

## PORTLAND TOWN COUNCIL

Council Offices  
Fortuneswell  
PORTLAND  
Dorset  
DT5 1LW  
E-mail:- [office@portlandtowncouncil.gov.uk](mailto:office@portlandtowncouncil.gov.uk)  
Tel: 01305 821638

9<sup>th</sup> September 2015

Dear Councillor

You are hereby summoned to attend the **TOWN COUNCIL MEETING**, to be held in **EASTON METHODIST CHURCH HALL, EASTON, PORTLAND**, on **WEDNESDAY, 16<sup>TH</sup> SEPTEMBER 2015**, commencing at 7.00 pm when the business set out below will be transacted.

It should be noted that it is the Council's intention that all meetings of the Council and its Committees be recorded aurally.

Yours faithfully

Ian Looker  
Town Clerk

## **A G E N D A**

- 1. Prayers**
- 2. Apologies for Absence**
- 3. Declarations of Interest** – to receive any declarations from Councillors or Officers of personal or prejudicial interests regarding matters to be considered at this meeting, together with a statement on the nature of those interests.
- 4. Open Forum**
  - a) Police Question Time
  - b) Public Half-Hour
  - c) Reports from Borough and County Councillors
- 5. Minutes** – to confirm the minutes of the last meeting held on 19<sup>th</sup> August 2015
- 6. Minute Update and Matters Arising from the Minutes**
- 7. Town Mayor's Announcements**
- 8. Written Questions for the Mayor**
- 9. Financial Matters**
  - a) **Payments for Authorisation** (to follow)
  - b) **2015/16 Financial Report to 31<sup>st</sup> August 2015** (to follow)
- 10. Appointment of Deputy Mayor**  
(see attached)
- 11. Financial Regulations** – to consider a set of recommendations by Cllr. Chadwick and the Clerk, plus comments from Mr Andy Matthews of the Finance Working Group, and decide on any unresolved issues (see attached and separate appendix)
- 12. Committees and Working Groups** – to appoint replacement members as necessary (see attached)
- 13. Portland Flag** – to consider the purchase of a new flag (see attached)

14. **Competent Person (Health & Safety)** – to make an appointment to fulfil legal requirements (see attached)
15. **Staff Handbook** – to make an initial assessment of the draft handbook (see attached)
16. **Appointments of Representatives to Outside Bodies & Voluntary Posts** – to fill current vacancies (see attached)
17. **Reports from Representatives to Outside Bodies and Voluntary Posts**
18. **Councillors’ News from the Wards** – to receive reports
19. **Councillors’ Surgeries** – to consider the applicability to Portland of a scheme operating at Falmouth Town Council (see attached)
20. **Exclusion of Press & Public** (discretionary)  
“That pursuant to the provisions of Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for Agenda Item(s) ... by reason of the confidential nature of the business to be transacted.”
21. **Staff Training** – to consider whether the Clerk should undertake CiLCA training (see attached)
22. **Date of Next Meeting**  
The next scheduled meeting of the Town Council is due to take place on Wednesday, 14<sup>th</sup> October 2015, starting at 7.00 pm.

## MINUTE UPDATE

**a) Minute 2934 – Council Grants, 2015/16**

There has been little response to date.

**b) Minute 2935 – Cheyne Weares**

The working group presented a schedule of work very promptly. I have drawn up conditions of contract for small works based on a County document. The County has also provided quotation documents, which we intend to adapt to our purposes. Advice has also been requested from the Borough, but we shall be able to move forward on this when competing demands subside.

**c) Minute 2937 – West Weares**

We are currently waiting for the Borough to supply us with details of litter-pickers. I have not yet checked about the insurance situation.

**d) Minute 2941 – Grievance Hearing**

The Mayor has written to the people concerned along the lines requested by Council and it is now commonly accepted that the issue is concluded.

**e) Minute 2942 – Correspondence Concerning Former Member of the Council**

There has been no further correspondence.

It had been intended that Code of Conduct training would be provided immediately prior to this meeting, but the person who would provide the training is on sick leave at present.

## **2015/16 Financial Report to 31<sup>st</sup> August 2015**

The projected expenditure for salaries remains unchanged. Although current spending remains well short of the final figure, it is difficult to predict the outcome until the new Assistant Clerk is in post.

Minor reductions have been made to the figures for advertising, civic expenditure, computer software, IT support, furniture & equipment and travel as we move towards the middle of the year. Stationery has been reduced by £230, but postage has been increased by £110 and telephone £60. The projects total has risen by £290 to accommodate the consultant payment for preparing policy documents.

We have been advised by the Borough of a refund of just over £800 for the hire of halls last year, but that has not yet appeared on a bank statement.

The net effect is to raise the predicted deficit by £130.

Projected expenditure against released reserves is shown for the first time.

**ELECTION OF DEPUTY MAYOR FOR 2015/16**

Existing policy guidelines are as follows:-

- (a) The seniority list to be made up with Past Mayors' seniority taken from the date of Mayoral Year end
- (b) If several Councillors are eligible with identical seniority, then seniority will be determined in alphabetical order
- (c) The Deputy would proceed to Mayor after one year as Deputy
- (d) Cumulative service counts towards seniority.

<b>Councillor</b>	<b>Commencement of Service</b>	<b>Cumulative Service up to 1st May 2015 (Years - Months)</b>	<b>Years of Service for Mayoral Purposes</b>
S. West	7 May 2015*	9-10	4-0
R Wild	6 May 2011	3-11	3-11
S Reynolds	14 August 2013	1-8	1-8
D Symes	7 May 2015*	1-2	1-2
G Chadwick	16 April 2014	1-0	1-0
J Draper	7 May 2015*	Not known	0-11
S Lees	14 August 2014	0-8	0-8
J Atwell	7 May 2015	0-0	0-0
S Cocking	7 May 2015	0-0	0-0
C Flack	7 May 2015	0-0	0-0
C Gover	7 May 2015	0-0	0-0
D Thurston	7 May 2015*	6-7	0-0

\* not including previous period of service

September 2015

## Financial Regulations

The financial elements of Standing Orders and updated Financial Regulations highlight the need to look seriously at the roles of the Responsible Finance Officer and the Council's Finance Representative.

### Financial Values

The following values are referred to in Standing Orders and / or Finance Regulations, which should be consistent.

Area and references	Proposed Value	Current Value
Point at which EU procurement rules cut in SO 19f, FR 11.1k	£138,893 (but check with DCC)	£140,000
Value above which tender process should be applied SO 19a, c, FR 11.1b, f	£10,000 (NALC show £60,000)	
Value band for formal quotation process (min. 3 if possible) FR 11h	£3,000 - £10,000	
Value band for informal quotations (min. 3 if possible) FR 11h	£1,000 - £3,000 (NALC proposes £100 as lower limit)	
Value of expenditure Council must approve FR 1.14, 4.1, 5.8	Above £5,000	
Value which a committee can authorise FR 4.1	£500 - £5,000	
Value which Clerk with Chairman can authorise FR 4.1	Below £500	
Clerk may act on own in an event of an emergency FR 4.5	Below £500	
Budget variation to be reported FR 4.8	More than £100 or 15% of budget	
Asset of value bought or disposed without ref. to Council FR 14.2	£250	£50

### Items for Consideration

- 1.6 – Council to reflect on wording
- 1.8 – Determination
- 2.2 – Role of Council or Finance Committee
- 3.2 – Determine month and wording – “normally”?
- 3.4 – Is January feasible in the light of the discount grant?
- 5.1 – Credit reference necessary?
- 7.4 – Clarity?

Andy Matthews [Edited]

PORTLAND TOWN COUNCIL  
**DRAFT FINANCIAL REGULATIONS**

**INDEX**

1.	GENERAL .....	2
2.	ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL) .....	4
3.	ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING .....	5
4.	BUDGETARY CONTROL AND AUTHORITY TO SPEND.....	5
5.	BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS.....	6
6.	INSTRUCTIONS FOR THE MAKING OF PAYMENTS.....	8
7.	PAYMENT OF SALARIES.....	10
8.	LOANS AND INVESTMENTS .....	11
9.	INCOME .....	11
10.	ORDERS FOR WORK, GOODS AND SERVICES .....	12
11.	CONTRACTS .....	13
12.	[PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS .....	14
13.	[STORES AND EQUIPMENT .....	14
14.	ASSETS, PROPERTIES AND ESTATES .....	14
15.	INSURANCE .....	15
16.	[CHARITIES .....	16
17.	RISK MANAGEMENT .....	16
18.	SUSPENSION AND REVISION OF FINANCIAL REGULATIONS .....	16



## 1. GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council. Financial regulations are one of the Council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the Council's standing orders and any individual financial regulations relating to contracts.
- 1.2. The Council is responsible in law for ensuring that its financial management is adequate and effective and that the Council has a sound system of internal control which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk.
- 1.3. The Council's accounting control systems must include measures:-
  - for the timely production of accounts;
  - that provide for the safe and efficient safeguarding of public money;
  - to prevent and detect inaccuracy and fraud; and
  - identifying the duties of officers.
- 1.4. These financial regulations demonstrate how the Council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the Council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. A breach of these Regulations by an employee is gross misconduct.
- 1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute.
- 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the Council. [The Clerk has been appointed as RFO for this Council and these regulations will apply accordingly.]
- 1.9. The RFO:-
  - acts under the policy direction of the Council;
  - administers the Council's financial affairs in accordance with all Acts, Regulations and proper practices;
  - determines on behalf of the Council its accounting records and accounting control systems;
  - ensures the accounting control systems are observed;
  - maintains the accounting records of the Council up to date in accordance with proper practices;
  - assists the Council to secure economy, efficiency and effectiveness in the use of its resources; and
  - produces financial management information as required by the Council.

- 1.10. The accounting records determined by the RFO shall be sufficient to show and explain the Council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the Council from time to time comply with the Accounts and Audit Regulations<sup>1</sup>.
- 1.11. The accounting records determined by the RFO shall in particular contain:-
- entries from day to day of all sums of money received and expended by the Council and the matters to which the income and expenditure or receipts and payments account relate;
  - a record of the assets and liabilities of the Council; and
  - wherever relevant, a record of the Council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12. The accounting control systems determined by the RFO shall include:-
- procedures to ensure that the financial transactions of the Council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
  - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
  - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
  - procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the Council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
  - measures to ensure that risk is properly managed.
- 1.13. The Council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:-
- setting the final budget or the precept (Council tax requirement);
  - approving accounting statements;
  - approving an annual governance statement;
  - borrowing;
  - writing off bad debts;
  - declaring eligibility for the General Power of Competence; and
  - addressing recommendations in any report from the internal or external auditors, shall be a matter for the full Council only.
- 1.14. In addition the Council must:-
- determine and keep under regular review the bank mandate for all Council bank accounts;
  - approve any grant or a single commitment in excess of [£5,000]; and
  - in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.
- 1.15. In these financial regulations, references to the Accounts and Audit Regulations or "the regulations" shall mean the regulations issued under the provisions of section 27 of the

---

<sup>1</sup> Accounts and Audit (England) Regulations 2011/817

Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

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

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

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

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

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

- 3.1. [Each committee (if any) shall review its three year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the Council not later than the end of [November] each year including any proposals for revising the forecast].
- 3.2. The RFO must each year, by no later than [month], prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the [relevant committee and the] Council.
- 3.3. The Council shall consider annual budget proposals in relation to the Council’s three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The Council shall fix the precept (Council tax requirement), and relevant basic amount of Council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

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

- 4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:-
- the Council for all items over [£5,000];
  - a duly delegated committee of the Council for items over [£500]; or
  - the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below [£500].
- Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.
- Contracts may not be disaggregated to avoid controls imposed by these regulations.

- 4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the Council, or duly delegated committee. During the budget year and with the approval of Council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate (“virement”).
- 4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.
- 4.4. The salary budgets are to be reviewed at least annually in [November] for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.
- 4.5. In cases of extreme risk to the delivery of Council services, the clerk may authorise revenue expenditure on behalf of the Council which in the clerk’s judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of [£500]. The Clerk shall report such action to the chairman as soon as possible and to the Council as soon as practicable thereafter.
- 4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
- 4.7. All capital works shall be administered in accordance with the Council's standing orders and financial regulations relating to contracts.
- 4.8. The RFO shall regularly provide the Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose “material” shall be in excess of [£100] or [15%] of the budget.
- 4.9. Changes in earmarked reserves shall be approved by Council as part of the budgetary control process.

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

- 5.1. The Council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the Council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency. [The Council shall seek credit references in respect of members or employees who act as signatories].
- 5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to [Council]. The Council shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the [Council]. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was

authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.

- 5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the Council.
- 5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available [Council] meeting.
- 5.5. The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:-
  - a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of Council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of [Council];
  - b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of [Council]; or
  - c) fund transfers within the Council's banking arrangements up to the sum of [£10,000], provided that a list of such payments shall be submitted to the next appropriate meeting of [Council].
- 5.6. For each financial year the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively, Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which Council [, or a duly authorised committee,] may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of [Council].
- 5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.
- 5.8. In respect of grants a duly authorised committee shall approve expenditure within any limits set by Council and in accordance with any policy statement approved by Council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the Council.
- 5.9. Members are subject to the Code of Conduct that has been adopted by the Council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
- 5.10. The Council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.

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

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

- 6.1. The Council will make safe and efficient arrangements for the making of its payments.
- 6.2. Following authorisation under Financial Regulation 5 above, the Council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.
- 6.3. All payments shall be effected by cheque or other instructions to the Council's bankers, or otherwise, in accordance with a resolution of [Council].
- 6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to Council or committee shall be signed by [two members] of Council [, and countersigned by the Clerk,] in accordance with a resolution instructing that payment. If a member who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made, that Councillor shall be required to consider Standing Orders, and thereby determine whether it is appropriate and / or permissible to be a signatory to the transaction in question.
- 6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 6.6. Cheques or orders for payment shall not normally be presented for signature other than at a Council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the [Council] at the next convenient meeting.
- 6.7. If thought appropriate by the Council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to Council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the Council at least every two years.
- 6.8. If thought appropriate by the Council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to Council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the Council at least every two years.
- 6.9. If thought appropriate by the Council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories are retained and any payments are reported to Council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the Council at least every two years.

- 6.10. If thought appropriate by the Council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.
- 6.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the Council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other Councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the Council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.
- 6.12. No employee or Councillor shall disclose any PIN or password, relevant to the working of the Council or its bank accounts, to any person not authorised in writing by the Council or a duly delegated committee.
- 6.13. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 6.14. The Council, and any members using computers for the Council's financial business, shall ensure that anti-virus, anti-spyware and firewall, software with automatic updates, together with a high level of security, is used.
- 6.15. Where internet banking arrangements are made with any bank, the Clerk [RFO] shall be appointed as the Service Administrator. The bank mandate approved by the Council shall identify a number of Councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.16. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for Council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 6.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by [the Clerk]. A programme of regular checks of standing data with suppliers will be followed.
- 6.18. Any Debit Card issued for use will be specifically restricted to [the Clerk] and will also be restricted to a single transaction maximum value of [£500] unless authorised by Council or finance committee in writing before any order is placed.
- 6.19. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the [Council]. Transactions and purchases made will be reported to the [Council] and authority for topping-up shall be at the discretion of the [Council].



- 6.20. Any corporate credit card or trade card account opened by the Council will be specifically restricted to use by the [Clerk] and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.
- 6.21. The Council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the [Clerk] (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

*OR*

- 6.22. [The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.
- a) The RFO shall maintain a petty cash float of [£250] for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
  - b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
  - c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to Council under 5.2 above. ]

## **7. PAYMENT OF SALARIES**

- 7.1. As an employer, the Council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by Council, or duly delegated committee.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available Council meeting, as set out in these regulations above.
- 7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the [Council].
- 7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a) by any Councillor who can demonstrate a need to know;
  - b) by the internal auditor;
  - c) by the external auditor; or
  - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.

- 7.6. An effective system of personal performance management should be maintained for the senior officers.
- 7.7. Any termination payments shall be supported by a clear business case and reported to the Council. Termination payments shall only be authorised by Council.
- 7.8. Before employing interim staff the Council must consider a full business case.

## **8. LOANS AND INVESTMENTS**

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

## **9. INCOME**

- 9.1. The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- 9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the Council.

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

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

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

## 11. CONTRACTS

11.1. Procedures as to contracts are laid down as follows:-

- a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
  - i. for the supply of gas, electricity, water, sewerage and telephone services;
  - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
  - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
  - v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of Council); and
  - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where it is intended to enter into a contract exceeding [£20,000] in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk shall invite tenders from at least three firms to be taken from the appropriate approved list.
- c. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Council.
- d. Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- e. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of Council.
- f. If less than three tenders are received for contracts above [£20,000] or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- g. Any invitation to tender issued under this regulation shall be subject to Standing Order [19] and shall refer to the terms of the Bribery Act 2010.
- h. When it is to enter into a contract of less than [£20,000] in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain three quotations (priced descriptions of the proposed supply);

where the value is below £3,000 and above £100 the Clerk or RFO shall strive to obtain three estimates. Otherwise, Regulation 10 (3) above shall apply.

- i. The Council shall not be obliged to accept the lowest or any tender, quote or estimate.
- j. Should it occur that the Council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the Council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.
- k. The European Union Procurement Directive shall apply and the terms of the Public Contracts Regulations 2006 and the Utilities Contracts Regulations 2006 including thresholds shall be followed.

## **12. [PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS**

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

## **13. [STORES AND EQUIPMENT**

- 13.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3. Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4. The RFO shall be responsible for periodic checks of stocks and stores at least annually.]

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

- 14.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the Council. The RFO shall ensure a record is

maintained of all properties held by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.

- 14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed [£500].
- 14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law, In each case a report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full Council. In each case a report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.5. Subject only to the limit set in Reg. 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full Council. In each case a report in writing shall be provided to Council with a full business case.
- 14.6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

## **15. INSURANCE**

- 15.1. Following the annual risk assessment (per Financial Regulation 17), the RFO shall effect all insurances and negotiate all claims on the Council's insurers [in consultation with the Clerk].
- 15.2. [The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.]
- 15.3. The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 15.4. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to Council at the next available meeting.
- 15.5. All appropriate members and employees of the Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined [annually] by the Council, or duly delegated committee.

**16. [CHARITIES]**

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

**17. RISK MANAGEMENT**

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

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

- 18.1. It shall be the duty of the Council to review the Financial Regulations of the Council [biennially]. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the Council of any requirement for a consequential amendment to these financial regulations.
- 18.2. The Council may, by resolution of the Council duly notified prior to the relevant meeting of Council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of Council.

These Financial Regulations were adopted by the Council at its meeting held on [.....]

\* \* \*

## **Notes to the Model**

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

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

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

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

The appropriate approved list referred to in paragraph 11.1 (b) shall be a list drawn up by the Clerk and approved by Council but, normally shall be based on the list maintained by the District Council for such works.

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



## PORTLAND TOWN COUNCIL

### EXCERPT FROM STANDING ORDERS

#### 19. 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. procurement policies (subject to standing order 19(c) below) including the setting of values for different procedures where a contract has an estimated value of less than [£60,000].
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of [£60,000] shall be procured on the basis of a formal tender as summarised in standing order 19(d) below.**
- d Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

- f Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

June 2015

## **PORTLAND FLAG**

As members will be aware, a new flag post is in position after the previous one was blown down. With some outside voluntary help the Mayor has now rigged the flag post, in time for the recent Merchant Navy Day.

The Council's regular "flag man," Wayne Day, has been out of commission for some time after sustaining an injury which left him unable to access the roof of the Offices. However he hopes to return to service in the not too distant future. Meanwhile the Mayor has taken on his role.

This means that we are now able to return to the default situation of flying the Portland flag. The last one we had perished in the 2014 storms, so Council's approval is sought for the purchase of a new one, about £160.

## **COMMITTEE AND WORKING GROUP MEMBERSHIP**

### **Human Resources & IT Committee**

Cllrs. Chadwick, Flack and Lees (1 vacancy)

### **Finance Working Group**

Cllrs. Cocking and Lees, Mr Andy Matthews (co-opted) (2 vacancies)

## **COMPETENT PERSON (HEALTH & SAFETY)**

A commercial company's e-mail has drawn this matter to my attention. The Health & Safety Executive's own explanation is attached.

Council will need to assess what importance to attach to the issue. The company mentioned above offers a four day course in health & safety for £495, including accommodation.

By coincidence Island Community Action has e-mailed us about a half-day risk assessment course taking place at IPACA, Osprey Quay on 6<sup>th</sup> October. The cost is £25 per person and only four places were available when the e-mail was sent.

## **STAFF HANDBOOK**

One of the recommendations of the Staffing Review was to produce a comprehensive staff handbook. The Council has accordingly engaged a consultant to draft a set of personnel policies. This work was completed recently and the first part of the handbook is enclosed with this agenda, covering general employment matters, remuneration and flexible working.

It may be that Council feels it can approve those first sections at its meeting. Alternatively it may wish the Human Resources Committee to examine them in greater detail.

The consultant has also produced a wider list of suggested documents (shown immediately below), some of which the Council has already produced versions.

### **Policies, Procedures and Guideline Documents Required for Portland Town Council Handbook**

- 1) Flexible Working Policy
- 2) Absence Management Policy
- 3) Disciplinary Procedure
- 4) Appraisal Process
- 5) Performance and Development Policy
- 6) Training Policy
- 7) ICT Management Policy
- 8) Gifts and Hospitality Guidelines
- 9) Whistleblowing Policy
- 10) Press and Media Protocol
- 11) Equality Policy
- 12) Health, Safety and Wellbeing Policy
- 13) Harrassment, Abuse, Bullying and Intimidation Policy
- 14) Grievance Policy
- 15) Capability Procedure
- 16) Information and Records Management Policy
- 17) Model Publications scheme (for Freedom of Information requests)
- 18) Code of Practice for Handling Complaints
- 19) Business Continuity Policy
- 20) Emergency Plan

# Portland Town Council Staff Handbook

July 2015

DRAFT

## Contents

Introduction.....	8
1. General Employment.....	9
1.1 Probationary Period.....	9
1.2 General Employment Policy.....	9
1.3 Sole Employment / Declaration of Other Employment .....	10
1.4 Types of worker .....	10
1.4.1 Employees.....	10
1.4.2 Self Employed or Contractors .....	10
1.5 Fixed term contractors .....	11
2. Salary and Remuneration.....	12
2.1 National Agreement on Pay and Conditions of Service.....	12
2.2 Salary Scales .....	12
2.3 Salary Settlements .....	12
2.4 Incremental Progression.....	12
2.5 Overtime and Time Off In Lieu .....	13
2.6 Reimbursable Expenses.....	13
3. Flexible Working.....	14
3.1 Introduction.....	14
3.2 Eligibility .....	14
3.3 What is Flexible Working?.....	14
3.4 How to apply.....	15
3.5 Who makes the Decision?.....	15
3.6 Right of Appeal.....	15
3.7 Review.....	16
4. Benefits.....	<b>Error! Bookmark not defined.</b>
4.1 Pension and Gratuity Arrangements .....	<b>Error! Bookmark not defined.</b>
4.2 Death in Service Grant .....	<b>Error! Bookmark not defined.</b>
4.3 Annual Leave .....	<b>Error! Bookmark not defined.</b>
4.3.1 Bank/Public Holidays.....	<b>Error! Bookmark not defined.</b>
4.3.2 Carry Over of Annual Leave .....	<b>Error! Bookmark not defined.</b>
4.3.3 Compassionate Leave with Pay.....	<b>Error! Bookmark not defined.</b>
4.3.4 Public Duties .....	<b>Error! Bookmark not defined.</b>
4.3.5 Jury Service.....	<b>Error! Bookmark not defined.</b>
4.3.6 Additional Unpaid Leave .....	<b>Error! Bookmark not defined.</b>



4.3.7 Implications of Unpaid Leave for Local Government Pensionable Service .....	<b>Error! Bookmark not defined.</b>
4.4 Maternity Leave .....	<b>Error! Bookmark not defined.</b>
4.4.1 Definitions.....	<b>Error! Bookmark not defined.</b>
4.4.2 To Whom This Policy Applies.....	<b>Error! Bookmark not defined.</b>
4.4.3 Notification Requirements.....	<b>Error! Bookmark not defined.</b>
4.4.4 Health and Safety.....	<b>Error! Bookmark not defined.</b>
4.4.5 Ante-Natal Care.....	<b>Error! Bookmark not defined.</b>
4.4.6 Ordinary and Additional Maternity Leave .....	<b>Error! Bookmark not defined.</b>
4.4.7 Maternity Pay .....	<b>Error! Bookmark not defined.</b>
4.4.8 More Than One Year's Continuous Service .....	<b>Error! Bookmark not defined.</b>
4.4.9 Amendments to payments.....	<b>Error! Bookmark not defined.</b>
4.4.10 Employees not returning to work after pregnancy .....	<b>Error! Bookmark not defined.</b>
4.4.11 Pension.....	<b>Error! Bookmark not defined.</b>
4.4.12 Continuous Service.....	<b>Error! Bookmark not defined.</b>
4.4.13 Leave during Maternity Leave.....	<b>Error! Bookmark not defined.</b>
4.4.14 Returning To Work.....	<b>Error! Bookmark not defined.</b>
4.5 Paternity Leave .....	<b>Error! Bookmark not defined.</b>
4.5.1 To Whom This Policy Applies.....	<b>Error! Bookmark not defined.</b>
4.5.2 Ordinary Paternity Leave (OPL) and Maternity Support Leave (MSL) .....	<b>Error! Bookmark not defined.</b>
4.5.3 Notification Requirements.....	<b>Error! Bookmark not defined.</b>
4.6 Shared Parental Leave and Statutory Shared Parental Pay	<b>Error! Bookmark not defined.</b>
4.7 Adoption Leave .....	<b>Error! Bookmark not defined.</b>
4.7.1 To Whom This Policy Applies.....	<b>Error! Bookmark not defined.</b>
4.7.2 Eligibility Criteria.....	<b>Error! Bookmark not defined.</b>
4.7.3 Notification Requirements.....	<b>Error! Bookmark not defined.</b>
4.7.4 Evidence .....	<b>Error! Bookmark not defined.</b>
4.7.5 Adoption Leave.....	<b>Error! Bookmark not defined.</b>
4.7.6 Adoption Pay.....	<b>Error! Bookmark not defined.</b>
4.7.7 Leave during Adoption Leave.....	<b>Error! Bookmark not defined.</b>
4.7.8 Pension .....	<b>Error! Bookmark not defined.</b>
4.7.9 Returning to Work .....	<b>Error! Bookmark not defined.</b>
5. Absence Management Policy .....	<b>Error! Bookmark not defined.</b>
5.1 Aims .....	<b>Error! Bookmark not defined.</b>
5.2 Responsibilities .....	<b>Error! Bookmark not defined.</b>

5.3 Reporting.....	Error! Bookmark not defined.
5.4 Certification.....	Error! Bookmark not defined.
5.5 Return to Work Meetings.....	Error! Bookmark not defined.
5.6 Miscellaneous.....	Error! Bookmark not defined.
5.7 Frequent Intermittent Absences .....	Error! Bookmark not defined.
5.8 Long-Term Absence.....	Error! Bookmark not defined.
5.9 Final Sickness Review Meeting.....	Error! Bookmark not defined.
5.10 Attendance Hearing .....	Error! Bookmark not defined.
5.11 Appeals .....	Error! Bookmark not defined.
5.12 Personal, Domestic, or Work-Related Problems.....	Error! Bookmark not defined.
5.13 Alcohol/Drug Dependency .....	Error! Bookmark not defined.
5.14 Welfare.....	Error! Bookmark not defined.
5.15 Monitoring.....	Error! Bookmark not defined.
5.16 Patterns of Absence.....	Error! Bookmark not defined.
5.16.1 Further Action – absence with no medical reason.....	Error! Bookmark not defined.
5.16.2 Further Action – absence with medical reason .....	Error! Bookmark not defined.
6. Conditions of Employment .....	Error! Bookmark not defined.
6.1 The Contract of Employment will include the following: .....	Error! Bookmark not defined.
6.2 Working Hours .....	Error! Bookmark not defined.
6.3 Annualised Hours.....	Error! Bookmark not defined.
6.4 Fixed Hours .....	Error! Bookmark not defined.
6.5 Time Off.....	Error! Bookmark not defined.
6.6 Time Off for Dependants .....	Error! Bookmark not defined.
6.7 Notice of Termination of Employment .....	Error! Bookmark not defined.
6.8 Redundancy Arrangements .....	Error! Bookmark not defined.
6.9 Termination of Employment by Employee without Giving Notice .....	<b>Error! Bookmark not defined.</b>
6.10 Changes in Personal Details .....	Error! Bookmark not defined.
6.11 Performance.....	Error! Bookmark not defined.
6.11.1 Performance and Development Review .....	Error! Bookmark not defined.
6.12 Training .....	Error! Bookmark not defined.
6.13 Ways of Working .....	Error! Bookmark not defined.
6.13.1 Town Clerk Roles and Responsibilities: .....	Error! Bookmark not defined.
6.13.2 Undertaking instructions .....	Error! Bookmark not defined.
6.14 Employee Code of Conduct.....	Error! Bookmark not defined.
6.14.1 The Role as a Public Servant.....	Error! Bookmark not defined.

6.14.2 Principles of Conduct.....	<b>Error! Bookmark not defined.</b>
6.14.3 Customer Care and Courtesy .....	<b>Error! Bookmark not defined.</b>
6.14.4 Conduct towards Colleagues .....	<b>Error! Bookmark not defined.</b>
6.14.5 Time-Keeping and Attendance .....	<b>Error! Bookmark not defined.</b>
6.14.6 Complying with Written Guidelines, Laws and Regulations .....	<b>Error! Bookmark not defined.</b>
6.14.7 Conduct and Disciplinary Action .....	<b>Error! Bookmark not defined.</b>
6.14.8 Outside Interests .....	<b>Error! Bookmark not defined.</b>
6.14.9 Additional Employment .....	<b>Error! Bookmark not defined.</b>
6.14.10 Declaring Interests – Financial, Personal or Business.....	<b>Error! Bookmark not defined.</b>
6.14.11 Political Considerations.....	<b>Error! Bookmark not defined.</b>
6.14.12 Confidentiality and Disclosure of Information .....	<b>Error! Bookmark not defined.</b>
6.14.13 ICT (Information Communications Technology) .....	<b>Error! Bookmark not defined.</b>
6.14.14 Patent and Copyright.....	<b>Error! Bookmark not defined.</b>
6.14.15 Using the Council's Resources.....	<b>Error! Bookmark not defined.</b>
6.14.16 Gifts and Hospitality.....	<b>Error! Bookmark not defined.</b>
6.14.17 Foreign Travel .....	<b>Error! Bookmark not defined.</b>
6.14.18 Smoking, Alcohol and Drugs (including prescribed)..	<b>Error! Bookmark not defined.</b>
6.15 Whistleblowing - Reporting Criminal Offences and Poor Conduct ..	<b>Error! Bookmark not defined.</b>
6.15.1 Safeguards.....	<b>Error! Bookmark not defined.</b>
6.15.2 Procedure for Making a Disclosure .....	<b>Error! Bookmark not defined.</b>
6.15.3 Contact.....	<b>Error! Bookmark not defined.</b>
6.15.4 Attending Meetings .....	<b>Error! Bookmark not defined.</b>
6.15.5 Support .....	<b>Error! Bookmark not defined.</b>
6.15.20 Dealing with the Media.....	<b>Error! Bookmark not defined.</b>
6.15.21 Equality Issues .....	<b>Error! Bookmark not defined.</b>
6.15.22 Health, Safety and Wellbeing.....	<b>Error! Bookmark not defined.</b>
7. Harassment, Abuse, Bullying and Intimidation.....	<b>Error! Bookmark not defined.</b>
7.1 Policy Statement.....	<b>Error! Bookmark not defined.</b>
7.2 Scope of the Policy .....	<b>Error! Bookmark not defined.</b>
7.3 Aims of the Policy .....	<b>Error! Bookmark not defined.</b>
7.4 Harassment .....	<b>Error! Bookmark not defined.</b>
7.5 Bullying.....	<b>Error! Bookmark not defined.</b>
7.6 Victimisation .....	<b>Error! Bookmark not defined.</b>

7.7 Responsibilities of the Town Clerk, Employees, and Members .....	<b>Error! Bookmark not defined.</b>
7.8 Bullying and Harassment Complaints Procedure .....	<b>Error! Bookmark not defined.</b>
7.8.1 Stage One .....	<b>Error! Bookmark not defined.</b>
7.8.2 Stage Two .....	<b>Error! Bookmark not defined.</b>
7.11 Confidentiality.....	<b>Error! Bookmark not defined.</b>
7.12 Complaints about Other Parties .....	<b>Error! Bookmark not defined.</b>
7.13 Malicious/Unfounded Complaints .....	<b>Error! Bookmark not defined.</b>
8. Grievances.....	<b>Error! Bookmark not defined.</b>
8.1 Introduction .....	<b>Error! Bookmark not defined.</b>
8.2 General Principles .....	<b>Error! Bookmark not defined.</b>
8.3 Procedures .....	<b>Error! Bookmark not defined.</b>
8.3.1 Stage 1 - Informal Discussion .....	<b>Error! Bookmark not defined.</b>
8.3.2 Stage 2 – Formal Discussion.....	<b>Error! Bookmark not defined.</b>
8.3.3 Stage 3 - Appeal.....	<b>Error! Bookmark not defined.</b>
8.4 Conduct of Grievance Meetings.....	<b>Error! Bookmark not defined.</b>
8.5 Disputes .....	<b>Error! Bookmark not defined.</b>
9. Disciplinary, Capability and Poor Performance.....	<b>Error! Bookmark not defined.</b>
9.1 General Principles .....	<b>Error! Bookmark not defined.</b>
9.2 Roles and Responsibilities .....	<b>Error! Bookmark not defined.</b>
9.3 Representation.....	<b>Error! Bookmark not defined.</b>
9.4 Informal Procedure .....	<b>Error! Bookmark not defined.</b>
9.4.1 Informal Advice and Guidance .....	<b>Error! Bookmark not defined.</b>
9.5 The Formal Procedure.....	<b>Error! Bookmark not defined.</b>
Suspension.....	<b>Error! Bookmark not defined.</b>
9.6 Investigation .....	<b>Error! Bookmark not defined.</b>
9.7 Arranging a Hearing .....	<b>Error! Bookmark not defined.</b>
9.8 Conducting a hearing.....	<b>Error! Bookmark not defined.</b>
9.9 Levels of Disciplinary Action .....	<b>Error! Bookmark not defined.</b>
9.9.1 Disciplinary Action Table.....	<b>Error! Bookmark not defined.</b>
9.10 Types of Gross Misconduct .....	<b>Error! Bookmark not defined.</b>
9.11 Training .....	<b>Error! Bookmark not defined.</b>
9.12 Scope .....	<b>Error! Bookmark not defined.</b>
9.13 General Principles .....	<b>Error! Bookmark not defined.</b>
9.14 Related Procedures .....	<b>Error! Bookmark not defined.</b>
9.15 Representation.....	<b>Error! Bookmark not defined.</b>

9.16 Action against a Trade Union Official.....	Error! Bookmark not defined.
9.17 The Capability Procedure.....	Error! Bookmark not defined.
9.17.1 Informal Procedure .....	Error! Bookmark not defined.
9.17.2 The Formal Review.....	Error! Bookmark not defined.
Stage 1: The Capability Review.....	Error! Bookmark not defined.
Stage 2 – The Capability Review.....	Error! Bookmark not defined.
Stage 3 – The Final Capability Review .....	Error! Bookmark not defined.
Stage 4 – Capability decision .....	Error! Bookmark not defined.
10 Complaints.....	Error! Bookmark not defined.
10.1 Informal Complaints .....	Error! Bookmark not defined.
10.2 Formal Complaints .....	Error! Bookmark not defined.
10.3 Complaints Committee .....	Error! Bookmark not defined.
10.4 Appeals .....	Error! Bookmark not defined.
10.5 Recording of Complaints.....	Error! Bookmark not defined.
11. Equality and Diversity .....	Error! Bookmark not defined.
11.1 The Policy .....	Error! Bookmark not defined.
11.2 As an Employer .....	Error! Bookmark not defined.
11.3 As a Service Provider .....	Error! Bookmark not defined.
11.4 The Policy in Action.....	Error! Bookmark not defined.
11.4.1 As an Employer .....	Error! Bookmark not defined.
11.4.2 As a Service Provider .....	Error! Bookmark not defined.
11.5 Role of Councillors and Employees.....	Error! Bookmark not defined.
11.6 Monitoring of Equal Opportunities .....	Error! Bookmark not defined.
12. General Information.....	Error! Bookmark not defined.
12.1 Freedom of Information and Data Protection.....	Error! Bookmark not defined.
12.2 Council Property .....	Error! Bookmark not defined.
12.3 Health, Safety and Welfare .....	Error! Bookmark not defined.
12.4 Business Continuity Planning.....	Error! Bookmark not defined.

## Introduction

This handbook contains information relating to staff employment with Portland Town Council.

It does not go into extreme detail about all elements of staff employment but does aim to provide an overview of the Council's principles, protocol, standards, rules and regulations.

Portland Town Council needs its employees to be enthusiastic and competent in their various roles and seeks to ensure that all staff play their part in the organisation to the best of their ability, through development, training, competence and mentoring. As a result employees can fully contribute to the delivery and management of services in the town of Portland.

All staff will undertake a short induction programme at the commencement of their employment which will cover key points contained within this document, along with other information relevant to the role and the operation of the Council.

The induction and this handbook seek to ensure that new staff be given the opportunity to understand their duties and responsibilities enabling them to settle into their jobs quickly and comfortably.

For existing staff, this handbook should also be kept handy as a point of reference and for further information purposes.

This handbook should also be read in conjunction with an individual's Contract of Employment and the other associated Council policies and procedures as detailed.

DRAFT

# 1. General Employment

## 1.1 Probationary Period

All permanent staff will join the Council on an initial probationary period of 6 months. This does not prejudice the Council's right to dismiss, in accordance with any relevant clauses contained in the Contract of Employment, or matters arising from issues of discipline.

During the probationary period, work performance and general suitability is assessed and, if satisfactory, employment with the Council will continue.

If work performance is not up to the required standard, the position is reviewed to seek a solution, a possible extension of the probationary period with a further review, or to terminate the employment.

At the end of the probationary period, if satisfactory, employees will become a member of permanent staff.

## 1.2 General Employment Policy

The Council seeks to act as a responsible employer, using as far as is possible for a Local Council, all reasonable and contemporary personnel practices and compliance in all respects with employment law and other legislation applying at the time.

Terms and conditions will be kept under review and National Agreements honoured.

Portland Town Council's Employment Policy is geared to encourage and reward dedicated staff who take a professional attitude to work. The Council seeks to offer a stable and constructive working environment for staff who are prepared to work in partnership to meet the Council's aim of giving high quality service to the people of Portland.

This handbook provides details of the Council's personnel policies and procedures and how they will be implemented. It is for use by all staff and the Council and its Committees in making decisions with respect to staff and employment matters.

All day to day staff management decisions are delegated to the Town Clerk unless otherwise stated in this document. There may be specific circumstances where the Council feel that a management decision should be considered by someone other than those stated in this document. If so, this delegation and reasons for it should be agreed at the HR & IT Committee and recommended to the Full Town Council meeting for ratification before any action is taken.

*For ease of understanding and interpretation this document often refers to the Town Clerk making decisions regarding staff, and it should be read (although not explicitly written) that decisions on the work, actions and requests personal to the work or position of Town Clerk should be made by the Chairman/Mayor or referred to the HR & IT Committee for consideration.*

Procedures in law also exist for the review of problem cases for all staff by the Council. These procedures are detailed within this handbook.

The Handbook is supplementary to the Contract of Employment. The Contract, in conjunction with the job description, indicates the specific provisions relating to each post.

### 1.3 Sole Employment / Declaration of Other Employment

Whilst the Council would prefer that employees are exclusively employed by the Council, it does realise that such an exclusive contract may not be possible.

In circumstances where staff have other employment, it is a condition of the Contract of Employment that the Council is informed of the essential details of such alternative employment in order to ensure that no tax or insurance liabilities will accrue to the Council.

The Council does however, reserve the right to require that any other employment that is undertaken does not conflict with the role or standards required to be undertaken or met in the role as an Officer of the Council.

Employees must not accept any other work or conduct any other business which is similar to or in competition with the business of the Council or could give rise to a conflict of interest, unless you have been given prior written consent by the Council.

### 1.4 Types of worker

There are 2 different types of worker that Town Council may decide to provide contracts for, Employees and Contractors (including self-employed professionals).

#### 1.4.1 Employees

You are an Employee (whether on a Permanent (open-ended) contract or on a Fixed-Term contract) if:

- Your Employer provides the work, any tools and equipment for it, and they decide how and when you do the work
- You will have a written contract with Terms and Conditions of work
- You are expected to do the work yourself that you are employed to do, and may be moved to a different tasks
- You are paid a regular amount according to the hours you work (through the Pay as You Earn system – so Tax and National Insurance is deducted), and you usually have to work a set amount of hours.
- The legal definition of this is the provision of a personal service, mutuality of obligation and control.

#### 1.4.2 Self Employed or Contractors

You are self-employed or an external contractor if:

- You determine how and when you do the work within reason (known as Master/Servant Relationship)
- You can hire helpers or replacements for you if you are unable to do the work (also known as Substitution)
- You pay your own tax and national insurance contributions on a self-employed basis (you complete a Self-Assessment tax return)
- You are contracted to provide services to the Client/Employer over a certain period of time for an agreed fee and are not integrated into the employment of the Council.
- You run your own business and take financial responsibility if it is successful or not, and provide the main items of equipment. You may work on your own premises. You may have several customers (employers) at one time.



## 1.5 Fixed term contractors

There is now a provision in law where someone employed on a Fixed-Term contract can receive a permanent (open-ended) contract as an employee if:

- You have been continuously employed (i.e. no significant breaks) by the same employer on a fixed-term contract for four years or more that started after 10th July 2002 (unless your Employer has changed this time limit by a 'workforce' or 'collective' agreement)
- If this is the case you can ask your employer for a statement confirming that you are now permanent and no longer employed on a Fixed Term contract
- Your employer can only keep you on a Fixed Term contract after 4 years if they could objectively justify this at the point your Fixed Term contract was last renewed

If your employer fails to give you this statement (when you have requested it) or gives you a statement of reasons why you must remain on a Fixed Term contract that you do not agree with, you can make a claim to an Employment Tribunal.

DRAFT

## 2. Salary and Remuneration

### 2.1 National Agreement on Pay and Conditions of Service

The Council accepts the provisions of the National Agreement on Terms and Conditions agreed annually between the National Association of Local Councils (NALC) and the Society of Local Council Clerks (SLCC).

A National Agreement on Pay and Conditions of Service (The Green Book) is negotiated between Principal Local Authority Employers and Unions and this forms the basis of Pay and Conditions for the Council. The Green Book sets the framework by which Local Authorities establish terms and conditions. Local councils may negotiate terms and conditions, but it is the strong advice of NALC and SLCC jointly that the national terms and conditions are adhered to and in so doing must honour all the relevant provisions of employment legislation and any other legislation applying at the time.

Wherever the National Agreement makes provision for changes in the structure of 'Local Government Pay and Conditions' the Council will implement them.

### 2.2 Salary Scales

These are based on the externally evaluated and benchmarked agreement for Local Authorities, the National Joint Council (NJC). The NJC sets the pay scales and allowances and this is published to all councils annually. It is jointly agreed with the National Association of Local Councils (NALC) and the Society of Local Council Clerks (SLCC) who subsequently make recommendations on scale point ranges.

### 2.3 Salary Settlements

The Council undertakes to implement the national agreements for 'Local Government Pay and Conditions'. Any changes agreed are usually, although not exclusively, implemented from the 1st April of each year.

Salary is paid in equal instalments by bank credit transfer (BACS) on the ?? of each month or on the nearest working day to that date, with pay being paid up to and including the end of the month. What is the salary paid date and is BACS correct.

Under the Employment Rights Act 1996 all staff will receive a pay slip showing how the total amount of salary/wages has been calculated. It must show all the deductions made and the reasons for them e.g. Income Tax, National Insurance Contributions etc. Any queries on this matter should be raised initially with the Town Clerk or Head of F&R?? who is responsible for this ?

### 2.4 Incremental Progression

Employees should progress automatically up the salary scale to the top of their designated grade provided their performance is satisfactory and Continuous Professional Development (CPD) targets have been met.

They will normally be entitled to an increment, payable from the 1st April of each year along with the salary settlement figure until they reach the top of their pay grade.

Once the top of the grade is reached any additional increments or grade promotion are at the sole discretion of the Council and should be as a result of exceptional performance, additional relevant qualification or additional duties agreed by both employer and employee. Accelerated increments within the grade of the post may be given on the grounds of exceptional merit or ability.

## 2.5 Overtime and Time Off In Lieu

Overtime is not generally paid unless specified in the Contract of Employment.

Occasional un-contracted 'paid' overtime maybe required and a one-off agreement made for this by the HR & IT Committee. This agreement would specify the total amount of hours expected and the total cost. This may occur when assistance of the Council administration team is required for a special project which is not part of their ordinary workload such as 'relocation'. Overtime will not be paid unless the extra salary costs have been agreed in advance.

Staff on fixed hours contracts will be expected to take time off in lieu (TOIL) if occasional extra hours are worked in the line or their ordinary duties. The number of hours worked over and above those contracted for each member of staff should be noted and taken to the next HR & IT Committee for consideration. If the number of hours worked is regularly more that contracted a review should be undertaken by the HR & IT Committee to establish what has changed since the post was created.

On the rare occasion that a member of staff is required to work on a public holiday, they will be offered a day off in lieu, to be taken within six weeks of the occurrence.

## 2.6 Reimbursable Expenses

Where an employee is required to travel as a requirement of their job, the Council will reimburse actual expense and reasonable subsistence incurred in accordance with the NJC Car Allowances.

It should be noted that the practice of claiming subsistence is regarded as being the exception rather than the rule. Payments for subsistence will be paid at the discretion of the Council subject to validity, recommended allowances and a receipt being produced and with prior agreement to the expense being incurred, e.g. an agreed training course outside the local area.

## 3. Flexible Working

### 3.1 Introduction

The Employment Act 2002 introduced the right for certain employees to request flexible working arrangements to allow them to care for a child. The Work and Families Act 2006 extended the right to request flexible working to employees who are carers of certain adults.

As a good employer, Portland Town Council has a positive view of flexible working and whilst it is not always possible to agree such requests for operational reasons all attempts to provide alternative cover will be sought before a decision is made.

The details below set out the framework in which variable working will be managed within the Council.

### 3.2 Eligibility

The right to request flexible working is available to employees who have a minimum of 26 weeks' continuous service and also have one of the following:

- Parental responsibility for a child up to 6 years of age (18 where the child is disabled) or
- Caring responsibility for a spouse, partner, civil partner, relative, or someone who lives at the same address (this could be permanent or temporary)

Only one flexible working request can be made within a twelve month period.

The legislation does not provide an automatic right to flexible working. There is an emphasis on the importance of both the employee and the employer considering the terms of the request and attempting to reach an outcome that suits both parties. The employee has a responsibility to think carefully about their desired working pattern when making an application and the HR & IT Committee will initially consider this request before making a recommendation to Full Council for decision. The **Flexible Working Policy** includes details of the specific procedure which should be followed to ensure requests are considered objectively.

### 3.3 What is Flexible Working?

Flexible working can mean a change to the number of hours you work, the times you work or your place of work.

Some examples of flexible working are:

- Part-time working;
- Job share;
- Flexible working hours
- Term time only
- Occasional working from home (if the facilities to do so are in place)

### 3.4 How to apply

Anyone considering flexible working must first discuss with the Town Clerk the reasons for the request to change their working pattern. A formal application must also be made in writing. It should set out clearly:

- The desired change in working pattern;
- How it will impact upon the work of the Council;
- How you will manage your work to ensure there is no loss in efficiency;
- The impact of the change of your work pattern on your colleagues;
- How any potential problems will be overcome; and
- When you wish to start the new way of working.

All applications will be considered fully. The Town Clerk will meet with the employee to discuss the application within 28 working days, unless agreement to the contrary is made in writing. The employee has the right to be accompanied by a companion who may be a work colleague or certified trade union representative.

The companion has the right to address the meeting. They may also ask questions and present the employee's case. However they have no right to answer questions on the employee's behalf.

### 3.5 Who makes the Decision?

The Town Clerk will consider all applications and report to the HR & IT Committee on all requests made whether approved or refused as required.

The Clerk will notify employees of the decision in writing within 14 days of the meeting. If an application is approved, the working arrangement will be implemented on a trial basis for an initial period of 6 months. If an application is refused, the individual will be notified the reasons why the request cannot be accommodated at this time.

The grounds for refusing a request include:

- Additional burden of costs;
- Detrimental effect on customer service;
- Inability to reorganise work among other staff;
- Detrimental effect on quality or performance;
- Insufficient work available during the periods the employee proposes to work; or
- The proposal does not fit in with planned structural changes.

If an application is refused, a further application cannot be made within 12 months.

### 3.6 Right of Appeal

There is a right of appeal, which must be submitted in writing within 14 working days to the Chairman of the HR & IT Committee. This committee will determine the appeal and notify the employee of their decision in writing within 14 days.

As this appeal would be heard as part of business of a committee held in public, then this item of business should be exempt and considered following the exclusion of all but the members of this committee.

The outcome of the appeal should be reported as simply that the appeal was heard and the result. Further details should be given in a set of Exempt minutes kept as a confidential appendix to the main minutes.

### 3.7 Review

The Town Clerk will undertake a review of the flexible working arrangement after 6 months. This is to ensure that the change in work pattern is working effectively and that there is no adverse impact on either the work of the Council or the efficient working of the team. If there appears to be a problem, the individual will be consulted before a decision is made to vary the working pattern further or revert to the original working arrangement.

At the end of the review the Town Clerk will confirm in writing whether or not the working pattern may continue. If it may not continue, a minimum of two months' notice will be given that the working pattern cannot be accommodated and will end on a specified date. The employee has a right of appeal, as with the initial request, after each review.

All flexible working will be reviewed periodically by management to ensure that the needs of the Council continue to be met.

This review may take place earlier if a temporary change to work pattern was agreed and there is a further request to extend this.

DRAFT

## Representatives Serving on Outside Bodies and Voluntary Posts in 2015-16

<b>CHRISTMAS LIGHTS COMPETITION</b>		<b>Events &amp; Tourism Working Group</b>
<b>COASTAL COMMUNITIES TEAM</b>	<b>1</b>	<b>Vacancy</b>
<b>DORSET ACCESS FORUM</b>	<b>1</b>	<b>Councillor Lees</b>
<b>DORSET ASSOCIATION OF PARISH AND TOWN COUNCILS</b>	<b>2</b>	<b>Councillors Chadwick and Wild</b>
<b>DORSET WASTE FORUM</b>	<b>1</b>	<b>Councillor Atwell</b>
<b>FOOTPATHS LIAISON</b>	<b>3</b>	<b>Councillors Cocking, Gover and Lees</b>
<b>JURASSIC COAST COMMUNITIES FORUM</b>	<b>1</b>	<b>Councillor Chadwick</b>
<b>PORTLAND ANCIENT MONUMENTS LIAISON OFFICER (D.C.C.)</b>	<b>1</b>	<b>Councillor Wild Councillor Gover (Deputy)</b>
<b>PORTLAND CENTRE</b>	<b>1</b>	<b>Councillor Atwell</b>
<b>PORTLAND COMMUNITY PARTNERSHIP</b>	<b>2</b>	<b>Councillors Symes and Wild</b>
<b>PORTLAND IN BLOOM (Gardening Competition)</b>		<b>Events &amp; Tourism Working Group</b>
<b>PORTLAND QUARRIES LIAISON COMMITTEE (Tophill East and West Wards)</b>	<b>2</b>	<b>Councillors Thurston and Wild</b>
<b>PORTLAND QUARRY PARKS FORUM</b>	<b>1</b>	<b>Councillor Thurston</b>
<b>PORTLAND YOUTH &amp; COMMUNITY MANAGEMENT COMMITTEE</b>	<b>1</b>	<b>Vacancy</b>
<b>PORTLAND YOUTH COUNCIL (Lead Councillor)</b>	<b>1</b>	<b>Councillor Chadwick Vacancy (Deputy)</b>
<b>RIGHTS OF WAY LIAISON OFFICER (D.C.C.)</b>	<b>3</b>	<b>Councillor Lees, Cllr. Cocking, Vacancy (2 Deputies)</b>
<b>RIGHTS RESPECTING COMMUNITIES STEERING GROUP</b>	<b>2</b>	<b>Councillor Chadwick, Vacancy Councillor West (Deputy)</b>
<b>TOURISM BRIEFHOLDER</b>		<b>Events &amp; Tourism Working Group</b>
<b>WEYMOUTH &amp; PORTLAND COMMUNITY PARTNERSHIP BOARD</b>	<b>1</b>	<b>Vacancy</b>
<b>COMMUNICATIONS REPRESENTATIVE</b>	<b>1</b>	<b>Councillor Chadwick</b>
<b>FINANCE REPRESENTATIVES</b>	<b>1</b>	<b>Councillor Cocking</b>
<b>PROPERTY REPRESENTATIVE</b>	<b>1</b>	<b>Councillor Lees</b>

## **COUNCILLORS' SURGERIES**

The item is included on the agenda as a possible way of the Council engaging more closely with the residents.

It should be said that Falmouth is one of the largest town councils operating in the country with a precept of over £1m.

Members may also note that meetings involve two Councillors, the Town Clerk, police and highways representatives and the local press, besides the residents themselves. Questions arise about the mechanics of how the group operates. Does it ever sub-divide to allow one-to-one conversations? How much time is wasted by individuals sitting in on discussions that don't concern them? It doesn't help that the photograph apparently shows one member with their eyes closed! Nevertheless Council may consider that there is something worthwhile that can be achieved with careful selection.