



DEPUTY TOWN CLERK
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Please ask for: Sonya French
Our ref: EX 21.09.22
Date: 12/09/2022

NOTICE OF MEETING

Dear Members of the Public and Press,

You are cordially invited to attend a meeting of **Executive Committee** to be held in the **Council Chamber** at **Diss Corn Hall** on **Wednesday 28th September 2022** at **7.15pm** to consider the business detailed below.

Deputy Town Clerk

AGENDA

1. **Apologies.**
To receive and consider apologies for absence
2. **Nomination of Substitute Representatives**
To note nominated substitute representatives attending in place of those who have sent their apologies.
3. **Declarations of Interest and Requests for Dispensations**
To note any declarations of members' pecuniary and/or non-pecuniary/other interests pertaining to items on the following agenda, to note any dispensations granted in respect of business to be discussed and to consider any requests for dispensations.
4. **Minutes**
To confirm as a true record, the minutes of the Extraordinary Executive Committee meeting held on 29th June 2022 (copy herewith).
5. **Public Participation**
To consider a resolution under Standing Orders 3d to 3h to suspend the meeting hear comments from members of the public on items to be discussed on the agenda (*members of the public are entitled to speak for a maximum of three minutes*).
6. **Items of URGENT business**
To discuss any item(s) of business which the Chair or Town Clerk has previously been informed at least 24 hours before the meeting and decides should be considered as a matter of urgency (*councillors are reminded that no resolutions can be made under this agenda item*).
7. **Policies (to be read in advance of the meeting, any comments to be sent to the Deputy Clerk)**
 - a) To approve a NEW Disciplinary Policy (copy details herewith).
 - b) To approve a NEW Complaints Policy (copy details herewith).
 - c) To approve a NEW Grievance Policy (copy details herewith).
 - d) To approve a revised Health & Safety Policy (copy details herewith).
 - e) To approve a revised Standing Orders (copy details herewith).
 - f) To approve a revised Car Parking in Council Offices Policy (copy details herewith).

8. **Grant Panel Member**
To appoint a reserve member to the Council's Grants Panel.
9. **Strategic Plan**
To consider progress on the Strategic Plan actions (copy details herewith).
10. **Progress report**
To note progress on decisions made at the last meeting of this committee (copy herewith).
11. **Member Forum**
To consider information or issues relevant to this committee from members for brief discussion, action or inclusion on a future agenda.
12. **Date of Next Meeting**
To note that the next meeting of the Executive Committee is scheduled to take place on Wednesday 7th December 2022 at 7.15pm.
13. **Public Bodies (Admissions to Meetings)**
To consider a resolution under the Public Bodies (Admissions to Meetings) Act 1960 and Standing Orders 3d to exclude members of the public and press in order to discuss the following item which is properly considered to be of a confidential nature.
14. **Staffing**
 - a) Staffing Request for Study Leave - To consider a request from the Chief Operations Officer (Report reference 23/2223 herewith).
 - b) Staffing Restructure – To receive a verbal update on staffing restructure and recruitment from the Chair.

COMMITTEE MEMBERSHIP:	FOR INFORMATION:
Councillors:	Town Clerk
S. Browne	Deputy Town Clerk
M. Gingell (Chair)	Responsible Finance Officer
K. Murphy	
S. Olander (ex-officio)	Councillors:
R. Peaty	D. Collins
J. Robertson	S. Kiddie
L. Sinfield	A. Kitchen
E. Taylor (ex-officio)	G. Waterman
J. Wooddissee	J. Welch
	Diss Express / Mercury

NOTES

1 - Council has a statutory legal duty under the Localism Act 2011 s2 and has adopted a code dealing with the conduct that is expected of members in order to promote high standards of conduct as required by the Act. Members' disclosable pecuniary interests are kept on a register available to view on the Council's website. Allegations about the conduct of a councillor may be made to the district council's monitoring officer. Diss Town Council has also adopted a dispensation policy.

The reports and enclosures referred to in this agenda are available (unless marked confidential) for public inspection on our website.

DISS TOWN COUNCIL

MINUTES

DRAFT

Minutes of the meeting of the Executive Committee held in the **Council Chamber** at **Diss Corn Hall** on **Wednesday 29th June 2022 at 7.15pm.**

Present: Councillors: M. Gingell (Chair)
S. Browne
K. Murphy
S. Olander (ex-officio)
J. Robertson
J. Wooddissee
R. Peaty
J. Welch (Standing in for E. Taylor)

In attendance: S. French (Deputy Town Clerk)

EX0622/01 ELECTION OF CHAIRMAN

Members elected a new Chairman of the Executive Committee.

RESOLVED: To appoint Councillor Mark Gingell as Chair of the Executive Committee.

(Action: Dep TC; to arrange document update by next meeting)

EX0622/02 APOLOGIES

There was one apology received from Councillor E. Taylor.

EX0622/03 ELECTION OF VICE-CHAIRMAN

Members elected a new Vice-Chairman of the Executive Committee. It was

RESOLVED: To appoint Councillor K. Murphy as Vice-Chair of the Executive Committee.

(Action: Dep TC; to arrange document update by next meeting)

EX0622/04 NOMINATION OF SUBSTITUTE REPRESENTATIVES

Councillor Welch was nominated as a substitute for Councillor Taylor.

EX0622/05 DECLARATIONS OF INTEREST

There were none.

EX0622/06 MINUTES

Members confirmed as a true record, the minutes of the Extraordinary Executive Committee meeting held on 2nd March 2022.

EX0622/07 PUBLIC PARTICIPATION

There were no members of the public present.

EX0622/08 ITEMS OF URGENT BUSINESS

Councillor Valori had been nominated as the council representative on the Charity Commission, due to her resignation as a Councillor this item will need to be brought to the next Executive meeting.

(Action: Dep TC; immediately).

EX0622/09 FINANCE

- a) Members received a utilities review (report ref 10/2223). Councillors would like clarity around Point 12 which states (our contract should expire 2023). Members would like the RFO to check this point and clarify whether this is correct.
- b) Members received a review of the Asset Register (report ref 11/2223). Some of the figures were queried by members and need clarification/checking. The Chair recommended that the RFO consults with the Executive Chair regarding the figures prior to the meeting and how these are calculated, also, can these be put into a report for next year. The issue of Planters needs to

be clarified, in respect to those gifted from SNC. Clerk to update council and whether the planters from Triangle Trust have been included into the insurance and taken on by DTC.

There was much debate by Committee into the frequency of valuations in respect to the item on the agenda. Members would like the Chair to discuss with the RFO, the valuations for rebuild and cost implications, as ideally they would prefer them to be agreed bi-annually. It was

RESOLVED:

1. To amend the resolution to bring the document back in September to revisit the recommendation as in the minutes.
2. Defer the recommended approval until Executive September Meeting 2022. Where it will be discussed and a decision made.

(Action; RFO to bring item back to September Executive meeting).

(Action: RFO; immediately)

(Action; Clerk by next meeting)

EX0622/10

POLICIES

- a) Members approved a revised CCTV Policy. Councillors would like the clerk to check the form to see if it is fit for members of the public, solicitors, and businesses.

(Action: Clerk to check form is adaptable for both public, solicitors and businesses; immediately)

(Action: Dep TC to add to Policy Handbook; immediately)

- b) Members approved a revised Child Safeguarding Policy. Due to the clerk being the Safeguarding officer they would like to ensure that the clerk undertakes some training on safeguarding.

(Action: Clerk to arrange appropriate training as advised above; immediately).

- c) Members approved a revised Maternity, Adoption, Paternity, and parental leave Policy. One amendment needs to be made to point 4, (change to as soon as possible).

(Action: Dep TC to make changes and add to Policy Handbook; immediately).

- d) Members approved a revised Protocol for recording of council meetings Policy.

(Action: Dep TC to add to Policy Handbook; immediately).

- e) Members approved a revised Recording of Officer Decisions Policy.

(Action: Dep TC to add to Policy Handbook; immediately).

- f) Members approved a revised Staff Use of Vehicles on Council Business Policy. Members would like vaping added to point 7.2.

(Action: Dep TC to make changes and add to Policy Handbook; immediately).

RESOLVED: To adopt all policies and add them to the Policy Handbook.

EX0622/11

STRATEGIC PLAN

Members considered progress on the Strategic Plan actions. Members would like the Clerk to update council with progress on footfall within the Town centre.

(Action: Clerk; by next meeting).

EX0622/12

USE OF MARKET PLACE/ MERE'S MOUTH BY NFP / CHARITY ORGANISATIONS

Members approved Free Use of the Council Facilities for NFP and Charity Organisations. It was

RESOLVED: Clerk to determine the free use of the marketplace and Meres mouth for charities and not for profit organisations under her delegated powers.

(Action: Clerk; immediately)

EX0622/13

SPORTS GROUND INCOME

Members noted the changes of income at the Sportsground (report ref 07/2223). Council would like to thank the Deputy Town Clerk for the work completed on this project and the new projected income, moving to a cost neutral position ahead in a much smaller time frame.

EX0622/14 **PROGRESS REPORT**

Members noted progress on decisions made at the last meeting of this committee. Councillor Browne and Murphy would like it noted that they will look at the work required for the carbon footprint after the summer break

EX0622/15 **MEMBER FORUM**

Members considered information or issues relevant to this committee from members for brief discussion, action, or inclusion on a future agenda.
Council noted that members of the press have not been present to any council meetings since the pandemic and would like the clerk to investigate why this has happened.
(Action: Clerk to investigate why the Press are no longer attending any council meetings; by next meeting).

EX0622/16 **PUBLIC BODIES (ADMISSIONS TO MEETINGS)**

To consider a resolution under the Public Bodies (Admissions to Meetings) Act 1960 and Standing Orders 3d to exclude members of the public and press to discuss the following item which is properly considered to be of a confidential nature.

EX0622/17 **DISS TOWN COUNCIL STAFF REORGANISATION**

Members considered the revised staff structure, job descriptions and associated staffing costs to council (report ref 08/2223). Council would like to thank councillor Wooddissee for the work completed on this project and he stated that he would not have been able to take all the thanks and he extended his thanks to the Clerk and Deputy Clerk for their work on the staff reorganisation.

Council believed that work within the council is currently reactive instead of proactive due to lack of staff and there is a need for a succession plan due to the councils aging workforce. Council agreed that having an apprentice was a great idea and stated they were happy for this to be a new role within the admin team. Councillors discussed point 23 in admin officer role, and they felt that this part of the job specification needed to be removed as it was the role of the clerks to take the minutes. This amendment was proposed, seconded and approved by the members. It was

RESOLVED: That the Executive committee recommend to Full Council at its July meeting the adoption of the new staffing structure, the associated job descriptions, and model.

(Action: Dep TC to inform Clerk to add this agenda item to FC meeting for July; immediately)

EX0622/18 **DATE OF NEXT MEETING**

Members noted that the next meeting of the Executive Committee is scheduled to take place on Wednesday 21st September 2022 at 7.15pm.

Meeting closed at 20.44 hours

Chairman: Mark Gingell

DISCIPLINARY POLICY

1. GENERAL PRINCIPLES

1.1. The Council is committed to developing and maintaining constructive relations with its employees in order to promote an environment where colleagues are able to perform at their best and achieve and maintain high standards of conduct whilst at work or representing the council. It is recognised that concerns regarding conduct do arise from time to time and that these may come to light in different ways and/or via different formal processes, such as the Council's Grievance or Complaints procedures. This non-contractual procedure provides a framework for dealing with misconduct situations.

1.2. The Council will act fairly and consistently when dealing with cases under the Disciplinary Procedure and performance issues as well as complaints made about an employee and that employees are aware of the process for handling such matters.

1.3. This procedure does not apply during probationary periods.

1.4. The Council will seek to resolve employment issues promptly and transparently at the lowest possible level and, where appropriate, on an informal basis.

1.5. An employee has the right to be accompanied at any formal meeting and related appeal meeting under the Disciplinary Procedure by a work colleague, a duly accredited Trade Union representative or an official employed by a Trade Union and may also be accompanied on request at investigatory meetings.

1.6. If an employee has particular requirements at any stage of the procedures because of a disability or wishes to inform the Council of any relevant medical condition, the employee should contact the Town Clerk and Chair of the Executive Committee.

1.7. Different procedures apply to competency and sickness/ill health cases. The Council may commence the process using one procedure but continue the process using a different procedure if it is more appropriate and reasonable to do so.

1.8. The Council will follow each of the stages set out in these Disciplinary Procedures in any particular case but reserves the right in appropriate cases to commence the procedure at any of the specified stages or to omit a particular stage/stages. This will apply in particular to cases emerging from the Council's Grievance or Complaints procedures, for which a satisfactory level of investigation may already have taken place.

1.9. Notes of formal meetings will be taken; these will be summaries of the key points and not a verbatim record. Copies of these notes will be given to the parties present and they should inform the Council if they wish to comment on the accuracy of the notes within 5 working days of receiving them. It is normally expected that all documentation including witness statements will be shared with relevant parties [except where the Council has to withhold some information to protect a witness]. The Council will keep a written record of every disciplinary case which will be treated as confidential and kept in accordance with all relevant data protection legislation. Notes of informal meetings may also be taken where appropriate.

2. DISCIPLINARY PROCEDURE (CONDUCT)

2.1. INVESTIGATION

The Council will investigate the alleged misconduct or a formal complaint made by a complainant which is recorded in writing and signed by the complainant, without unreasonable delay, carrying out any necessary investigations to establish the facts in any particular case and shall ideally be concluded within 4 weeks. The individual will be advised in appropriate detail of the allegations that are being investigated.

Where practicable the person who conducts the disciplinary meeting should be different from the person(s) who carries out the investigation. In the case of a complaint made against a member of staff, then the Line Manager would investigate and the Clerk would conduct the Disciplinary Meeting (or vice-versa). In the case of a complaint made against the Clerk, then the Council Leader would investigate and the Chair of the Executive Committee would conduct the Disciplinary Meeting (or vice-versa)

In some cases, investigations carried out under the Grievance or the Council's Complaints Procedure may result in allegations of misconduct. In such cases, the investigating manager should consider any investigation carried out so far and assess the need for further investigation, ensuring they are satisfied that the preceding investigation has been fair and reasonable in the circumstances and that the principles outlined in section 1 have been applied.

The earlier investigation (or relevant parts thereof) carried out under these policies/procedures may be utilised as part of the disciplinary process and, as a minimum, the respondent should be invited to comment. Similarly, in the case of financial irregularities there may be an investigation undertaken by internal /external parties as appropriate and where financial irregularities are identified the outcome of the investigation may be utilised as part of the disciplinary process. Cases which progress in this manner must clearly identify the alleged misconduct but must not seek to propose a conclusion or outcome ahead of further independent investigation under the disciplinary process.

The Council will confirm with the employee whether any meeting they are asked to attend is investigatory or disciplinary. In serious cases, Managers other than the employee's Line Manager or a member of the Executive Committee should carry out the investigation and the disciplinary hearing. In the case of a serious complaint made against the Clerk, then the Council Leader and the Chair of the Executive Committee would continue to take on those roles (as outlined above)

In any case, the individual involved should be updated on progress and related developments as appropriate.

2.2. INFORMAL DISCIPLINARY ACTION

Informal disciplinary action may be taken in appropriate cases. This involves informally discussing the matter with the employee, defining the conduct that is unacceptable and identifying any remedial action, by way of counselling, guidance, instruction or informal cautioning.

This will usually take the form of a confidential meeting with the employee's Line Manager and/or Clerk. In the case of the Clerk being the individual against whom there is a complaint or allegation, the matter will be dealt with by the Council Leader or Executive Chair. The outcome of the meeting will be confirmed in writing, and will detail the issue(s) discussed, what needs to be done and how and when it will be reviewed.

The employee should be made aware that formal action may be taken if the informal action does not resolve matters.

2.3. SUSPENSION

Suspension is not a disciplinary action nor does it infer any guilt.

Depending on the circumstances, it may be appropriate to suspend the employee from work on full pay in order that the investigation can take place. Suspension on full pay does not amount to a disciplinary sanction. Only the Town Clerk or Chair of the Executive Committee has the power to suspend an employee.

Whilst suspended pending disciplinary investigation, regular contact with a nominated person at the Council will be maintained, although access to premises, equipment or systems will be denied.

If serious or gross misconduct is alleged the employee may be suspended on full pay and benefits or temporarily deployed on alternative duties. The period of suspension will be as brief as possible in the circumstances and should be kept under review.

2.4. FORMAL DISCIPLINARY MEETING

If informal action does not resolve matters or if following investigation the alleged misconduct is considered sufficiently serious to potentially merit formal disciplinary action, the steps outlined below will be taken.

2.4.1. INFORM THE EMPLOYEE IN WRITING

The Council will inform the employee in writing of the allegations. The letter will contain sufficient information about the allegations and the possible consequences to enable the employee to respond to these at the disciplinary meeting.

The letter will normally enclose copies of any documents that have been gathered during the investigation process to allow for adequate preparation by the employee.

Possible consequences up to and including dismissal, will be outlined in the letter. The letter will also advise the employee of their right to be accompanied by a work colleague or Trade Union representative.

If an employee does not understand the letter, the employee should ask their Line Manager to read through and explain the letter to them

2.4.2. THE MEETING

Disciplinary meetings to hear cases will normally be convened by the line manager of the member of staff under investigation or the Clerk (as outlined in 2.1) The meeting should be held without unreasonable delay whilst allowing the employee reasonable time to prepare their case. Normally a minimum of 5 working days' notice of disciplinary meetings will be given.

At the meeting, the Council will explain the allegations against the employee and go through the evidence that has been gathered. The employee will be allowed to set out their case and answer any allegations that have been made. They will also be given the opportunity to ask questions and present evidence.

It may be appropriate for relevant witnesses to attend the disciplinary meeting and the employee will be given the opportunity to raise points at the meeting about any information provided by witnesses. Where an employee or the Council intends to call a witness, they should notify the other party of this in writing in advance of the meeting and ensure that they attend at the appropriate time. No individual can be compelled to attend a disciplinary meeting as a witness

The manager convening the disciplinary meeting will decide on the outcome, where appropriate, seeking guidance from SLCC or an employment specialist.

The Council will keep records of any action taken under these disciplinary procedures. Wherever possible, these records will be treated as confidential, but in any case, will not be kept for any longer than allowed under the General Data Protection Regulations.

After the meeting, the Council will notify the employee of its decision in writing. This will normally be done within 10 working days of the meeting. If disciplinary action is taken the employee will be advised of the right to appeal.

2.5. DISCIPLINARY SANCTIONS

The Council has discretion to determine the appropriate disciplinary sanction to apply to an employee who it concluded has committed an act of misconduct. Examples of conduct which are likely to amount to misconduct are attached as an Appendix to this procedure. These sanctions include:

2.5.1. FORMAL ORAL WARNING

This will usually be appropriate for a first act of misconduct where conduct falls below an acceptable level or a minor offence has been committed and there are no live written warnings. This warning will remain live for 6 months.

2.5.2. WRITTEN WARNING

This will usually be appropriate for misconduct where there is already a live formal oral warning on the employee's record or where the misconduct is considered sufficiently serious to warrant a written warning even although the employee has no live warnings. The employee will be informed of the following:

- i. the nature of the misconduct or poor performance that has led to the warning
- ii. the action or improvement (if any) which is required
- iii. if appropriate, the timescale for taking any such action
- iv. the consequences if the employee does not take the required action or fails to improve or if there is further misconduct
- v. when the warning will cease to have effect, subject to satisfactory conduct or performance. This will normally be after 9 months, but a longer period may be stated in exceptional cases
- vi. the right of appeal

2.5.3. FINAL WRITTEN WARNING

This will usually be appropriate for misconduct where there is already a live written warning on the employee's record or where the misconduct is considered sufficiently serious to warrant a final written warning even although the employee has no live warnings. It will also be appropriate, if the required improvement is not achieved within the timescale stated in a live written warning. The employee will be informed of the following:

- i. the nature of the misconduct or poor performance that has led to the final warning, including any prior warning(s) which have been considered
- ii. the action or improvement (if any) which is required of the employee
- iii. if appropriate, the timescale for implementing any such action
- iv. the fact that this is a final warning and that the next stage of the procedure will be dismissal
- v. when the warning will cease to have effect, subject to satisfactory conduct [or performance]. This will normally be after 12 months, but a longer period may be stated in exceptional cases
- vi. the right of appeal.

2.5.4. DISMISSAL

Dismissal will usually be appropriate in respect of the following:

2.5.4.1. repeated or serious misconduct during the first 12 months of an employee's employment;

2.5.4.2. further misconduct where there is a live final written warning; or

2.5.4.3. any gross misconduct regardless of whether there are live warnings.

Gross misconduct will usually result in summary dismissal without notice or payment in lieu of notice. Examples of conduct which are likely to amount to gross misconduct are attached as an Appendix to this procedure.

A decision to dismiss an employee will normally be taken by the Town Clerk or in the case of the decision to dismiss the Clerk, which will normally be taken by the Chair of Executive Committee. This decision will only be taken, if following a formal disciplinary hearing, the allegations are upheld. If the decision to dismiss is upheld, then within 24 hours after the end of the disciplinary meeting, the Clerk or Chair of Executive Committee, will confirm in writing:

- i. the reason for the employee's dismissal
- ii. where applicable, the length of notice the employee is being given
- iii. the date on which the employee's employment will terminate
- iv. inform the employee of their right to appeal

2.5.5. ALTERNATIVE SANCTIONS SHORT OF DISMISSAL

In appropriate cases the Council may consider some other sanction short of dismissal e.g., demotion or redeployment.

2.5.6. WARNING TO EMPLOYEE

For both formal oral, first and final written warnings the Council will inform the employee of the nature of the misconduct, the change in behaviour required, the consequences of further misconduct and that the warning will remain live for 6 months for formal oral warnings, 9 months for first written warnings and 12 months for final written warnings.

3. APPEAL

3.1 Lodging an Appeal

If an employee wishes to appeal the outcome of a decision made at any hearing held under the disciplinary procedure, they should submit an appeal in writing outlining their full grounds for appeal, to the Chair of the Executive Committee within 5 working days of receipt of the Council's decision. Employees will be notified within three working days that their appeal has been received.

The appeal stage is not intended to be a rehearing of the original case. Hence the grounds for appeal should typically fall within one of the following:

- Procedural error
- The outcome and recommendations are unreasonable and significantly out of line with the issues considered
- New information is now available which could not have reasonably been provided when the original outcome was communicated

Where the appeal relates to new evidence there should be a clear statement provided outlining the reason this was not available for consideration at the previous stage.

3.2 The Appeal Meeting

The Council will invite the employee in writing to attend an appeal hearing, normally within 10 working days of receipt of an appeal. The employee may be accompanied by a Trade Union representative or work colleague.

The Appeal will be heard by a separate panel of elected members (Appeals Panel), who have not been involved in the original disciplinary hearing, and who will be expected to view the evidence with impartiality. Appeals in relation to dismissals will be heard by a panel of three, selected from: The Mayor, Chairs of Committees, members of the Executive Committee, other Council members (in that order).

If the employee or their Trade Union representative is unable to attend the appeal meeting, steps will be taken to rearrange this as soon as possible. However, if the employee is persistently unable or unwilling to attend a meeting, the Appeal Manager may review the available materials and reach an outcome based on the information available to them. A decision to proceed in this way will be communicated in writing to the employee in advance.

The appeal meeting may take place after the disciplinary decision has taken effect. If the employee is appealing against dismissal and the employee's appeal is upheld, the employee will normally be treated as having continued in employment pending the hearing of the appeal and will be reinstated with back pay. However, if the employee's appeal is not successful, the original date of the employee's dismissal will stand.

3.3 The Appeal Outcome

Once the Appeals Panel has considered all the points raised, they will normally provide a response in writing, within 10 working days.

The decision of the Appeals Panel is final and there is no further right of Appeal.

4. CRIMINAL CHARGES OR CONVICTIONS

If an employee is charged with or convicted of a criminal offence that does not directly impact on their employment, this will not automatically give rise to a disciplinary situation.

Consideration needs to be given to how a charge or conviction may affect an employee's ability to undertake his or her job duties, and their relationships with the Council, colleagues or customers. If deemed necessary, appropriate advice will be sought, and a review as to the appropriateness for the employee to remain in the council's employment will be made by the Executive Committee.

5. STATUS OF THIS POLICY

This policy does not give contractual rights to individual employees. The Council reserves the right to alter any of its terms at any time although the Council will notify the employee in writing of any changes.

APPENDIX 1 - MISCONDUCT

1. Misconduct

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

- (a) Unauthorised absence from work;
- (b) Persistent short-term and/or frequent absences from work without a medical reason;
- (c) Lateness for work or poor timekeeping, including taking excess breaks;
- (d) Minor breaches of Health & Safety, or any other Council rules or procedures;
- (e) Failure to perform their job to the standard expected, or in line with their job description or in a timely manner;
- (f) Disruptive behaviour;
- (g) Misuse of the Council's equipment; (e.g., telephone, computers, email or the internet)
- (h) Refusal to carry out reasonable requests;
- (i) Failure to follow an agreed Council procedure or policy;
- (j) Absenteeism and leaving the workplace without permission;
- (k) Any action or behaviour which could be detrimental to the Council's reputation;
- (l) Being under the influence of drink or other intoxicants;
- (m) Mismanagement of Council finances leading to the overspend of a manager's budget;

This list is *not* exhaustive, and any offence of a similar nature could result in disciplinary action being taken.

APPENDIX 2 - GROSS MISCONDUCT

2. Gross Misconduct

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

- (a) Theft or fraud. Acceptance of bribes or other secret or undeclared payments;
- (b) Physical violence (actual or threatened);
- (c) Deliberate and serious damage to property;
- (d) Unlawful discrimination, harassment, bullying or intimidation against employees, contractors, students or members of the public on the grounds of sex, sexual orientation, marital or civil partner status, pregnancy and maternity, gender reassignment, race, disability, religion or belief, or age which contravenes the Council's Equality Policy or Dignity at Work and Study Policy;
- (e) Deliberately accessing internet sites containing pornographic, offensive or obscene material;
- (f) Defamatory and /or abusive comments regarding the Council or its staff through the inappropriate use of social networking technology, electronic web logs (blogs) or other internet sites;
- (g) Intentional or malicious refusal to comply with reasonable instructions or requests made by a line manager within the workplace;
- (h) Bringing the Council into serious disrepute such as serious misuse of Council property, name or reputation;
- (i) Giving false information as to qualifications or entitlement to work (including immigration status); using fraudulent identity or withholding information that would be relevant;
- (j) Incapability to work due to being under the influence of alcohol, illegal drugs or other substances during working hours;
- (k) Causing loss, including loss of life, damage or injury through serious negligence;
- (l) Serious or repeated breach of health and safety rules or serious misuse of safety equipment;
- (m) Serious breach of confidence including unauthorised use or disclosure of confidential information or a serious failure to ensure that confidential information in the employee's possession is kept secure;
- (n) Conviction for a criminal offence that in the Council's opinion may affect the Council's reputation or its relationships with staff, students or the public, or otherwise affects the employee's suitability to continue to work for the Council;
- (o) Possession, use, supply or attempted supply of illegal drugs;
- (p) Serious neglect of duties, or deliberate breach of the Council's procedures;
- (q) Deliberate or malicious unauthorised use, processing or disclosure of personal data which contravenes the Council's Data Protection Policy;
- (r) Making a disclosure of false or misleading information under the Code on Public Interest Disclosure (Whistleblowing Policy) maliciously, for personal gain, or otherwise in bad faith;
- (s) Making untrue/vexatious allegations in bad faith against a colleague;

(t) Serious misuse of the Council's information technology systems (including misuse of developed or licensed software, use of unauthorised software and serious misuse of e-mail and the internet);

(u) Falsification of time sheets, subsistence and expenses claims etc;

(v) Serious mismanagement of council finances leading to the significant overspend of a manager's budget;

This list is *not* exhaustive and other offences of a similar gravity will result in disciplinary action being instigated at Gross Misconduct level which carries a potential penalty of dismissal. Gross Misconduct is generally any conduct which places extreme pressure on the mutual trust which exists in an employment relationship.

Disciplinary Policy

1. Purpose & Scope

- 1.1 The purpose of this policy is to ensure that the Council deals fairly and consistently with employee disciplinary and performance issues as well as complaints made about an employee and that employees are aware of the process for handling such matters.
- 1.2 This procedure does not apply during probationary periods.

2. General principles

- 2.1. In all cases the Council will initially deal with minor instances of misconduct and unsatisfactory levels of performance informally by way of counselling, guidance, instruction or informal cautioning. This will usually take the form of a confidential meeting with the employee's Line Manager and/or Clerk. In the case of the Clerk being the individual against whom there is a complaint or allegation, the matter will be dealt with by the Council Leader or Executive Chair. The outcome of the meeting will be confirmed in writing, and will detail the issue(s) discussed, what needs to be done and how and when it will be reviewed.
- 2.2. If a problem continues or the Council judge it to be sufficiently serious and before making any formal disciplinary decision, the following procedure will apply.
 - a) The complainant will be required to make a formal complaint which will be recorded in writing and signed by the complainant.
 - b) The Council will carry out a prompt investigation. Some investigations take longer than others depending on the case and how many people need to give information. In a simple case this might only take a day in a more complex case it can take several weeks. The Council will aim to complete an investigation within 2 weeks and if it is going to take longer will notify the employee. The investigation will be carried out by an officer or manager who's not involved in the case. The employee will be advised of the complaint in writing and the letter will set out the possible outcomes of the disciplinary hearing.
 - c) If a disciplinary hearing is to be held the Council will write to the employee setting out the time, date and location of the disciplinary hearing, which the employee is obliged to attend. To give the employee reasonable time to prepare their case for the hearing the letter will allow at least 5 working days from the date of the letter. The Council will also provide copies of all written evidence including witness statements where appropriate. - It will also confirm that employees have the right to be accompanied by a fellow employee or a trade union representative -at the disciplinary hearing. At the Councils discretion the name of a witness giving a statement may be redacted If an employee does not understand the letter, the employee should ask their Line Manager to read through and explain the letter to them.

- d) The Council will confirm with the employee whether any meeting they are asked to attend is investigatory or disciplinary. In serious cases, Managers other than the employee's Line Manager or Council Members should carry out the investigation and the disciplinary hearing.
 - e) The Council will give employee(s), together with any permitted person that the employee may choose as a companion, five working days to prepare their response. A permitted person should be another member of staff, or a trade union representative.
 - f) At the hearing, the Council will explain the case and evidence and will give the employee the opportunity to put their case in respect of the allegations made against them.
- 2.3. The Council will keep records of any action taken under these disciplinary procedures. Wherever possible, these records will be treated as confidential, but in any case, will not be kept for any longer than allowed under the General Data Protection Regulations.
- 2.4. The employee(s) will receive a written copy of the Council's decision from any hearing.

The employee has the right to appeal against any formal action taken against them under the procedure. See [Appeals](#) below (clause 7)

Please note*** When attending a disciplinary or appeal hearing it is prohibited to openly or covertly record any discussions relating to disciplinary matters. Mobile phones or recording devices of any kind are not allowed in any disciplinary meeting without the Councils express permission

3. Examples of Misconduct & Gross Misconduct

- 3.1 The following are examples of **misconduct**, which would normally give rise to formal disciplinary action:
- a) Unauthorised absence from work
 - b) Persistent short-term and/or frequent absences from work without a medical reason
 - c) Lateness for work or poor timekeeping
 - d) Minor breaches of Health & Safety, or any other Council rules or procedures
 - e) Failure to perform their job to the standard expected, or in line with their job description or in a timely manner
 - f) Disruptive behaviour
 - g) Misuse of the Council's equipment (e.g. telephone, computers, email or the internet)
 - h) Refusal to carry out reasonable requests
 - i) Failure to follow an agreed Council procedure or policy
 - j) Any action or behaviour which could be detrimental to the Council's reputation.
- 3.2 This list is *not* exhaustive, and any offence of a similar nature could result in disciplinary action being taken.
- 3.3 The following are examples of behaviour which fall within the definition of **gross misconduct**, which could lead to dismissal or summary dismissal (without notice):

- a) refusal to accept and act on reasonable requests from your Line Manager or other member of management
 - b) serious negligence that could or does result in unacceptable loss, damage or injury
 - c) fighting, assault, harassment or threatening or bullying behaviour
 - d) theft, fraud, deliberate discriminating behaviour and language, accepting or offering a bribe, falsification of Council records or any dishonesty involving the Council, or its employees
 - e) deliberate and/or serious breach of any Council policy
 - f) deliberate or reckless damage to property belonging to the Council, its employees, customers or authorised visitors
 - g) being unfit to work due to misuse of alcohol or illegal drugs
 - h) unauthorised disclosure of confidential information
 - i) any action likely to seriously endanger the health and safety of the employee or any other person
 - j) any action or behaviour which could seriously damage the Council's reputation
- 3.4 The above list is *not* exhaustive. It illustrates the type of conduct that will normally merit dismissal for a first offence. Other types of offence may also be treated as gross misconduct, depending on the seriousness of the particular situation.
- 3.5 Following investigation and a disciplinary hearing, if the Council is satisfied that the employee has committed gross misconduct, the Council will be entitled to dismiss the employee without notice or payment in lieu of notice.

4. CONDUCT OF MEETINGS, INCLUDING APPEALS

- 4.1. Disciplinary hearing for misconduct will be held during working hours with the Line Manager, Clerk and Deputy Clerk at the place of employment. If an employee is invited to attend a disciplinary meeting, the employee must take all reasonable steps to attend. If, without good cause, an employee is persistently unable or unwilling to attend, the Council will hear the matter in the employee's absence and make a decision based on the evidence available.
- 4.2. Disciplinary hearings for gross misconduct, will be held during working hours at the place of employment by two members of the Executive Committee, together with -- a Senior Officer of the Council (this will normally be The Town Clerk if available). If an employee is invited to attend a disciplinary meeting, the employee must take all reasonable steps to attend. If, without good cause, an employee is persistently unable or unwilling to attend, the Council will hear the matter in the employee's absence and make a decision based on the evidence available.
- 4.3. At the meeting, the Senior Officer will explain the role of all those in attendance. The Senior Officer will then explain the case against the employee and go through the evidence that has been gathered. The employee will be given the opportunity to respond in full. This will include time to ask questions and present evidence. The employee must give the Council advance written notice if the employee intends to call any witnesses.
- 4.4. The Council may, at its discretion, adjourn a disciplinary meeting to further investigate any matters, which come to light during a disciplinary meeting.

4.5. Accompaniment in formal hearings

In any formal disciplinary hearings, including appeals, employees have a statutory right to be accompanied by a fellow worker or trade union official of their choice. As this is an internal process, there is no provision to have any external person present, e.g. partner, family member, solicitor etc. The employee's companion may address the hearing to put the employee's case, sum up or respond on the employee's behalf to any view expressed at the hearing. He or she may confer with the employee during the hearing but does not have the right to answer questions on the employee's behalf or address the hearing.

4.6. Note taking

In order to respect employee confidentiality, the Senior Officer will act as the note taker. A hard copy of the notes will be agreed and signed by both parties. Should the complaint be against the Clerk then the Chair of Executive Committee would presume the role of the note taker.

5. WARNINGS & DISMISSAL

5.1. First written warning

- a) The Council may issue a first written warning if an employee's conduct or performance does not meet the Council's standards.
- b) A first written warning will normally be issued by the employee's immediate manager or a nominated deputy. Where, at the conclusion of the disciplinary hearing, the Council decide to issue such a warning, the employee will be informed of the following:
 - i. the nature of the misconduct or poor performance that has led to the warning
 - ii. the action or improvement (if any) which is required
 - iii. if appropriate, the timescale for taking any such action
 - iv. the consequences if the employee does not take the required action or fails to improve or if there is further misconduct
 - v. when the warning will cease to have effect, subject to satisfactory conduct or performance. This will normally be after 6 months, but a longer period may be stated in exceptional cases
 - vi. the right of appeal

5.2. Final written warning

- a) The Council may issue a final written warning if:
 - i. the required improvement is not achieved within the timescale stated in the first written warning
 - ii. further misconduct or poor performance occurs while a first warning is still in effect, whether or not involving a repetition of the conduct or poor performance which was the subject of a previous warning
 - iii. the seriousness of the misconduct or poor performance merits it, regardless of whether the Council have issued any previous warnings.
- b) A final written warning will normally be issued by the Clerk of the Council or a nominated deputy. Where, at the conclusion of the disciplinary meeting, the Council decide to issue a final written warning, the employee will be informed of the following:

- i. the nature of the misconduct or poor performance that has led to the final warning, including any prior warning(s) which have been taken into account
- ii. the action or improvement (if any) which is required of the employee
- iii. if appropriate, the timescale for implementing any such action
- iv. the fact that this is a final warning and that the next stage of the procedure will be dismissal
- v. when the warning will cease to have effect, subject to satisfactory conduct [or performance]. This will normally be after 12 months, but a longer period may be stated in exceptional cases
- vi. the right of appeal.

5.3. Dismissal

- a) The Council may dismiss an employee for gross misconduct without notice if:
 - i. The act of the gross misconduct is deemed to bring the integrity of the council into disrepute. (e.g. violence, theft, excessive harassment or any form of discrimination).
 - ii. the required improvement is not achieved within the timescale stated in the final written warning
 - iii. further misconduct or poor performance occurs while a final written warning is still in effect, whether or not involving a repetition of the conduct or poor performance which was the subject of a previous warning
- b) Unless the dismissal is for gross misconduct, the employee will be dismissed with notice.
- c) A decision to dismiss an employee will normally be taken by the Town Clerk or Chair of Executive Committee. This decision will only be taken, if following a formal disciplinary hearing, the allegations are upheld. If the decision to dismiss is upheld, then within 24 hours after the end of the disciplinary meeting, the Clerk or the Chair of the Executive Committee will confirm in writing:
 - i. the reason for the employee's dismissal
 - ii. where applicable, the length of notice the employee is being given
 - iii. the date on which the employee's employment will terminate
 - iv. inform the employee of their right to appeal

6. SUSPENSION

- 6.1. Depending on the circumstances, it may be appropriate to suspend the employee from work on full pay in order that the investigation can take place. Suspension on full pay does not amount to a disciplinary sanction. Only the Town Clerk or Chair of the Executive Committee has the power to suspend an employee.
- 6.2. Whilst suspended pending disciplinary investigation, regular contact with a nominated person at the Council will be maintained, although access to premises, equipment or systems will be denied.

7. APPEALS

- 7.1. If the employee is dissatisfied with a disciplinary decision that has been taken, the employee can appeal against that decision. Appeals should be in writing, setting out the reasons for the appeal, and should be delivered to the Chair of Executive within five working days of the disciplinary decision.
- 7.2. The Council will then invite the employee to an appeal meeting which will normally take place within five working days of receipt of the employee's appeal. The Appeal will be heard by a separate panel of elected members (Staff Appeals Committee), who have not been involved in the original disciplinary hearing, and who will be expected to view the evidence with impartiality.
- 7.3. The appeal meeting may take place after the disciplinary decision has taken effect. If the employee is appealing against dismissal and the employee's appeal is upheld, the employee will normally be treated as having continued in employment pending the hearing of the appeal and will be reinstated with back pay. However, if the employee's appeal is not successful, the original date of the employee's dismissal will stand.
- 7.4. The employee has the right to be accompanied to an appeal by a fellow worker or a trade union representative.
- 7.5. The Appeal decision is final.

8. GRIEVANCES RAISED DURING A DISCIPLINARY PROCESS

- 8.1. If, during a disciplinary process, a grievance is raised that is related to the case, the Council will suspend the disciplinary procedure for a short period while the grievance is dealt with and resolved. Depending on the nature of the grievance, the Council may need to consider bringing in another manager to deal with the disciplinary process.

9. CRIMINAL CHARGES OR CONVICTIONS

- 9.1. If an employee is charged with or convicted of a criminal offence that does not directly impact on their employment, this will not automatically give rise to a disciplinary situation.
- 9.2. Consideration needs to be given to how a charge or conviction may affect an employee's ability to undertake his or her job duties, and their relationships with the Council, colleagues or customers. If deemed necessary, appropriate advice will be sought, and a review as to the appropriateness for the employee to remain in the council's employment will be made by the Executive Committee.

10. STATUS OF THIS POLICY

This policy does not give contractual rights to individual employees. The Council reserves the right to alter any of its terms at any time although the Council will notify the employee in writing of any changes.

Complaints Policy

The Procedure

Diss Town Council is committed to providing a quality service for the benefit of the people who live and work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how we will try to resolve your complaint. The Flowchart below explains how your complaint will be received, handled and resolved.

Follow diagram at Annex A.

Definition:

A complaint is defined as: An expression of dissatisfaction by one or more members of the public about council administration, service or procedure (whether provided directly by the council or by a contractor or partner) that requires a response. There is no difference between a 'formal' and an 'informal' complaint. Both are expressions of dissatisfaction that require a response.

Introduction

Diss Town Council is committed to providing a quality service for the benefit of the people who live and work in its area or are visitors to the locality.

Pursuant to Local Government Act 1974, the Local Government Ombudsman (LGO) has no jurisdiction over Parish and Town Councils in England. Consequently, there are no statutory mechanisms in place should complaints be made against local councils in England.

Diss Town Council therefore feels that to improve communications and services to its residents, a fair, clear and concise guide on the handling of complaints will guarantee that a transparent system provides a platform to ensure that all complaints are treated with the same respect and importance that they deserve.

Whilst the Town Council will attempt to deal with all complaints itself, there are times when the Council will need to defer to another body to take the complaint forward to a satisfactory resolution. The Council will consider engaging other procedures/bodies in respect of the following types of complaint:

Type of Conduct	Refer to
Financial Irregularity	Complaints about financial irregularity should be referred to the Council's auditor, whose name and address can be obtained from the Town Clerk. Local elector's right to object Council's audit of accounts pursuant to s.16 of the Audit Commission Act 1998. On other matters, the council will refer to its auditor of the Audit Commission
Criminal Activity	Any complaints which involve criminal activity will be referred to the Police.
Member Conduct	A complaint relating to a Member's failure to comply with the council's Code of Conduct must be referred to the Monitoring Officer for the Standards Committee of South Norfolk District Council.
Employee Conduct	Any complaint which involves the conduct of a council employee will be handled by the council's internal disciplinary procedure.

Although the LGO has no jurisdiction over Town and Parish Councils, it is useful for the Council to understand the jurisdiction of the LGO in order to assist members of the public to complain to the LGO where appropriate. The legislation is contained within the Local Government Act 1974 (the Act) s26 and 27. The key points are:

Town Councils are unable to lodge complaints as a public body (s 27(1) of the Act) about another local authority or public body defined in s 25 of the Act, but this does not prevent individual Councillors from making complaints about another local authority or public body in their personal capacity. In their official capacity, a Town Councillor, if so requested by Members of the public, could represent them in making complaints. Please note:

- Complaints must be made in writing.
- Complaints must be made within 12 months of the matters which are subject to the complaint.
- Complainants must first give the authority in question notice of the complaint and give them an adequate opportunity to investigate and reply to the complaint. This usually entails exhausting that authority's complaints procedure.
- The Ombudsman may not investigate matters which are or have been subject to a right of appeal.
- The Ombudsman may not investigate matters where the complainant has or has had a remedy by way of court proceedings.

The most common application of the last two points (e.g., the Ombudsman's lack of jurisdiction where the subject matter of the complaint is subject to a right of appeal or court proceedings) is in respect of judicial review. Many councils claim that the Ombudsman does not have jurisdiction in certain cases due to the availability of judicial review. In certain circumstances the Ombudsman can rely on section 26 (6) of the Act which states that:

'A Local Commissioner may conduct an investigation notwithstanding the existence of such a right or remedy if satisfied that in the particular circumstances it is not reasonable to expect the person affected to resort or have resorted to it.'

Complaints Procedures for Local Councils

The LGO has provided guidance on the subject of complaints procedures. A copy of the full guidance can be viewed on the LGO website: <https://www.lgo.org.uk/make-a-complaint/fact-sheets/other-topics/parish-councils> Whilst most of the guidance is aimed at higher level authorities the guidance is useful and forms a good basis at Town and Parish level.

The Town Council's complaints system is:

- Well publicised and easy to use.
- Helpful and receptive.
- Not adversarial.
- Fair and objective.
- Based on clear procedures and defined responsibilities.
- Quick, thorough, rigorous and consistent.
- Decisive and capable of putting things right where necessary.
- Sensitive to the special needs and circumstances of the complainant.
- Adequately resourced.
- Fully supported by Councillors and Officers; and
- Regularly analysed to spot patterns of complaint and lessons for service improvement.

The identity of a complainant will only be made known to those who need to consider the complaint and the Council will promise to maintain confidentiality where possible and if circumstances demand. The Council operates a three stage complaints procedure whereby issues are resolved by:

- Front line staff; then
- Management; then
- Senior management/Members.

Good practice dictates that a deadline is set for the handling of any complaint and the Council will not leave this open ended. Some flexibility is required to deal with lengthier and more complex complaints, and this is reflected in the Council's complaints procedure.

1. Every effort should first be made by the Town Clerk or Council Leader to resolve complaints to the satisfaction of the complainant by less formal measures or explanations provided within 30 days before resorting to the formal complaints' procedure.
2. Where the complainant is not satisfied with the outcome at point 1, they will be invited to attend a meeting of the Executive Committee to resolve the matter to mutual satisfaction with any outcomes reported to the next Full Council meeting.
3. It should be noted that the procedure is not appropriate for a complaint made against an individual.
4. The Code of Practice below will be employed to ensure that any complaint is properly and fully considered.

5. Before the Meeting

- 5.1 The person making the complaint (complainant) should be asked to put the complaint about the Council's procedures or administration in writing to the Town Clerk.
- 5.2 If the complainant does not wish to put the complaint to the Town Clerk, they may be advised to put it to the Council Leader.
- 5.3 The Town Clerk or Council Leader shall acknowledge receipt of the complaint and advise the complainant when the matter will be brought to the attention of the Executive Committee.
- 5.4 The complainant shall be invited to attend the relevant meeting and bring with them such representative(s) as they wish.
- 5.5 Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The Town Council shall similarly provide the complainant with copies of any documentation upon which it wishes to rely at the meeting.

At the Meeting

- 6.1 The Executive Committee must consider whether the circumstances of the meeting warrant the exclusion of the public and press. However, any decision on a complaint shall be minuted and announced at the next Full Council meeting in public.

- 6.2 Chairman to introduce everyone and explain the procedure
- 6.3 Complainant (or representative) to outline grounds for complaint.
- 6.4 Members to ask any questions of the complainant.
- 6.5 If relevant, the Town Clerk or Council Leader to explain the Council's position.
- 6.6 Members to ask any questions of the Town Clerk or Council Leader.
- 6.7 Town Clerk or Council Leader and complainant to be offered the opportunity of last word (in this order)
- 6.8 Town Clerk or Council Leader and complainant to be asked to leave the room while members decide whether or not the grounds for complaint have been made. (If a point of clarification is necessary, both parties to be invited back).
- 6.9 Town Clerk or Council Leader or other proper officer and complainant return to hear decision, or to be advised when a decision will be made.

After the meeting

- 7.1 The Executive Committee to report its conclusions and any action recommended to the next Full Council meeting.
- 7.2 Decision confirmed in writing within seven working days together with details of any action to be taken.

Maladministration

Whilst Parish Councils are not under the jurisdiction of the LGO the Council is aware that section 92 of the Local Government Act 2000 gives councils the power to make payment 'in cases of maladministration'.

The relevant text of section LGA 2000 s92 follows:

92 Payments in cases of maladministration etc.

(1) Where a relevant authority consider –

- a) That action taken by or on behalf of the authority in the exercise of their functions amounts to, or may amount to, mal administration, and
- b) That a person has been, or may have been, adversely affected by that action

Maladministration can be defined by the LGO as apparent 'maladministration' or service failure. This can include:

- Delay.
- incorrect action or failure to take any action.
- failure to follow procedures or the law.
- failure to provide information.
- inadequate record-keeping.
- failure to investigate.
- failure to reply.
- misleading or inaccurate statements.

- inadequate liaison.
- inadequate consultation; and
- broken promises

This list is not exhaustive, and maladministration is a broad concept. It has been described as bias, neglect, inattention, delay, incompetence, ineptitude, perversity, turpitude etc. For more information on maladministration and the LGO's advice on the matter please go to: <https://www.lgo.org.uk/information-centre/about-us/our-legal-framework>

The Council's complaints procedure is a document which specifically refers to complaints about administration, services and procedures, but may involve the conduct of a member of staff or officer of the Council. In this case the complaint will be dealt with under the Council's Disciplinary Procedure as detailed in the introduction section of this document.

At all-time the rules of natural justice will apply. In other words, all parties should be treated fairly and the process should be reasonable, accessible and transparent.

Management of unreasonable complainant behaviour

In a minority of cases complainants will act in a way that is unreasonable. Because of the nature or frequency of their contact with the Council, a small number of complainants can hinder the consideration of their own and other complainants' cases. This may be because of unacceptable behaviour in their dealings with the Council, or because of unreasonably persistent contacts that distract staff from their work but add nothing to the Council's knowledge or understanding of the case under consideration.

The Council will differentiate between persistent complainants and unreasonably persistent complainers. People bringing complaints back to the Council are 'persistent' because they feel the Council have not dealt with their complaint properly and are not prepared to leave the matter there. Some complainants may have justified complaints may pursue them in inappropriate ways. Others may pursue complaints which appear to have no substance.

Examples of unreasonable actions and behaviour

The LGO outlines experiences of actions and behaviours which have come to its attention. Single incidents may be unacceptable, but more often the difficulty is caused by unreasonable, persistent behaviour that interferes with the investigation, consideration and timing of a suitable resolution of the complaint.

Examples include

- refusing to specify the grounds of a complaint, despite offers of help.
- refusing to co-operate with the complaint's investigation process.
- refusing to accept that some issues may not fall within the scope of the procedure.
- insisting on the complaint being handled in ways that are not compatible with the agreed complaints procedure or with good practice.
- making unjustified comments about staff who are trying to deal with the issues and seeking to have them replaced.
- changing the basis of the complaint as the investigation proceeds.
- denying or changing statements the complainant made at an earlier stage.
- introducing trivial or irrelevant information at a later stage.
- raising numerous but unimportant questions; insisting they are all answered.
- covertly recording meetings and conversations.
- submitting falsified documents from themselves or others.
- pursuing parallel complaints on the same issue with a variety of organisations.

- making excessive demands on the time and/or resources of staff with lengthy calls, emails to council staff, detailed letters every day and expecting immediate responses.
- refusing to accept the decision; repeatedly arguing point with no new evidence.

These examples will act as trigger points which will activate this section of the policy, which could result in the restriction of access to council staff.

The decision to designate a complainant's behaviour as unreasonable and restrict access to council staff will only be made if the Council is satisfied that:

- the complaint is/has been investigated fully and properly.
- the decision that has resulted is the correct one.
- communications with the complainant have been adequate; and
- the complainant cannot provide any significant new information that may affect the Council's decision on the complaint.

If it becomes necessary that the complainant's behaviour is unreasonable and results in the need to restrict contact, the following steps will be considered:

- offering the complainant, a meeting with a senior staff member to explore the resolution of the complaint and explain why their current behaviour is seen as unreasonable.
- share the Council's agreed policy with the complainant and warn that restrictive actions may need to be applied should their behaviour continue.
- advise the complainant to find a suitable advocate to act on their behalf

Options for action

Any actions taken should be appropriate to the nature and frequency of the complainant's contacts. The objective is to manage the complainant's unreasonable behaviour in order to bring the complaint to the quickest resolution, without further distractions. Options include:

- placing limits on the number and durations of contact with staff.
- offering a restricted time slot for any necessary calls.
- limit contact to one medium (telephone, email, letter etc.)
- appoint one member of staff with whom the complainant can communicate.
- ensure that any face-to-face contact takes place with a witness present.

If a decision is taken to restrict access, the complainant will be sent a letter which will explain:

- why the decision was taken
- what impact this will have on the complainants contact with the Council
- how long the restrictions will last; and
- what the complainant can do to have the decision reviewed.

The member of staff to whom the complaint has been allocated is required to keep adequate records of all correspondence, face to face meetings and check to ensure that no important significant facts or evidence is overlooked.

A review date will be specified when the decision to restrict is imposed. Restrictions should be lifted at this point unless there are valid grounds to extend the restrictions.

Unacceptable Behaviour

The Council will not tolerate abusive, deceitful, offensive, threatening or other forms of unacceptable behaviour from complainants. When it occurs, the Council will take proportionate action to protect the wellbeing of our staff and the integrity of our complaints system.

In these cases, the Council will implement the agreed Bullying and Harassment Procedure.



Complaints Policy

1. The Council has adopted a standard procedure to provide a transparent process for dealing with complaints made about the administration of the Council or its procedures, either directly to the Council or referred on by another body.
2. Every effort should first be made by the Town Clerk or Council Leader to resolve complaints to the satisfaction of the complainant by less formal measures or explanations provided within 30 days before resorting to the formal complaints' procedure.
3. Where the complainant is not satisfied with the outcome at point 2, s/he will be invited to attend a meeting of the Executive Committee to resolve the matter to mutual satisfaction with any outcomes reported to the next Full Council meeting.
4. It should be noted that the procedure is not appropriate for a complaint made against an individual.
5. Complaints about a member of Council staff will be dealt with as an employment matter. The matter will be dealt with internally and appropriate action taken as required, if necessary, using the Council's Disciplinary Policy.
6. Complaints regarding Members are subject to the Council's Code of Conduct, pursuant to section 27 of the Localism Act 2011.
7. The Code of Practice below will be employed to ensure that any complaint is properly and fully considered.
8. ***Before the Meeting***
 - 8.1 The person making the complaint (complainant) should be asked to put the complaint about the Council's procedures or administration in writing to the Town Clerk.
 - 8.2 If the complainant does not wish to put the complaint to the Town Clerk, they may be advised to put it to the Council Leader.
 - 8.3 The Town Clerk or Council Leader shall acknowledge receipt of the complaint and advise the complainant when the matter will be brought to the attention of the Executive Committee.
 - 8.4 The complainant shall be invited to attend the relevant meeting and bring with them such representative(s) as they wish.
 - 8.5 Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The Town Council shall similarly provide the complainant with copies of any documentation upon which it wishes to rely at the meeting.
9. ***At the Meeting***

- 9.1 The Executive Committee must consider whether the circumstances of the meeting warrant the exclusion of the public and press. However, any decision on a complaint shall be minuted and announced at the next Full Council meeting in public.
 - 9.2 Chairman to introduce everyone.
 - 9.3 Chairman to explain procedure.
 - 9.4 Complainant (or representative) to outline grounds for complaint.
 - 9.5 Members to ask any questions of the complainant.
 - 9.6 If relevant, the Town Clerk or Council Leader to explain the Council's position.
 - 9.7 Members to ask any questions of the Town Clerk or Council Leader.
 - 9.8 Town Clerk or Council Leader and complainant to be offered the opportunity of last word (in this order).
 - 9.9 Town Clerk or Council Leader and complainant to be asked to leave the room while members decide whether or not the grounds for complaint have been made. (If a point of clarification is necessary, both parties to be invited back).
 - 9.10 Town Clerk or Council Leader or other proper officer and complainant return to hear decision, or to be advised when a decision will be made.
10. ***After the meeting***
- 10.1 The Executive Committee to report its conclusions and any action recommended to the next Full Council meeting.
 - 10.2 Decision confirmed in writing within seven working days together with details of any action to be taken.

Grievance Policy

1. Introduction

- 1.1 Diss Town Council is committed to promoting and maintaining a safe, positive and inclusive working environment. Expected standards of behaviour are outlined across numerous Council documents.
- 1.2 The Council recognises that differences and disagreements do arise in the workplace and this policy and procedure sets out the Council's approach to resolving concerns which inevitably arise from time to time.
- 1.3 The ability to discuss issues openly and respectfully is essential to the well-being of our people and the success of the Council.
- 1.4 Wherever possible the informal resolution of differences is preferable but it is recognised that this is not always possible or appropriate. A formal process is sometimes required to enable all parties to work together to find a mutually acceptable resolution. The formal policy and procedure hence exists to support colleagues in both raising and responding to grievances.
- 1.5 The aim of the process, whether informal or formal is to enable staff to raise concerns without fear of reprisal, to have them respectfully listened to and seriously considered and to seek agreement on the best way forward to resolve the concern being raised.
- 1.6 The Council believes that grievances should focus on perceived issues and behaviours, as well as practices, policies and procedures and not the person or people concerned.
- 1.7 A formal grievance may be withdrawn at any stage of the process. However, the Council may decide to continue to investigate and deal with any issues raised, for example if matters of potential misconduct have been identified.
- 1.8 The Council reserves the right to seek assistance from external facilitators at any stage in the grievance procedure, in the interest of seeking a satisfactory outcome for all concerned.

2 Grievance Procedure

- 2.1 Where possible, grievances should be resolved informally however it is accepted that this may not be possible or appropriate in all circumstances. Normally an employee will raise any issues with their direct line manager when they arise and in most cases it should be possible to resolve these issues locally at the time.
- 2.2 Staff should be encouraged to raise any issues at an early stage as this gives the opportunity to resolve them before they worsen and have an impact on the individual or staff morale. Dealing with issues informally or using mediation is more likely to result in a positive outcome, as once individuals are in a formal process there is a greater tendency for the situation to become more adversarial and for positions to become more entrenched.
- 2.3 If an informal approach is not appropriate or does not result in satisfactory resolution or if the matter is too serious to be dealt with informally, colleagues may raise a formal grievance. This should be done in writing as soon as possible. The written grievance should clearly set out the issue or behaviour giving rise to the concern and the resolution being sought, it should be as succinct as possible whilst clearly stating the issues to be addressed. Grievances should be addressed to both the Council Leader and the Chair of the Executive Committee.

STAGE 1

Receipt of a Grievance

- 3.1 Upon receipt of a written Grievance the Council Leader and the Chair of the Executive Committee will acknowledge receipt of the grievance, indicating the support available to the employee. If, having discussed the matter both believe there may be a way to promptly resolve the grievance informally they may contact the Employee and seek to do so. However, this should not be allowed to unnecessarily delay the process or deny the Employees option to utilise this procedure if they are not satisfied.

Grievance Panel Formation

- 4.1 A Grievance Panel will be formed to include: Council Leader, Chair of the Executive Committee and two other members of the Executive Committee.
- 4.2 The Panel will also inform the person identified as responsible for the concern (The Respondent) that a grievance has been received and inform them of the support available to them and that the Panel will contact them at the proper time.
- 4.3 The Panel will write to the Employee inviting them to attend a meeting to discuss their grievance. This would normally be within 10 working days of the formal grievance being submitted. At the meeting, the Employee may be accompanied by a trade union representative or a work colleague. Their role is to support the Employee, to help them prepare for the meeting and to assist in explaining the concern and the resolution being sought. In cases of bullying, harassment or discrimination colleagues may be accompanied at meetings by another appropriate support contact (e.g., emotional support) by prior agreement of the Panel. Any employee who is chosen to accompany another in a grievance hearing is entitled to take paid time off for this purpose. The employee must make every effort to attend the grievance meeting.

Initial Grievance Meeting

- 5.1 The meeting allows the Employee to explain the background to their grievance and the resolution they are seeking. It is also for the Panel to ensure they understand the issues and to mutually explore potential options for resolution. The Panel should also seek to understand who else they may need to speak to prior to reaching a recommendation.
- 5.2 A summary note, recording the key points, will be taken of the meeting and shared with the Employee. The Employee may comment on the notes to ensure they are accurate. If they wish to add additional information not raised at the meeting they may do so but these should be clearly noted as an insert. Any such amendments should be completed promptly and returned no later than five days of receipt of the draft notes.
- 5.3 If the Employee or their trade union representative is unable to attend the initial Grievance meeting, steps will be taken to rearrange this as soon as possible. However, if the Employee is persistently unable or unwilling to attend a meeting, the Panel will investigate and reach an outcome on the basis of the information available to them. A decision to proceed in this way will be communicated in writing to the Employee.

Investigating The Grievance

- 6.1 The Panel will then conduct any further investigation required. This may involve reviewing relevant policies or documents provided by the Employee. It is likely that they will also need to speak with other colleagues including any named Respondent(s). A Respondent and any witnesses should be invited to formal investigation meetings. Information provided to witnesses should be kept to the minimum required to ensure they are able to provide the information being sought by the Panel.
- 6.2 It is important that all those involved in the matter feel supported and able to engage in the process of seeking a mutually acceptable resolution. As indicated above (section 4.2) any named Respondent(s) should be informed as soon as possible that a grievance has been raised and the basis for this. Any letter inviting them to an investigation

meeting must also clearly set out the grounds for the grievance, the issues to be discussed and, where possible, the resolution being sought by the Employee. A Respondent may be accompanied by a trade union representative or work colleague.

- 6.3 The Panel may decide it is necessary to meet with the Employee raising the grievance again prior to making a decision. This could be to seek additional information or to give the Employee an opportunity to respond if a Respondent or witnesses have provided contrary information.
- 6.4 This investigation stage should be concluded as quickly as possible and normally within 10 to 15 working days of the initial meeting with the Employee. If longer is required, the Panel should ensure they communicate with the Employee and set out a time scale and the Employee and other key parties should be kept informed of progress.

Grievance Outcome

- 7.1 Once they have reached a conclusion the Panel will prepare a formal response in writing to the Employee. This will set out the issues under consideration, the steps they have taken to investigate and assess them, their conclusions and the resolution they are recommending. In more complex cases it may be appropriate for the Panel to produce a formal investigation report which would be appended to the outcome letter. It may be appropriate for the Panel to arrange a follow up meeting with the Employee who raised the grievance at this point to discuss the outcome, with a particular focus on any recommendations and/or further action required to support a resolution.
- 7.2 The Respondent(s) should also be informed of the outcome and it may be appropriate for the Panel to meet with the Respondent(s) and/or their line manager to support the implementation of any recommendations.
- 7.3 The Panel should, in conjunction with any relevant line managers, also consider any other actions or factors aligned to any recommendations made which may require attention following the conclusion of the process. This may include focusing on any ongoing relationships or involving others to support the reintegration of the relevant parties.
- 7.4 The Council Leader and the Chair of the Executive Committee who received the original grievance maintain overall responsibility for ensuring any appropriate follow up actions or recommendations are implemented with a suitable timeframe, including mediation following a formal grievance process where it may be used to help rebuild relationships.

STAGE 2

Lodging An Appeal

- 8.1 If an employee wishes to appeal the outcome of a Stage 1 grievance outcome they should submit an appeal in writing outlining their full grounds for appeal to the Council Leader and the Chair of the Executive Committee within 5 working days of receipt of the Grievance outcome. Employees will be notified that their appeal has been received within 5 working days. The Respondent(s) will also be informed that an appeal has been received and may be advised of the appeal grounds and context.
- 8.2 The appeal stage is not intended to be a rehearing of the original case. Hence the grounds for appeal should typically fall within one of the following:
 - Procedural error
 - The outcome and recommendations are unreasonable and significantly out of line with the issues considered

- New information is now available which could not have been provided when the original outcome was communicated
- 8.3 Where the appeal relates to new evidence there should be a clear statement provided outlining the reason this was not available for consideration at the previous stage.

The Appeal Meeting

- 9.1 The Council will invite the employee in writing to attend an appeal hearing, normally within 10 working days of receipt of an appeal. The employee may be accompanied by a Trade Union representative or work colleague. In cases of bullying, harassment or discrimination colleagues may be accompanied at meetings by another appropriate support contact (e.g., emotional support) by prior agreement of the Appeals Panel.
- 9.2 The Appeals Managers will hear appeals; The Mayor and the Vice-Chair of the Executive Committee who will consider the original outcome with an open mind. For more complex grievance appeals the Council may also decide to appoint a panel of three (to add a member of the Executive Committee with no previous involvement with the original grievance to the panel)
- 9.3 The appeal meeting allows the employee to explain why they think the outcome from the initial grievance was incorrect or failed to resolve the grievance. The Appeal Managers will ask questions to ensure they understand the grounds for the appeal and any new information being presented along with the resolution being sought. A summary note, recording the key points, will be taken of the meeting and shared with the employee. The employee may comment on the accuracy of the note.
- 9.4 The Appeal Managers will adjourn the meeting to consider the information and conduct any additional investigations they feel necessary. This is likely to involve meeting with the original Panel and potentially the Respondent(s) but only where this is felt necessary to reach a conclusion.
- 9.5 If the employee or their Trade Union representative is unable to attend the appeal meeting, steps will be taken to rearrange this as soon as possible. However, if the employee is persistently unable or unwilling to attend a meeting, the Appeal Managers will review the available materials and reach an outcome based on the information available to them. A decision to proceed in this way will be communicated in writing to the employee in advance.

The Appeal Outcome

- 10.1 Once the Appeal Managers have considered all the points raised, they will provide a response to the employee. This will normally be within 15 days of the appeal meeting and the employee will typically be invited to a further meeting to hear the outcome. The outcome of the appeal and any additional recommended actions] will be confirmed to the employee in writing and communicated formally to the Respondent(s).
- 10.2 The decision of the Appeal Managers is final and there is no further right of appeal.

OVERLAP WITH OTHER PROCEDURES

- 10.3 It is possible, depending on the circumstances of a Grievance, that consideration be given at different points to moving into the Council's Disciplinary process if this is deemed appropriate.
- 10.4 The Panel may identify at the very start of a process that the matter, if found, would be a serious matter of misconduct. In such cases a decision may be taken to formally investigate the matter under the disciplinary procedure from the start.
- 10.5 Alternatively, such a decision may be taken at a later point, for example following the initial meeting with the individual raising the grievance or at the outcome stage. In such

cases the individual would be informed of this however would not be informed of the outcome of any such Disciplinary Investigation and/or hearing.

10.6 Where a Panel recommends that consideration be given to the matter under the disciplinary procedure, they should ensure that the allegation of misconduct is clearly identified but not seek to propose a conclusion or outcome ahead of further independent consideration under the disciplinary process.

10.7 It is important, given the above, that the investigation process is carried out in a way that should the matter subsequently need to be considered under the Disciplinary Procedures, it meets the key principles set out above. In any case, any potential for a subsequent move to the Disciplinary Procedure must be made clear to the Respondent when they are interviewed as part of the grievance investigation, and they must then have the opportunity to respond fully and be accompanied accordingly.

Grievance Policy

1. Introduction

- 1.1 The Council's encourages employees with grievances relating to their employment to use the following procedure to seek satisfactory solutions.
- 1.2 The primary purpose of this grievance procedure is to enable staff to air any concerns that they may have about practices, policies or treatment from other individuals at work or from the Council, and to produce a speedy resolution where genuine problems exist.
- 1.3 If the employee 's complaint relates to his / her dissatisfaction with a disciplinary, performance review or dismissal decision, the employee should not invoke the grievance procedure but should instead appeal against that decision in accordance with the disciplinary appeals procedure.
- 1.4 Although it may not be possible to solve all problems to everyone's complete satisfaction, this policy forms an undertaking by the Council that it will deal objectively and constructively with all employee grievances, and that anyone who decides to use the procedure may do so with the confidence that their problem will be dealt with fairly.
- 1.5 This grievance procedure is not a substitute for good day-to-day communication. This procedure is designed to deal with those issues that need to be approached on a more formal basis so that every route to a satisfactory solution can be explored and so that any decisions reached are binding and long lasting.
- 1.6 Employees who have raised grievances will always be treated fairly before, during and after the conclusion of the grievance hearing(s).

2. The Grievance Procedure

- 2.1 Where an employee has a grievance on a subject relevant to their employment, the employee should, in the first instance, discuss the matter informally with the Town Clerk/Deputy Town Clerk, who should reply orally as soon as possible and in any case within 7 days.
- 2.2 If the employee cannot settle their grievance informally, the employer should raise it formally. This procedure has been drawn up to establish the appropriate steps to be followed when pursuing and dealing with a formal grievance. A written description of the discussion held will be kept on file.

Stage 1

- 2.3 In the event of an employee having a formal grievance relating to their employment the employee should put their grievance in writing and address it to the Town Mayor. In the event the grievance is against the Town Mayor, the employee should address his / her grievance to the Council Leader.

- 2.4 The Council Leader shall form a Grievance Panel of the Council, members of which will have no prior knowledge of the case.
- 2.5 The Council Leader will then invite the employee to attend a formal grievance meeting with the Panel to discuss the employee's grievance and the employee has the right to be accompanied at this meeting by a trade union official or a fellow employee of their choice. Every effort will be made to convene the grievance meeting at a time which is convenient for the employee and the employee's companion to attend. If this means that the meeting cannot be held within a reasonable period (usually within five working days of the original proposed date), Council will request the employee to make arrangements with another companion who is available to attend. Any employee who is chosen to accompany another in a grievance hearing is entitled to take paid time off for this purpose. The employee must make every effort to attend the grievance meeting.
- 2.6 At the meeting, the employee will be permitted to explain their grievance and how the employee think it should be resolved.
- 2.7 Following the meeting, The Council Leader will endeavour to respond to the employee's grievance as soon as possible and, in any case, within five working days of the grievance meeting. If it is not possible to respond within this time period, the employee will be given an explanation for the delay and be told when a response can be expected. The employee will be notified of their right to appeal against that decision if the employee is not satisfied with it.

Stage 2

- 2.8 In the event that the employee feels their grievance has not been satisfactorily resolved, the employee may then appeal in writing to The Council Leader, within five working days of the grievance decision setting out the grounds for the employee's appeal.
- 2.9 On receipt of the appeal letter, the Town Mayor/Council Leader, will appoint a new Grievance Panel of the Council (none of the committee members will have had any previous involvement in the case) and shall make arrangements to hear the employee's grievance at an appeal meeting. At this meeting the employee may again, if the employee wishes, be accompanied by a trade union official or a fellow employee of the employee's choice. The employee must make every effort to attend the grievance appeal meeting.
- 2.10 Following the meeting, the Mayor/Council Leader will endeavour to respond to the employee's grievance as soon as possible, usually within five working days of the appeal hearing. If it is not possible to respond within this time period, the employee will be given an explanation for the delay and be told when a response can be expected. The employee will be informed in writing of the Grievance Appeal Panel's decision on the grievance appeal.

- 2.11 This is the final stage of the grievance procedure. The Mayor/Council Leader and The Grievance Appeal Panel's joint decision shall be final.

3. *Disciplinary issues*

If the employee complaint relates to his/her dissatisfaction with a disciplinary, performance review or dismissal decision, the employee should not invoke the grievance procedure but should instead appeal against that decision in accordance with the disciplinary appeals procedure.

4. *Investigations*

The Council is committed to ensuring that all grievances are fully investigated. This may entail carrying out interviews with the employee concerned and third parties such as witnesses, colleagues and managers, as well as analysing written records and information. The investigation report will be made available to all the parties concerned. Where necessary, the identity of witnesses will be kept confidential.

5. *Notes*

- 5.1 If the employee's complaint concerns an alleged wrongdoing or criminal offence by persons within the Council, the employee should raise it immediately with the Town Mayor/Council Leader, i.e. at Stage 1 of the procedure. Please refer to the Whistleblowers' Policy which is Policy 17 for details of the additional protection available for protected disclosures.
- 5.2 Every effort will be made to ensure that employees are encouraged to raise grievances and will not suffer any detriment from so doing. However, the employer should note that if the employee's grievance is found to be malicious or to have been made in bad faith, then the employee will be subject to the Council's disciplinary procedure
- 5.3 The timescales listed above will be adhered to wherever possible. However, where there are good reasons, e.g. the need for further investigation or the lack of availability of witnesses or companions, each party can request that the other agrees to an extension of the permitted timescale.
- 5.4 The Council reserves the right to seek assistance from external facilitators at any stage in the grievance procedure, in the interest of seeking a satisfactory outcome for all concerned.
- 5.5 This procedure is for guidance only and does not form part of employees' contractual rights.

Review Date: Sep 2022

Health & Safety Policy

Policy Statement

1. It is the policy of the Council to provide and maintain as far as reasonably practical, a safe and healthy working environment (to include plant, equipment, the safe storage and handling of articles and substances, the provision of welfare facilities and systems of work) for all employees. The Council will strive to continually improve its health and safety performance and systems.
2. Through this policy, the Council intends to reduce the risk to employees and others who could be affected by work activities to as low a level as is reasonably practicable. This will be achieved through the Council's risk assessment process, as required by The Management of Health and Safety at Work Regulations 1999 s3.
3. The Council recognises the need to provide suitable and sufficient information, instruction, supervision and training to ensure that workers are competent for the health and safety of themselves, other workers and any other person who could be affected by work activities. It will understand the risks and endeavour to control them through good management.
4. The Council will encourage co-operation and involvement in Health and safety at all levels in the Council. This will be conducted through staff induction & relevant Health & Safety updates and training.
5. The Council will provide adequate resources to manage the risks.
6. This Council will take steps to minimise accidents and occurrences of work-related ill-health.
7. The Council will ensure as far as is reasonably practicable, the health, safety and welfare at work of all their employees and workers as defined in Sections ~~acknowledges the duties placed on employers towards other workers and non-employees by sections 2(3) and 2(4) of the Health and Safety at Work Regulations 1999.~~
8. The Council will take steps to protect the environment in the implementation of this policy.

1. Statement of General Policy on Occupational Health & Safety

- 1.1 Regulation 5 of the Management of Health and Safety at Work regulations 2015 requires that appropriate arrangements be made for the effective planning, organisation, control, monitoring and review of preventative and protective measures for health and safety.
- 1.2 The Council recognises its obligations to meet this requirement by producing a general policy Statement which is to be made available to every employee. Employees will be expected to familiarise themselves with the Statement, which should be read in conjunction with the Council's Risk Management policy (Appendix A).

2. Safety Management

The Town Clerk is to ensure that a systematic approach is adopted to the management of health and safety including:

~~The organisation of health and safety within the Council is ultimately the Town Clerk's/CEO responsibility, they may appoint a nominated person who's duty it is to complete the health & safety for the Council. - In this instance this person will be the Buildings & Maintenance Manager in the Council - duties and responsibilities of persons responsible (see attached). Line Managers in conjunction with the Town Clerk will be responsible for:-~~

- a) Control – management procedures, disciplinary procedures, checks and monitoring of procedures-
- b) Co-operation – consultation and involvement with staff, development of performance standards.
- c) Communication – about the policy, information about safety and how it is managed.
- d) Competence – training.

3. Objectives

Periodically the ~~Buildings & maintenance~~ Maintenance Manager will, based on the outcome of risk assessments, set specific objectives to be met for continuous improvement in health and safety performance.

4. Risk Assessment

Safety management will be built on a careful assessment of risks of all the activities carried out by all sections of the Council workforce. The ~~Buildings &~~ Maintenance Manager is responsible for carrying out assessments, identifying what training and specialist equipment is required, and to identify ways to minimise risk through risk assessments.

5. Measuring Performance

The Maintenance Manager is to measure safety performance against the objectives. Monitoring should involve checking safety management against the Council's policy ensuring it is adequate and is being fully implemented. Reactive monitoring e.g. accident statistics, ill-health records, insurance claims, defect reports should also be measured.

6. Audit and Reviews

All components of safety management should be subject to review from time to time to ensure they remain valid and effective. Changed factors should be considered e.g. new legislation, new working practices, availability of equipment, new personnel, audit results, etc.

7. Assessment, Control and Monitoring

Review Date: Sep 2022

The Town Clerk/CEO is responsible for ensuring the Council's obligations are met in respect of assessment, control and monitoring of:

- a) HEALTH AND SAFETY ADMINISTRATION – including the appointment and support of competent persons, basic documentation and records.
- b) EMERGENCY PROCEDURES – accidents, first aid, fire risk assessment and evacuation procedures.
- c) GENERAL RISKS AND CONTROLS – manual handling, display screen equipment, personal protective equipment, portable electrical appliances, managing visitors, work equipment, slips trips and falls, substances hazardous to health.
- d) PREMISES MANAGEMENT – electricity, gas and water supply, the work environment, lifts and mechanical lifting equipment, ladders, waste disposal, vehicle inspection and maintenance.

8. Risk Assessment (see also separate Risk Management Policy)

The Town Clerk/CEO has a responsibility to ensure that all areas of risk within their area of responsibility are covered. A schedule of activities and potential areas of accident in the workplace will be produced by the Building & Maintenance Manager to include:

- a) The potential risks (hazards which might be identified and associated with causes of accidents).
- b) The persons at risk.
- c) The risk rating.
- d) Action already taken to control risk.
- e) Action/procedures to be taken to minimise risk.
- f) All risk assessments are to be checked yearly to ensure they are still relevant for the Council and adhere to current legislation.

9. Workplace/Equipment Inspections

An Inspection Log for each building/open space should be compiled by the Maintenance Manager, which is to be made available to the Health and Safety Executive and other officers on request. The log gives details of:

- a) Workplace areas that require inspection.
- b) Equipment and, in particular, safety equipment.
- c) The frequency of inspections of workplace/equipment.
- d) The dates of inspection with the signature of the person undertaking the inspection.
- e) Maintenance contracts with dates of inspection.

10. Accident Reporting

- 10.1 Every accident, no matter how minor, is to be reported. For safety monitoring purposes and with a view to accident prevention, "near miss" accidents should also be reported.
- 10.2 The Town Clerk/Buildings & Maintenance Manager is to ensure that an accident reporting system is in place and is understood by all employees. Reports are to be completed immediately after emergency treatment of the injured person and must be signed by the injured person, if possible, and/or by the person making the report.
- 10.3 These reports should be examined when completed and recommendations made to prevent a recurrence. The recommendation(s) are to be noted on the accident report file & reported to the Executive committee.
- 10.4 Fatal accidents, major injury accidents, dangerous occurrences and accidents causing more than three days incapacity for work are "reportable" to the Health and Safety Executive under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR), these will be reported by the Town Clerk/CEO to RIDDOR.

11. Procedures

11.1 After an assessment of the potential hazards in the workplace, the Town Clerk/CEO will draw up a procedures manual/code of safe practice as part of the information, instruction, training and supervision to be given to employees to enable them to avoid hazards and contribute positively to their own health and safety at work.

11.2 The manual/code of practice shall cover:

- a) Fire precautions
- b) Emergency evacuation
- c) First aid
- d) Manual handling
- e) Waste disposal
- f) Electrical appliances
- g) Mechanical equipment
- h) Chemicals, solvents, detergents, etc
- i) Workshop and open spaces
- j) Use of vehicles and maintenance
- k) Lone and isolated working
- l) Working at height
- m) Exposure to asbestos fibres
- n) Noise
- o) Personal protective equipment provision
- p) Use of display screen equipment
- q) Managing visitors
- r) Legionnaires.

11.3 Fire Precautions

- a) The Town Clerk is responsible for compliance with fire legislation, specifically the Regulatory Reform (Fire Safety) Order 2005 (FSO) Precautions.
- b) Fire safety inspections and analysis of potential fire hazards are completed by competent, suitably qualified contractors on a regular basis and appropriate action taken as a result of those inspections. Fire Risk assessments will be reviewed every two years and will be redone every four years by the Buildings and Maintenance Manager.
- c) Fire extinguishers are provided and correctly sited to meet statutory and insurance requirements. All fire equipment is regularly tested and serviced by specialised contractors.
- d) All fire exits and emergency paths of egress are marked using the standard symbols.
- e) Awareness training is arranged yearly/periodically, and all employees are expected to attend sessions.
- f) See also Fire Safety Policy.

11.4 First Aid

- a) In order to comply with The Health and Safety (First Aid) Regulations 1981, the Maintenance Manager should assess all premises and areas of work and ensure there are adequate first aid supplies in convenient and accessible places to meet the emergencies that may arise.
- b) On commencement of employment all staff are to be informed of the first aid provision and any changes, as they arise, are to be brought to the attention of all employees.

Review Date: Sep 2022

- c) The names of suitably trained personnel are to be posted at the Council Offices, the Maintenance Team Workshop. The minimum requirement for trained first aiders for the Council is two within the maintenance team and two within the Council Offices.

11.5 Manual Handling

In order to comply with The Manual Handling Operations Regulations 1992, the Town Clerk/CEO takes all reasonable practical steps to ensure sufficient information, instruction, training and supervision is available to staff to avoid back injury. To this end the requirements of staff are assessed as far as moving/lifting is concerned. Employees should note:

- a) Staff must ask for help and/or training if there is any risk of injury to themselves or the object to be handled.
- b) Where handling aids are provided, they must be used.

11.6 Electrical Appliances

Arrangements will be made by the Buildings & Maintenance Manager for all electrical appliances to be inspected and tested on a regular basis by a competent person in accordance with the Electricity at Work Regulations 1989.

Before using any appliance, the user should check:

- a) All safety guards which are a normal part of the appliance are fitted and in working order.
- b) Power supply cables/leads are intact and free of cuts and abrasions.
- c) The electrical appliance carries a valid Electrical Safety Tested label.
- d) Defective equipment must never be used and must be reported immediately.

11.7 Equipment

Regular monitoring ensures that work equipment is maintained in efficient working order and in good repair. Where machinery/equipment has a maintenance log, it is kept up to date, this is the responsibility of the Buildings & Maintenance Manager.

- a) Employees must not perform modifications to work equipment.
- b) Employees using equipment will be given adequate training for health and safety purposes before use.
- c) Employees using equipment will wear appropriate Personal Protective Equipment provided by the Council.

11.8 Chemicals, Solvents, Detergents

- a) In accordance with The Control of Substances Hazardous to Health Regulations 2002 (COSHH), the Maintenance Manager has assessed the health risks due to hazardous substances. Safety data sheets are supplied with all such materials and employees using these materials will be informed accordingly.
- b) Employees should familiarise themselves with the hazards associated with the materials and precautions to be taken in the event of spillages, splashes, etc. Employees will use the appropriate Personal Protective Equipment provided by the Council when using hazardous substances. All Data Sheets and COSHH for substances are kept in a folder by the Maintenance Manager and accessible to all staff to remind themselves.

11.9 Display Screen Equipment

- a) To ensure compliance with the Health and Safety (Display Screen Equipment) Regulations 1992, The Buildings and Maintenance Manager will check all employees workstations who use a visual display unit (VDU) for continuous periods of more than one hour and make the necessary changes required consultations are regularly made

~~with employees who use a visual display unit (VDU) daily and for continuous periods of one hour~~ in regard to:

- i. The design of workstations.
- ii. Visual problems due to work.
- iii. Work routine to reduce eye and body fatigue.

b) ~~Corrective measures are taken as a result of these consultations. The Council shall ensure that these employees are provided with an appropriate eyesight test to be carried out by a competent person (see also Eye Test & Glasses Policy).~~

11.10 Lone and Isolated Working (see also Lone Working Policy)

- a) Under Section 7 of the Health and Safety at Work Act all employees have their own duty to take reasonable care for their own safety and that of anyone else who might be affected by what they do or do not do (acts or omissions).
- b) Regulation 3 of The Management of Health and Safety at Work Regulations 1999 (as amended) places a duty on the Council to make an assessment of the risks involved with all work activities, these are available and kept by the Maintenance Manager.

12. Welfare

Employees are reminded that:

- a) Any person who is under medical supervision or on prescribed medication and who has been certified fit for work, should notify their supervisor of any known side effects or temporary physical disabilities which could hinder their work performance, and which may be a danger to either themselves or others. The supervisor will arrange or assign appropriate tasks for that person to carry out in the interim.
- b) Drug and alcohol abuse – employees ~~or councillors will not~~ ~~are not allowed to attend the premises~~ ~~or any meetings~~ or carry out ~~any~~ duties whilst under the influence of drugs or alcohol. Any ~~member of staff person~~ found breaking this rule may be liable to disciplinary action, ~~if a Councillor breaks this rule they will be reported to the Monitoring Officer at District Council.~~
- c) ~~Employees are provided with alcohol wipes and hand cleaners in all vehicles used for the purposes of carrying out Council duties and are expected to use them and report when replacements are required.~~

Commented [SF1]: Can I add councillors to this ?

13. Training

- 13.1 All new employees will be shown the location of first aid equipment, fire exits and fire equipment and are to be well instructed on safety issues. They may not undertake any professional duties until instruction has been completed. The ~~member of staffs Line Manager/Town Clerk~~ will ensure that a health and safety awareness programme is incorporated into the induction programme ~~which will be carried out by the Buildings & Maintenance Manager.~~
- 13.2 Safe working practices as laid out in the procedures/code of practice manual must be explained and demonstrated where necessary prior to the new employee carrying out full duties.
- 13.3 All staff must be made aware of their responsibilities for health and safety as defined in this document and the codes of practice drawn up for each area. They must be instructed that failure on their part to act in accordance with health and safety policies and procedures is subject to disciplinary action

Review Date: Sep 2022

- 13.4 Employees' health and safety awareness must also include the fact that under their duty of care they are bound to report any equipment or premises defects they discover, and/or any malpractice they identify in the course of their work. [\(See Whistle blowing Policy for reporting of Malpractice\)](#).
- 13.5 Safety training, such as fire awareness and prevention, moving and handling, first aid, are to be considered as essential training for all employees and must be built into the overall training and staff development programme. Training in the identification of hazards in the workplace should also be given to staff at all levels, while formal risk assessment training is to be organised for all persons in supervisory or management posts.
- 13.6 Attendance at all health and safety training/instruction is to be well documented and recorded on employees' personnel files.

14. Information and Communication

- 14.1 It is mandatory that the statutory poster "Health and Safety Law – What You Need to Know" is displayed in the office and in the workshop and is shown to new personnel. In order to promote a safe and healthy workplace, a supply of the numerous health and safety leaflets published by the Health and Safety Executive should be made available to staff if they require them.
- 14.2 The Town Clerk/[CEO](#) must ensure that all employees, including temporary and casual workers, are provided with comprehensive and relevant information on any health and safety risks identified by assessments and the necessary preventative and protective measures.
- 14.3 The Town Clerk [and Buildings and Maintenance Manager](#) must ensure that they keep up-to-date with changes in health and safety legislation, e.g. by obtaining regular updates from the Health and Safety Executive.-

15. Disciplinary Action

- 15.1 The Town Clerk/[CEO](#) must make it clear to all employees that contravention of the Health and Safety Policy and related documentation will constitute a disciplinary offence which may lead to termination of employment for serious or repeated breaches.
- 15.2 Any employee leaving their workplace because of serious, imminent or unavoidable danger, will not be dismissed or placed at any disadvantage.

16. General Safety

- 16.1 The Council aims to provide a healthy and safe working environment. This can be achieved with the support of all employees by:
- a) [Complying with](#)~~Observing~~ the general rules of safety.
 - b) Using all plant, machinery and equipment in a safe and proper manner.
 - c) Employing the proper procedures when carrying out tasks and ensuring that no practices are used which may act as a source of danger to themselves or to others.
 - d) Keeping work areas clean and tidy always.
 - e) Making sure all corridors and passageways, particularly those leading to escape routes, are kept free from obstruction at all times.
 - f) Taking care that fire points are not blocked or covered up in any way and that they are ready for use if the need arises.
- 16.2 The Council reminds all employees of their own duties under Section 7 of the Health and Safety at Work etc Act 1974 to take care of their own safety and that of other

persons who may be affected by their acts or omissions, and to co-operate with the Council ~~so as~~ to enable it to carry out its own duties and/or statutory requirements successfully.

- 16.3 Employees also have additional duties under the Management of Health and Safety at Work Regulations 1999 to use any equipment, material or substance provided to them in accordance with any training and instruction, and to report any risk situation or shortcoming in protection arrangements to management.

17. Legal Implications

- 17.1 The Health and Safety at Work etc Act 1974 places a general duty and responsibility on all employees, volunteers and elected and co-opted Members of the Council.

- 17.2 Any employee, volunteer, elected or co-opted Member who behaves in a way which endangers the health and safety of others may be prosecuted by the Health & Safety Executive (HSE). These can include:

- 17.3 Fines of up to £5000 may be imposed on a summary conviction for offences under the Act. In addition, imprisonment for a period of up to two years or unlimited fine, or both, may be imposed in certain cases.

- 17.43 "Improvement Notices" or "Prohibition Notices" can be served in respect of a "person". This term includes an individual person as well as the Council.

- 17.54 An Improvement Notice will specify the change required to secure adherence to any relevant statutory provisions and the time allowed to meet this obligation.

- 17.65 A Prohibition Notice would be issued if, in the opinion of the inspector appointed under the Act, activities or would involve a risk of personal injury, or may give rise to such a risk in the future.

- 17.76 Any employee, volunteer or elected or co-opted Member receiving an Improvement Notice, or a Prohibition Notice issued under Sections 21, 22 or 23 of the Health and Safety at Work etc Act 1974 must immediately inform the Town Clerk.

1. Diss Town Council Roles & Responsibilities

Health and safety legislation generally recognise persons as employers and employees; it does specify individual job titles. The following paragraphs define the Health and Safety responsibilities of employees within the Council.

2. The Elected Council

The Council will ensure that it has an effective policy for health and safety ~~policy~~ within areas under its control and that all liabilities are covered by adequate documentation and insurance. Further the Council acknowledges its intent to ensure sufficient resources to implement the policy are budgeted for annually.

3. Town Clerk

The Town Clerk/CEO is ultimately responsible for ensuring that this policy is up to date and implemented. The Town Clerk is also responsible for ensuring that

- a) all employees have the necessary information, instruction & training to enable them to carry out their work without risk to their ~~selves health and safety~~, or to ~~the health and safety of~~ any other person who could be affected.
- b) sufficient funds and resources are allocated within budgets by the RFO under the ~~which should Town Clerk's control to~~ meet any of the requirements of the policy.

4. Safety Officer

The Buildings & Maintenance Manager, under the overall direction of the Town Clerk, is the Safety Officer who will be responsible for ensuring that the health and safety policy of the Council is implemented. The responsibilities cover:

- a) Assessing, controlling and regular monitoring of all safety aspects of the Council's service to ensure they meet current health & safety legislation.
- b) Ensuring that appropriate safety education and training are co-ordinated and carried out.
- c) Ensuring that adequate fire protection and prevention measures are provided.
- d) Maintaining safety records.
- e) Ensuring that all accident reports are completed promptly, and an investigation of accidents and dangerous occurrences is carried out, with a view to prevention of future occurrences and to ensure that appropriate statutory notifications are properly completed.
- f) Providing staff with relevant information on risks to health and safety.
- g) Completing risk assessments for all Council facilities and activities.
- h) Regular monitoring of all Council facilities for defects or health and safety issues and recording, reporting and acting on them.
- i) Any health or safety problems which cannot be resolved immediately are raised quickly with the Town Clerk/CEO.

- j) Providing regular reports to the Town Clerk particularly any health and safety problems which cannot be resolved immediately.

5. Employees, Volunteers and Elected or Co-opted Members

All employees, whether permanent or casual, volunteers and elected and co-opted members have a duty as laid down in Section 7 of the Health and Safety at Work, etc Act 1974 to:

- a) Make themselves familiar with the Health and Safety Policy of the Council and health and safety literature which is posted on Notice Boards in the workplace or which is drawn to their attention by their immediate supervisor. If, for any reason there is a problem with understanding these documents, the supervisor will ensure that employees understand what they contain.
- b) Take reasonably practicable care for the health, safety and welfare of themselves and other persons who may be affected by their acts or omissions whilst at work.
- c) Co-operate with the Council to enable it to carry out its responsibilities fully and comply with relevant statutory legislation.
- d) Make full use of the appropriate safety equipment, protective clothing and safety devices provided by the Council and not intentionally or recklessly interfere with or misuse any such items.
- e) Carry out all duties in accordance with training and instructions to ensure compliance with legal requirements.
- f) Report to their Line Manager all accidents. Volunteers to report any injuries or damage to the Town Clerk/CEO.
- g) Report to the Buildings & Maintenance Manager any faults or defects in premises, site or work equipment.

For the purposes of the above:

- a) A Line Manager is any person who exercises any level of supervision or control over other members of staff or responsibility for any sites.
- b) An employee includes all persons employed by The Council on a full time, part time or occasional basis.

6. Visitors and Contractors

- 14.1 All visitors and contractors must be informed of any hazards or dangers on Council premises, and the precautions they should take to minimise risks to their health and safety
- 14.2 All contractors, hirers and users of Town Council facilities will be required to complete a site-specific risk assessment to the Buildings & Maintenance Manager's satisfaction. Where appropriate, meet with the Contractor before work begins in order to discuss how any risks to employees or visitors can be avoided/minimised, and/or oversee works to ensure Health and Safety compliance.

Review Date: Sep 2022

- 14.3 A copy of the completed risk assessment ~~with signatures~~ from both parties will be kept in the Council Offices with a signed copy to be supplied to the other party.
- 14.4 All contractors undertaking building works to Council facilities will be provided with access to the Asbestos Register and shown the location of the accident book.



Diss Town Council

STANDING ORDERS

Based on Model Standing Orders 2018 from the Norfolk Association of Local Councils (NALC).

Standing Orders are the written rules of a local Council, which are essential to regulate the proceedings of a meeting. A Council may also use Standing Orders to confirm or refer to various internal organisational and administrative arrangements. They are not the same as the policies of a Council, but they may refer to them.

Local councils operate within a wide statutory framework. NALC model Standing Orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model Standing Orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model Standing Orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's Standing Orders.

The model Standing Orders do not include model financial regulations, which are Standing Orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the Standing Orders of a council, include most of the requirements relevant to the council's Responsible Financial Officer.

Model Standing Orders that are in bold type contain statutory requirements and should be adopted without amendment. Model Standing Orders not in bold are designed to help councils operate effectively but do not contain statutory requirements, so they may be adopted as drafted or amended to suit a council's needs. For convenience, the word "councillor" is used in model Standing Orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

Index

1.	Rules of debate at meetings	3
2.	Disorderly conduct at meetings	5
3.	Meetings generally	5
4.	Committees and sub-committees	8
5.	Ordinary Council meetings	9
6.	Extraordinary meetings of the Council and committees and sub-committees	10
7.	Previous resolutions	11
8.	Voting on appointments	11
9.	Motions for a meeting that require written notice to be given to the Proper Officer	11
10.	Motions at a meeting that do not require written notice	12
11.	Management of Information	13
12.	Draft minutes	13
13.	Code of conduct and dispensations	14
14.	Code of conduct complaints	15
15.	Proper Officer	15
16.	Responsible Financial Officer	16
17.	Accounts and accounting statements	16
18.	Financial controls and procurement	17
19.	Handling staff matters	19
20.	Responsibilities to provide information	19
21.	Responsibilities under data protection legislation	19
22.	Relations with the press/media	20
23.	Execution and sealing of legal deeds	20
24.	Communicating with District and County Councillors	20
25.	Restrictions on Councillor activities	20
26.	Standing Orders generally	21

1. Rules of debate at meetings

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

- o Unless permitted by the Chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.

- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the Standing Order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.

- q A point of order shall be decided by the Chairman of the meeting and his/her decision shall be final.

- r When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend Standing Order(s) excepting those which reflect mandatory statutory requirements.

- s Before an original or substantive motion is put to the vote, the Chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his/her right of reply.

- t Excluding motions moved under order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed minutes without the consent of the Chairman of the meeting.

2. Disorderly conduct at meetings

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

3. Meetings generally

Full Council meetings **(FC)**
Committee meetings **(CO)**
Sub-committee meetings **(SUB-CO)**

a	Councillors are expected to read agenda packs in advance of the meetings and bring to the attention of the Clerks any queries relating to agenda items prior to the start of the meeting.
b	Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost. (FC)
c	The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning. (FC / CO)
d	Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion. (FC / CO)
e	Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
f	The period of time designated for public participation at a meeting in accordance with Standing Order 3(e) above shall not exceed fifteen twenty minutes unless directed by the Chairman of the meeting.

g	Subject to Standing Order 3(f) above, a member of the public shall not speak for more than three five minutes.
h	A councillor who is not a member of a committee can speak on agenda items of another committee and should be invited to the table, but would not be able to vote, unless co-opted. The time given to speak will be at the discretion of the Chairman.
i	In accordance with Standing Order 3(e) above, a question shall not require a response at the meeting nor start a debate on the question. The Chairman of the meeting may direct that a written or oral response be given.
j	A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort) at meetings of Full Council. The Chairman of the meeting may at any time permit a person to be seated when speaking. At committee meetings a person shall raise their hand when requesting to speak.
k	A person who speaks at a meeting shall direct their comments to the Chairman of the meeting.
l	Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
m	Subject to Standing Order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present. (FC / CO)
n	A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission. (FC / CO)
o	The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present. (FC / CO)
p	Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Town Mayor may in their absence be done by, to or before the Council Leader. (FC)
q	The Town Mayor, if present, shall preside at a meeting. If the Town Mayor is absent from a meeting, the Council Leader, if present, shall preside. If both the Town Mayor and the Council Leader are absent from a meeting, a

	councillor as chosen by the councillors present at the meeting shall preside at the meeting. (FC)
r	Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting. (ALL)
s	The Chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her casting vote whether or not s/he gave an original vote. (ALL) <i>See Standing Orders 5(i) and (j) below for the different rules that apply in the election of the Town Mayor at the Annual Meeting of the Council.</i>
t	Unless Standing Orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his/her vote for or against that question. (FC) Such a request shall be made before moving on to the next item of business on the agenda.
u	The minutes of a meeting shall include an accurate record of the following: <ul style="list-style-type: none"> i. the time and place of the meeting; ii. the names of councillors present and absent; iii. interests that have been declared by councillors and non-councillors with voting rights; iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered; v. if there was a public participation session; and vi. the resolutions made.
v	A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting, is subject to statutory limitations or restrictions under the code on his/her right to participate and vote on that matter. (ALL)
w	No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present (five) and in no case shall the quorum of a meeting be less than five. The quorum for committees and sub-committees is three. (FC)
x	If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting. (ALL)
y	A meeting shall not exceed a period of two hours.

4. Committees and sub-committees

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council will, at the Annual Meeting of the Council, appoint such standing committees and sub-committees as are deemed necessary to effectively discharge the Council's business, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number of ordinary meetings of a standing committee up until the date of the next Annual Meeting of Full Council;
 - iii. shall permit committees to determine the time of their meetings;
 - iv. shall, subject to Standing Orders 4(b) and (c) above, appoint and determine the terms of office of members of such committees;
 - v. may, subject to Standing Orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to committees whose role is to replace the ordinary members at a meeting of committees if the ordinary members of committees confirm to the Proper Officer at least 24 hours before the meeting that they are unable to attend;
 - vi. shall permit committees to appoint their own Chairman at their first meetings
 - vii. shall determine the place, notice requirements and quorum for a meeting of committees and sub-committees which shall be no less than three;
 - viii. shall determine if the public may participate at a meeting of committees;
 - ix. shall determine if the public and press are permitted to attend the meetings of sub-committees and also the advance public notice requirements, if any, required for the meetings of sub-committees;
 - x. shall determine if the public may participate at a meeting of sub-committees that they are permitted to attend; and
 - xi. may dissolve a committee.
- e The Council, may, at any other time, appoint committees, sub-committees, working parties or forums as are deemed necessary.
- f Committees, may, also at any other time, appoint working parties or forums as are deemed necessary providing they fall under their committee's terms of reference.
- g Where the Mayor and Council Leader are ex-officio members of committees or sub-

committees, they shall have full voting rights.

5. Ordinary Council meetings

- a In an election year, the Annual Meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.**
- b In a year which is not an election year, the Annual Meeting of Council shall be held on such day in May as the Council may direct.**
- c The Annual Meeting of the Council shall take place at 7.15pm.**
- d In addition to the Annual Meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e The first business conducted at the Annual Meeting of the Council shall be the election of the Town Mayor (Chairman) and Council Leader.**
- f The Town Mayor, unless he has resigned or becomes disqualified, shall continue in office and preside at the Annual Meeting until his/her successor is elected at the next Annual Meeting of the Council.**
- g The Council Leader, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Town Mayor at the next Annual Meeting of the Council.**
- h In an election year, if the current Town Mayor has not been re-elected as a member of the Council, s/he shall preside at the meeting until a successor Town Mayor has been elected. The current Town Mayor shall not have an original vote in respect of the election of the new Town Mayor but must give a casting vote in the case of an equality of votes.**
- i In an election year, if the current Town Mayor has been re-elected as a member of the Council, s/he shall preside at the meeting until a new Town Mayor has been elected. s/he may exercise an original vote in respect of the election of the new Town Mayor and must give a casting vote in the case of an equality of votes.**
- j Following the election of the Town Mayor and Council Leader at the Annual Meeting of the Council, the business of the annual meeting shall include:**
 - i. In an election year, delivery by the Town Mayor and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Town Mayor of their acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. To receive and accept apologies. Members are required to give a reason for**

absence and if so, requested by a councillor, the Clerk must provide the reason given. It will be minuted if Council refuses to accept the reason for absence. If a councillor is unlikely to attend meetings for an extended period of time s/he may ask for dispensation for up to six months. If a councillor is unable to attend meetings or carry out any duties for a period of more than six months and has not sought dispensation, then they will be automatically disqualified;

- iii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
- iv. In the ordinary year of election to fill any vacancies left unfilled at the election by reason of insufficient nominations;
- v. In an election year, to decide when declarations of acceptance of office and written undertakings to observe the Code of Conduct adopted by the Council shall be received (if not received);
- vi. To receive a report of accounts authorised for payment and other relevant financial reports;
- vii. In an election year, to make arrangements to exercise the General Power of Competence (if the criteria is met);
- viii. Review of delegation arrangements and the Terms of Reference for committees;
- ix. Appointment of members to committees;
- x. Appointment of any new committees in accordance with Standing Order 4 above;
- xi. Determining the time and place of ordinary meetings of the Full Council and its committees and sub-committees up to and including the next Annual Meeting of Council;
- xii. Approve a schedule for review by Council or specified committee of:
 - All Council policies
 - Standing Orders
 - Financial Regulations
 - Internal audit procedures and financial risk management
 - Rents and hire charges
 - Facilities rules and regulations
 - Representation on or work with external bodies and arrangements for reporting back.

6. Extraordinary meetings of the Council and committees and sub-committees

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

extraordinary meeting within seven days of having been requested by to do so by two members of the committee or the sub-committee, any two members of the committee or the sub-committee may convene an extraordinary meeting of a committee or a sub-committee.

7. Previous resolutions

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

8. Voting on appointments

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

9. Motions for a meeting that require written notice to be given to the Proper Officer

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

- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f Subject to Standing Order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded electronically and numbered in the order that they are received.
- h Motions rejected shall be recorded electronically with an explanation by the Proper Officer for their rejection.

10. Motions at a meeting that do not require written notice

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

11. Management of Information

See also Standing Order 20.

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

12. Draft minutes

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with Standing Order 10(a)(i) above.
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The Chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his/her view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. Code of Conduct and dispensations

See also Standing Order 3(u).

- a All councillors and non-councillors with voting rights shall observe the Code of Conduct adopted by the Council.
- b Unless s/he has been granted a dispensation (which allows a councillor to take part in discussion and vote on a matter that they would otherwise be prevented due to their declared interest), a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which s/he has a disclosable pecuniary interest or another interest if so required by the Council's code of conduct. S/he may return to the meeting after it has considered the matter in which s/he had the interest.
- c **Dispensation requests shall be in writing and submitted to the Proper Officer** as far in advance of a meeting as possible, but at least 24 hours before a meeting.
- d A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- e A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- f Subject to Standing Orders 13(d) and (e) above, dispensations requests shall be considered by the Proper Officer before the meeting for which the dispensation is required.
- g **A dispensation may be granted in accordance with Standing Order 13(e) above if having regard to all relevant circumstances, any of the following apply:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - ii. **granting the dispensation is in the interests of persons living in the Council's area or**
 - iii. **it is otherwise appropriate to grant a dispensation.**
- h All dispensation requests shall be considered in accordance with the Council's adopted Dispensation Procedure.

14. Code of conduct complaints

- a Upon notification by the District Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to Standing Order 11 above, report this to the Council.
- b Where the notification in Standing Order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Town Mayor of this fact, and the Town Mayor shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with Standing Order 14(d) below.
- c The Council may:
 - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the District Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

15. Proper Officer

- a The Proper Officer shall be either (i) the Clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
 - i. **at least three clear days before a meeting of the Council, a committee or a sub-committee serve on councillors, by email, a signed summons confirming the date, time, place and the agenda (provided the councillor has consented to service by email);**
 - ii. **give public notice of the time, place and agenda at least three clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them);**

See Standing Order 3(b) above for the meaning of clear days for a meeting of a Full Council and Standing Order 3(c) above for a meeting of a committee.

- iii. subject to Standing Order 9 above, include on the agenda all motions received unless a councillor has given written notice at least five days before the meeting confirming his/her withdrawal of it;
- iv. **convene a meeting of Full Council for the election of a new Town Mayor, occasioned by a casual vacancy in his/her office;**
- v. **facilitate inspection of the minute records by local government electors;**
- vi. **receive and retain copies of byelaws made by other local authorities;**
- vii. retain acceptance of office forms from councillors;
- viii. **retain a copy of every councillor's register of interests and make them available on the Council's website;**
- ix. assist with responding to requests made under the freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- x. liaise, as appropriate with the Council's Data Protection Officer;
- xi. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xii. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xiii. arrange for legal deeds to be executed; *See also Standing Order 23 below.*
- xiv. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations;
- xv. record electronically every planning application notified to the Council and the Council's response to the local planning authority
- xvi. determine, in consultation with the relevant Chairman, whether a planning application received by the Council is required to be considered by committee and, if necessary, to call a meeting of the relevant committee
- xvii. manage access to information about the Council via the publication scheme; and
- xviii. retain custody of the seal of the Council which shall not be used without a resolution to that effect. *See also Standing Order 22 below.*

16. Responsible Financial Officer

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

17. Accounts and accounting statements

- a "Proper practices" in Standing Orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations.

- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council's income and expenditure for each quarter;
 - ii. the Council's aggregate income and expenditure for the year to date;
 - iii. the balances held at the end of the quarter being reported
 - iv. a comparison with the budget for the financial year and highlights any actual or potential overspends.

- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council's income and expenditure for the last quarter and the year to date for information; and
 - ii. to the Full Council the accounting statements for the year in the form of Section 2 of the Annual Governance & Accountability Return, as required by proper practices, for consideration and approval.

- e The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the Council income and expenditure for the year to 31 March. A completed draft Annual Governance and Accountability Return shall be presented to each councillor with the Full Council agenda for the scheduled meeting held in June. The Annual Governance and Accountability Return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June.

18. Financial controls and procurement

- a The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.

- b Financial Regulations shall be reviewed regularly and at least annually for fitness of purpose.

- c A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in Standing Order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the

Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).

- d Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - iv. tenders shall be opened by the Proper Officer in the presence of at least two councillors after the deadline for submission of tenders has passed;
 - v. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

19. Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of the Executive committee is subject to Standing Order 11 above.
- b Absences from work will be handled in accordance with the Council's adopted Staff Sickness and Absence Policy.
- c Staff appraisals will be conducted in accordance with the Council's adopted Appraisal Policy.
- d Grievance matters will be conducted in accordance with the Council's adopted Grievance Policy.
- e Disciplinary matters will be conducted in accordance with the Council's adopted Disciplinary & Dismissal Policy.
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g In accordance with Standing Order 11(a), persons with line management responsibilities shall have access to staff records referred to in Standing Order 19(f).

20. Responsibilities to provide information

See also Standing Order 21.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b **The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

21. Responsibilities under data protection legislation

(Below is not an exclusive list).

See also Standing Order 11.

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

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

22. Relations with the press/media

Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's adopted Communications Strategy.

23. Execution and sealing of legal deeds

See also Standing Orders 15(b)(xiii) and (xviii) above.

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution **of Full Council**.
- b **Subject to Standing Order 23(a) above, the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.**

24. Communicating with District and County Councillors

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

25. Restrictions on councillor activities

Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:

- i. inspect any land and/or premises which the Council has a right or duty to inspect; or
- ii. issue orders, instructions or directions.

26. Standing Orders generally

- a All or part of a Standing Order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b These Standing Orders to be reviewed by Full Council on an annual basis or at a specific trigger, such as a legislative change or a change in Council structure, with recommendations from officers to vary or revoke one or more of the Council's Standing Orders to reflect specific Council requirements, best practice guidance or new legislative requirements.
- c A motion to add to or vary or revoke one or more of the Council's Standing Orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least four councillors to be given to the Proper Officer in accordance with Standing Order 9 above.
- d The Proper Officer shall provide a copy of the Council's Standing Orders to a councillor as soon as possible after he has delivered his/her acceptance of office form.
- e The decision of the Chairman of a meeting as to the application of Standing Orders at the meeting shall be final.

These Standing Orders were formally ADOPTED by Diss Town Council at its meeting held on 11th November 2020.



S Richards
TOWN CLERK

Councillor S Browne
TOWN MAYOR

Council ~~Offices~~ ~~Offices~~ Car Park Use Policy

1. The purpose of this policy is to reduce the amount of unauthorised parking & provide hospitality parking spaces for bona fide guests and visitors.
2. This policy replaces any previous policy, or grace and favour arrangements with other users.
3. The car park to the rear of the Council Offices comprises 16 marked spaces altogether, which includes 4 marked spaces for Gaze & Sons and 12 spaces for Council/Registrar use. Any other use is at the discretion of the Town Clerk/CEO.
4. The Council spaces are for the use of staff, members and approved visitors calling at the Council Offices on official business. They are not for general use by members of the public except with the permission of the Town Clerk/CEO~~Clerk~~. Signage to be erected specifying 'cars parked at own risk; private car park.
5. For all other users a charge of £5 per day.
6. Two spaces are reserved for the Town Mayor and the Town Clerk.
7. Three spaces are reserved for the registrar/deputy registrar, their customers and/or a wedding car.
8. All other spaces will be identified with the words "The Council".
9. All other staff and members of Council will be issued with a parking permit which must be retained in their vehicle to display on the dashboard of their car while it is parked. *Parking to be on a 'first-come, first served' basis.*
10. On Saturdays when a marriage is being conducted the registrar may be permitted to reserve and identify 3 further spaces subject to availability, (excluding the Mayor's and Clerk's spaces, for the duration of the ceremony and for 1 hour thereafter.
11. On other days from Monday to Friday the registrar may reserve additional spaces to the three reserved spaces for marriages, by prior arrangement with the Town Clerk/CEO.
12. The car park will remain open for members parking on evenings when there is Council meetings, ~~in the Corn Hall.~~
13. Council has no facility to impose sanctions on motorists who infringe these regulations, but polite warnings will be issued to persistent offenders.
14. All staff, Councillors, Gaze & Son, the Registrar Service ~~and the Diss Corn Hall Trust~~ will be made aware of this policy.

**Diss Town Council
Strategy Action Plan 2021-2023
Infrastructure Committee**

Item 9

No.	A Priority Number	B SMART Objectives	C How will we achieve these objectives?	D When will we achieve these objectives?	E Who will achieve these objectives?	F Who will achieve these objectives? Other (contractor / cllr / local authority)	G What costs will be incurred for each of the steps / objectives?	H How will we measure whether we have achieved each step / objective(s)?	I Any other comments	J COVID Impact	K Progress
55	Priority 5 of 5: Cost efficiencies and revenue generation (Executive Committee)	C. Reduce the Council's carbon footprint by 25% by reviewing all Council activities including the energy efficiency of buildings	1. Identify all Council activity that has an impact on its carbon footprint	Feb-21	Clerk / Maint Man	MG / KM	Staffing costs / member time	Report produced for presentation to Sept Executive committee regarding review undertaken and outcomes	This initial task to be completed by members only. It was acknowledged that the Council's contribution to reducing its impact on the environment should be integral to its Strategy		See progress report - no update since last meeting. Cllrs Browne, Murphy & Clerk have met several times. Cllrs are working on completing a high level review of all council activities impacting on the Council's carbon footprint, broken down into buildings / travel / equipment / activities - what we own, where they are, when they are occupied, who use them, how we use them and who are the occupants. Once there is a clear understanding of where we are starting from, we will then analyse what that impact is for each. The Clerk has researched useful links & docs regarding other Council strategies for reducing carbon footprint & an impact tool for assessing Diss' carbon footprint. A report will be presented to the June meeting of this committee.
56	Priority 5 of 5: Cost efficiencies and revenue generation (Executive Committee)	C. Reduce the Council's carbon footprint by 25% by reviewing all Council activities including the energy efficiency of buildings	2. Determine the energy efficiency of current buildings	Apr-21	Clerk / Maint Man	MG / KM		Overall reduction in Council's carbon footprint	Consider also solar panelling, recycling, electric vans and charging points.		
57	Priority 5 of 5: Cost efficiencies and revenue generation (Executive Committee)	C. Reduce the Council's carbon footprint by 25% by reviewing all Council activities including the energy efficiency of buildings	3. Assess alternative environmentally friendly solutions e.g. ground source energy for Council Offices versus existing	Jun-21	Clerk / Maint Man	MG / KM					
58	Priority 5 of 5: Cost efficiencies and revenue generation (Executive Committee)	C. Reduce the Council's carbon footprint by 25% by reviewing all Council activities including the energy efficiency of buildings	4. Acquire quotations for alternative provision and recommend alternative procurement streams as appropriate	Sep-21	Clerk / Maint Man	MG / KM	Renovation of council offices currently being undertaken by COO/Dep TC.		Add suppliers to Approved Supplier List		
59	Priority 5 of 5: Cost efficiencies and revenue generation (Executive Committee)	C. Reduce the Council's carbon footprint by 25% by reviewing all Council activities including the energy efficiency of buildings	5. Establish a forum of local businesses to consider how the Council and / or town's carbon footprint can be reduced.	Aug-21	Clerk / Maint Man	MG / KM			e.g. work with traders to reduce the number of refuse collections in the town centre.		
63	Priority 5 of 5: Cost efficiencies and revenue generation (Executive Committee)	D. To increase revenue generated at the Sports Ground and Diss Youth & Community Centre sites through additional bookings where capacity allows.	4. Consider whether improvements to the site / facilities would result in increased hires from existing users or new bookings.	May-21	DepClerk / Admin / Marketing		Facilities committee	Number of web visits, social media posts, booking enquiries & bookings / revenue increase	Should be discussed at Facilities committee		MM will be moving into his new office at DYCC week commencing 11th July 22. There is some further work required on the Kitchen and main meeting room which will be looked at by MM and Dep TC from Sep-Dec 22.
71	Priority 5 of 5: Cost efficiencies and revenue generation (Executive Committee)	F. To investigate options for increasing the footfall in the town centre through increased market activity.	1. Identify capacity on the different markets for increasing stalls (Friday, Saturday, franchises)	Mar-22	Clerk / Admin			Report produced for presentation to Dec Executive committee (2022) regarding	The Diss Community Team is interested in relaunching the monthly Farmers		Clerk will work with DepTC to determine capacity of admin team to support this given resource constraints - will begin in January 2022. Due to extra work on Queens Jubilee and Carnival this project will have to go on hold until after July 2022. Work will commence after Carnival and Queens Jubilee have been completed.
72	Priority 5 of 5: Cost efficiencies and revenue generation (Executive Committee)	F. To investigate options for increasing the footfall in the town centre through increased market activity.	2. Consider legal and logistical restrictions to determine whether additional stalls on different sites e.g. Market Hill, Mere's Mouth could operate	Mar 22	Clerk/Admin			Bookings for additional market stalls / events / revenue increase generated	N.B. The Friday market operates a waiting list / the monthly farmers market was not well supported by traders or the public and		
73	Priority 5 of 5: Cost efficiencies and revenue generation (Executive Committee)	F. To investigate options for increasing the footfall in the town centre through increased market activity.	3. Establish the potential of re-introducing the specialised European markets as one-off events	Nov-21	Clerk / Admin		Facilities committee if feasible	Bookings for additional market stalls / events / revenue increase generated			
74	Priority 5 of 5: Cost efficiencies and revenue generation (Executive Committee)	F. To investigate options for increasing the footfall in the town centre through increased market activity.	4. Consider the possibility of an indoor market e.g. Corn Hall?	Dec-21	Clerk / Admin						
75	Priority 5 of 5: Cost efficiencies and revenue generation (Executive Committee)	F. To investigate options for increasing the footfall in the town centre through increased market activity.	5. Consider resources to support the market traders with publicity whilst attending and additional activities which may increase footfall.	Mar-22	Clerk / Admin						

Additional comments