPS) but have the right to opt out if they wish.

## **RETENTION OF STAFF**

- a. All employees of the council will be subject to a formal annual appraisal which will be conducted between March-April in addition to regular day to day performance management designed to aid the retention of valuable members of staff.
- b. The appraisal process provides a formal method of identifying and documenting any further training and development needs, changes to the employee job description to accurately reflect the role etc as well as monitoring staff performance.

- c. Staff training will enhance the aim of high quality service provision as well as enhancing individual employees' personal advancement, primarily within the organisation, where those opportunities exist.
- d. The council will review its Training Statement of Intent annually and will budget for training for both councillors and staff accordingly.
- e. Existing employees will be considered to fill a vacancy before it is advertised. This provides opportunities for advancement within the organisation.
- f. Where the opportunity arises the council will encourage staff to extend their personal career development prospects by assuming additional responsibilities on a temporary or time limited basis.

## **TRAINING STATEMENT OF INTENT FOR COUNCILLORS AND EMPLOYEES**

### **Objective**

The Town Council consists of elected Councillors and employs members of staff. Wolverton & Greenleys Town Council offers an opportunity to provide focus for the community. It is important that the Council speaks for and acts in the interests of all the residents, businesses and organisations within the Council's area. Our priorities include the following:

- I. To run the Council completely in the interests of our community and ensure best value in the use of our taxpayers money
- II. To maintain a focus on traffic issues in the area including the need to tackle the continuing problem of unnecessary through traffic and speeding, through further traffic calming or other speed reduction measures
- III. To maintain and enhance the existing public open spaces, including footpaths, play areas and allotments
- IV. To encourage and support the provision of community facilities and activities for young and older people
- V. To ensure that Wolverton & Greenleys Town Council gets best value from the services provided by Milton Keynes Council and other public bodies
- VI. To maintain a caretaking team to be flexible in their skills and approach to the needs of Wolverton & Greenleys Town Council and the residents. To improve our environment and help with events
- VII. To encourage discussion about Wolverton, Greenleys, Hodge Lea and Stacey Bushes and contribute to the spirit of the community
- VIII. To influence and monitor planning applications to try and ensure that any new developments enhance the character of Wolverton & Greenleys
- IX. To work with the police, PCSO's , Neighbourhood Action Groups, and other local groups to make our community safe

One way we can be successful in achieving our Mission is to be properly trained in our roles.

### **Councillors**

How do we identify training needs?

Through:

- I. Councillor induction programmes.
- II. Regular review of New Government legislation and guidelines.
- III. Assessment of individual councillors' training needs via a councillors' training programme.

How is training funded?

Funding is from:

Budgeted expenditure by Council.

What we can expect from the Training Programmes?

To be encouraged to consider and identify our own developmental needs in the light of any specified skills for our posts and through supervision and discussions

- I. To receive a councillor induction. (see programme attached)
- II. To be made aware of appropriate training and developmental opportunities
- III. To have a record any such development/training undertaken.
- IV. To have access to all learning materials and reference books held at the Town Council offices and other Departmental sites.
- V. To take responsibility ourselves to maintain and improve our knowledge and skills.

### **Councillors' Induction**

The induction of new Councillors is taken in two parts:

- A briefing by the Chair of the Council.
- An induction session with the Town Clerk.

### **Briefing with the Chair of the Council**

- I. To discuss current issues within the Town Council. Each Committee can be highlighted and a discussion on the matters currently being dealt with by each.
- II. A discussion on the Councillors' own background experience and his/her preferences regarding the Committee (s) upon which he/she would like to serve.
- III. To discuss the various sub committees and working groups and highlight any interests the Councillor may have in working on these.
- IV. To discuss outside bodies, and the Town Council's liaison with them.

### **Councillor Induction session with the Clerk**

The Clerk should have the following documents to hand to give to the Councillor.

- I. Latest Annual Report
- II. Wolverton & Greenleys News
- III. Communications protocol
- IV. Code of Conduct and Guidance on the Code of Conduct
- V. Standing Orders
- VI. Financial Regulations and Authority to spend
- VII. Compliments, comments and complaints
- VIII. Calendar of Meetings
- IX. Councillors' and staff contacts form
- X. Committee membership choices form
- XI. Terms of Reference for all Committees
- XII. The Good Councillor's Guide
- XIII. Declaration of Acceptance of Office
- XIV. Register of Interests
- XV. Contact sheet (to be completed)
- XVI. Gifts and Hospitality record

When he/she arrives it is helpful to introduce him/her to the staff as and when available.

### **Overview of the Town Council**

*The latest Annual Report and The Good Councillor Guide.*

- I. Discuss the overview of the Town Council - the ward boundaries, when elections are held (May 2016).
- II. The number of Councillors in each Ward. Councillors contact list to be distributed to all Councillors on receipt of the completed Councillors Contacts forms.

### **Staff Structure**

- Discuss where each of the staff are located and the line of reporting.

### **Properties**

- Outline the Town Council's properties.  
Discuss exactly where they are in the town, and how they are managed.

### **Role of the Clerk**

- Support to the Council.

### **Committees (If applicable)**

*Terms of reference of Committees, Financial Regulations, Committee choices form, Calendar of Committee meetings*

- Delegated Powers of Committees and how this works within the Council.



- Elections to Committees take place each May. Committee choices form to be completed.
- Discuss the various sub committees and working groups. How they meet and to whom they report.
- Calendar of Committee and Sub Committee dates, where they meet.

## Code of Conduct

### *Standing Orders and the Code of Conduct.*

- Standing orders are adhered to at all times.
- Discuss confidentiality and the fact that these items are copied on red paper when they come out with the agendas.
- Declarations of interest, made at meetings are recorded in the minutes and also placed in a register. Register of Interests form also needs to be completed and updated within 28 days of any changes.
- Gifts and Hospitality in excess of £100 to be written in the Register of Gifts and Hospitality which is located with the Clerk, within 28 days of receipt.

## Office administration

- Agendas are posted out to members when summoned to the meeting. Agendas and supporting paperwork for all meetings are emailed out every Friday to all councillors.
- Where possible information items are sent electronically.
- Draft minutes of the meetings held are emailed to all councillors once approved by the Chair of the meeting.
- Councillors are welcome to attend any committee meeting with the same rights as members of the public. They only have voting rights on the committees to which they are formally elected.

## Training programme for Councillors and Officers

Below is the proposed planned training for 2016/2017, but additional funds are available for further courses identified through the year. Known training needs are identified below

Course	Provider	Cost	When	Who
Health and Safety at work		£205 pp		Assistant Caretaker, Assistant to the Clerk, Apprentice
First Aid at Work requalification	St Johns Ambulance	£205pp	September	Town Clerk

Planning	SLCC	£95pp	When available	Assistant to Clerk
Agendas and Minutes	SLCC	£95pp	November 2016	Assistant to the Clerk
Contract Monitoring	SLCC	£95pp	When available	Assistant to the Clerk
SLCC Practitioners Conference	SLCC	£260pp	2016/2017 (March 2016)	Clerk
Councillor Induction	BALC	£30 per person	2016/2017	New councillors
Chairing Course	BALC	£30pp	2016/2017 Financial year	Chairs of Committees and Council

## Officers

How do we identify training needs?

Through:

- Our employee induction programmes.
- Identifying further personal training needs of employees through the Staff Appraisal system.
- Employees should be familiar with their training needs and their performance threshold standards.
- A record of training is kept in their personnel file.

How is training funded?

Funding is from:

- Budgeted expenditure by Council.
- Any government funding training schemes, as set out in the Employee Training programme.

Our involvement in the Training Statement of Intent

Our continued learning and development helps us to be an effective organisation. It is up to each one of us to think about what skills we need to do the job and make them known. In addition there will be essential training needed for some employee job roles, as set out in the employee training programme.

What we can expect from the Training Programme

- To receive an employee induction.
- To have an identified and accessible Line Managers.
- To receive regular supervision
- To be made aware of appropriate training and developmental opportunities

- To be encouraged to consider and identify our own developmental needs in the light of any specified skills for our posts and through supervision and discussions
- To discuss our Personal Development during the Annual Staff Appraisal with your Line Manager.
- To have a record any such development/training undertaken.
- To have access to all learning materials and reference books held at the Town Council offices and other Departmental sites.
- To take responsibility ourselves to maintain and improve our knowledge and skills.

## **COMPLIMENTS AND COMPLAINTS PROCEDURE**

The following procedure will be adopted for dealing with compliments and complaints about the Council's administration or its procedures. Compliments about a policy decision made by the Council will be referred back to the Council, or relevant Committee, as appropriate.

This procedure does not cover complaints about the conduct of a member of the Town Council. Any complaint that a Councillor may have breached the Council's adopted code of conduct should be referred to Milton Keynes Council Monitoring Officer.

### **Compliments**

1. If a compliment about procedures, administration or the actions of any of the Council's employees is notified orally to a councillor, or the Town Clerk to the Council, a written record of the compliment will be made.
2. If the compliment refers to the Town Clerk, he or she should be advised to write to the Chair of Council and the Chair of Personnel as the Clerks Line Managers.
3. (a) On receipt of a written compliment, the Town Clerk will congratulate the person receiving the compliment and keep a written record to be included as part of the employee appraisal.  
  
(b) Where the Town Clerk or a Councillor receives a written compliment about the Town Clerks actions, he or she shall refer the compliment to the Chair of Council. On receipt the Chair of Council and Chair of Personnel will congratulate the Clerk, and keep a written record to be included as part of the employee appraisal.

### **Complaints**

1. If a complaint about procedures, administration or the actions of any of the Council's employees is notified orally to a Councillor, or to the Town Clerk to the Council, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.
2. The complainant will be asked to put the complaint in writing (letter/e-mail) to the Town Clerk at The Town Hall, Creed Street, Wolverton, Milton Keynes.

Telephone:(01908)326800 email: [office@wolvertonandgreenleystowncouncil.gov.uk](mailto:office@wolvertonandgreenleystowncouncil.gov.uk)

An acknowledgement of this complaint will be received within three working days. The complaint will be dealt with within 28 days of receipt. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is.

3. If the complainant prefers not to put the complaint to the Town Clerk (because the matter relates to the Town Clerk, for example,) he or she should be advised to write to the Chair of Council and Chair of Personnel.
4. (a) On receipt of a written complaint, the Town Clerk (except where the complainant is about his or her own actions) or Chair of Council (if the complaint relates to the Town Clerk), will seek to settle the complaint directly with the complainant. This will not be done without first notifying any person complained about and giving him or her, an opportunity to comment. Efforts should be made to resolve the complaint at this stage. If a meeting is arranged, seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing both parties the opportunity to read the material in good time for the meeting.
5. As soon as possible after the decision has been made the complainant will be notified in writing of the decision and any action to be taken.
6. If the complainant is dissatisfied with the decision then they may write to the Clerk outlining the reason for appeal and enclose any supporting papers. The complaint will then be referred to the Personnel Committee to consider. The complainant will receive a response usually within eight weeks. This decision will be final.
7. The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with at the next meeting after the advice has been received

## **Policy on dealing with abusive, persistent or vexatious complaints and complainants**

### **Introduction**

- 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' and ways of responding to these situation.
- 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.

- 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 request under those Acts.
- Habitual or vexatious complainants can be a problem for officers 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.
- 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.
- 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.

### **Habitual or Vexatious Complainants**

- For the purpose of this policy the following definition 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*

- Prior to considering its implementation the Council will send a *summary* of this policy to the complainant to give them prior notification of its possible implementation.
- Where complaints continue and have been identified as habitual or vexatious in accordance with the criteria set out in Section 3, the Council will seek agreement to treat the complainant as a habitual or vexatious complainant for the appropriate course of action to be taken. Section 4 details the options available for dealing with habitual or vexatious complaints.
- The Clerk on behalf of the Town 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. Milton Keynes Ward Councillors will also be informed that a constituent has been designated as an habitual or vexatious complainant.
- 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.

### **Definitions**

- The Town Council defines unreasonably persistent and vexatious complainants as those complainants who, because of the frequency or nature of their contacts with the council,

hinder the Council's consideration of their or other people's complaints. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.

- Examples include the way or frequency that complainants raise their complaint with staff or how complainants respond when informed of the Council's decision about the complaint. Common attributes of an unreasonably persistent and/or vexatious complainant are listed in Appendix One to this document.

## Imposing Restrictions

Wolverton and Greenleys Town Council will ensure that the complaint is being, or has been, investigated properly according to the adopted complaints procedure.

- In the first instance the Clerk will bring any cases of a possibly abusive, persistent or vexatious complaints or complainants to the full Council at the earliest opportunity.*
- Actions will be tailored to deal with the individual circumstances of the complainant. The Council may choose from, but is not limited to, any of the following courses of action:
- Banning the complainant from making contact by telephone except through a third party e.g. solicitor/councillor/friend acting on their behalf
- Banning the complainant from sending emails to individual and/or all council officers and insisting they only correspond by letter
- Requiring contact to take place with one named member of staff only
- Restricting telephone calls to specified days / times / duration
- Requiring any personal contact to take place in the presence of an appropriate witness
- Letting the complainant know that the pc will not reply to or acknowledge any further contact from them on the specific topic of that complaint (in this case, a designated member of staff should be identified who will read future correspondence)
- 4.4 When the Council decides to take action against a complainant it will also decide a reasonable period after which the full Council will review the status of the complainant (see 6.1 and 6.2 below)
- 4.5 When the Town Council has taken the decision 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 is being taken
  - The duration of that action
- 4.6 The Clerk will enclose a copy of this policy in the letter to the complainant.
- 4.7 Where a complainant continues to behave in a way which is unacceptable, the Council may decide to refuse or restrict all contact with the complainant and stop or suspend any investigation into his or her complaint.
- 4.8 Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, other options will be considered, eg 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.

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

- a. New complaints from people who have come under this policy will be treated on their merits. The Council will decide whether any restrictions which have previously been applied are still appropriate and necessary in relation to the new complaint. A blanket policy is not supported of ignoring genuine service requests or complaints where they are founded.
- b. The fact that a complainant is judged to be unreasonably persistent or vexatious and any restrictions imposed on our contact with him or her, will be recorded and notified to those who need to know within the Council.

### **Review**

- a. The status of a complainant judged to be unreasonably persistent or vexatious will be reviewed by the Council after a period agreed by the Council and then at the end of subsequent periods determined by the Council within the period during which the policy is to apply. If the Council does not agree a different period for these reviews, then the default period will be three months.
- b. The complainant will be informed of the result of this review if the decision to apply this policy has been changed or extended.

### **Record Keeping**

Adequate records will be retained by the Clerk of the details of the case and the action that has been taken. Records will be kept of:-

- The name and address of each member of the public who is treated as abusive, vexatious or persistent
- When the restriction came into force and ends
- What the restrictions are
- When the person and Council were advised

### **APPENDIX ONE**

#### **An unreasonably persistent and/or vexatious complainant may have the following attributes:**

(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):

- a. Have insufficient or no grounds for their complaint and be making the complaint only to annoy (or for reasons that he or she does not admit or make obvious)
- b. Refuse to specify the grounds of a complaint despite offers of assistance
- c. Refuse to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- d. 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

- e. Refuse to accept that issues are not within the power of the council to investigate, change or influence.
- f. Insist on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice (eg insisting that there must not be any written record of the complaint)
- g. Make what appear to be groundless complaints about the staff dealing with the complaints, and seek to have them dismissed or replaced
- h. Make an unreasonable number of contacts with the Council, by any means in relation to a specific complaint or complaints
- i. 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 numbers, frequent and/or complex letters, faxes, telephone calls or emails)
- j. Harass or verbally abuse or otherwise seek to intimidate staff dealing with their complaint, in relation to their complaint by use of foul or inappropriate language or by the use of offensive and racist language
- k. 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
- l. Introduce trivial or irrelevant new information whilst the complaint is being investigated and expect this to be taken into account and commented on
- m. Change the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed
- n. Deny statements he or she made at an earlier stage in the complaint process
- o. Electronically record meetings and conversations without the prior knowledge and consent of the other person involved
- p. Adopts and excessively 'scattergun' approach, for instance, pursuing a complaint or complaints not only with the Council, but at the same time with a Member of Parliament, other councils, elected councillors of this and other councils, the council's independent auditor, the Standards Board, the police, solicitors.
- q. 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
- r. 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
- s. Persistently approach the council through different routes about the same issue
- t. Persist in seeking an outcome which we have explained is unrealistic for legal or policy (or other valid) reasons
- u. Refuse to accept documented evidence as factual
- v. Complain about or challenge an issue based on an historic an irreversible decision or incident
- w. Combine some or all of these features



## **Policy on the reporting of meetings of the Council**

This policy details the acceptable use for public meetings to be filmed, audio-recorded, photographed and the permitted use of social media. Under these new regulations:

1. Officers, councillors, guests and members of the public may be filmed, audio-recorded or photographed during a meeting which is open to the public. This may only be performed from the public seating area allocated at each meeting.
2. Out of courtesy any persons present wishing to film or audio record a public meeting must advise the Clerk before the meeting commences of their intent to do so, submitting their name and contact details which will be held by the Clerk. Filming and audio recording may be performed from the public seating area allocated at each meeting. Flashes must be switched off before the start of the meeting and intrusive lighting and zooming is prohibited.
3. Vulnerable children and adults, plus children under the age of 18 years may only be filmed after consent has been obtained from the parent, guardian or carer.
4. The Chair will announce at the start of each meeting, any notice which has been provided of the intent to film or audio-record the meeting including the person's name who will be performing this recording. The persons recording must ensure that personal data is used and stored in accordance with the Data Protection Act 1998.
5. Anyone present who actively objects to being filmed must inform the Chair following this announcement at the start of the meeting, so the recorder can ensure that this request is adhered to; so long as it does not undermine the transparency of the meeting. A designated area will be identified for those persons not wishing to be filmed. All persons present have the right to view the footage recorded at the meeting, which must be supplied to the Clerk following the meeting.
6. Meetings where the press and public are excluded, may not be filmed and all recording equipment and devices must be removed and switched off before this closed session begins, to ensure that confidentiality is not breached. This includes Council and councillor equipment. The Council must ensure that they satisfy themselves that this has been adhered to before the closed part of the meeting commences.
7. The use of social media such as blogging, Facebook and Twitter is also permitted by the public during this meeting, so long as it does not disrupt the proceedings. All devices must be switched onto silent during the meeting to prevent any disruption. Councillors or officers wishing to film or use social media during a meeting should retire to the public gallery area designated for this purpose.
8. Under the Council Standing Orders any disruptive behaviour may result in you being asked to be excluded from the meeting. In relation to this policy examples of disruptive behaviour, but are limited to are; asking people to repeat statements for the purpose of the recording, flash photography, excessive noise in recording or setting up of equipment during the meeting, filming or recording from any other area than the designated public seating area or oral commentary during the meeting.