

Rolvenden Parish Council

Rolvenden Parish Council is a small council in the Ashford area of Kent currently experiencing some challenges. The operation of the council through its meetings and other communications processes has attracted some criticism and as a result there is concern that the democratic working of the council is being stifled. Therefore it is important in view of the history of the council and the previous clerk to conduct an analysis of how the council operates, how well-informed councillors and staff are of their roles and responsibilities and to consider whether all policies and procedures are in place and up-to-date.

This report considers two priorities.

- to identify any training gaps for staff and/or members that need addressing to enable them to understand their roles and responsibilities better.
- to review existing policies and procedures and make recommendations on where any revised or new policies are needed and/or how existing policies could be better implemented. This would focus in particular on policies relating to the conduct of meetings, member-officer relations and information sharing. This would allow the council to reassure its members and the wider community that it has appraised its current situation and robust policies and procedures are seen not only to be in place but to be actively implemented. Confidence in the Council and its governance is key to moving forward.

Background

Rolvenden Parish Council comprises 9 councillors, all of whom were elected. Meetings are well attended and quorate. The latest precept levy in 2020 was £37,194. The population of the parish is recorded as 1194. The current clerk commenced as a locum to the council and has been in post since 2018. He is also clerk to other councils and has achieved the Certificate in Local Council Administration (CiLCA), which is the sector standard, and is also the Treasurer of the local SLCC (Society of Local Council Clerks). The current clerk received no handover, and has had to work hard to ensure statutory requirements such as registration with HMRC and the Pensions regulator are in place. The council holds 12 meetings each year plus an Annual Meeting. The Council website contains a large amount of council information, minutes, agendas, reports, policies, meeting dates, as well as wider village information such as play areas, the Village Hall and Neighbourhood Watch. There are also links to Ashford Borough Council and associated planning and finance, Kent County Council Highways, Police, Hospitals, and doctors. The Rolvenden Village News link also informs residents about what their village has to offer and what is going on. Any resident of Rolvenden would find this site a very useful source of information.

Councillor and clerk contact details are publicly available on the Council's website, and on parish noticeboards.

Views of Councillors

Initial action involved discussions with the clerk and all councillors to ascertain views on how the Council is operating, and what is working well and what could be improved upon. All councillors and the clerk were emailed and also asked to include some background on their abilities and expertise that can be brought to their roles.

There are 9 councillors on Rolvenden Parish Council and 8 replied to this request, of which 7 offered comment. Views were also sought from the Clerk and the local Ashford Borough Council member.

Several respondents have been involved as parish councillors for many years, and there is a mixture of people born and raised in the village and others choosing to settle here. Councillors between them have a wide range of skills, expertise, abilities and life experiences, including running businesses, managing staff, and awareness of legislation such as health and safety.

The current focus of the council is wide ranging and involves attempting to get younger residents involved in village life and enhancing and promoting play areas, sport and youth activities, as well as a strong green agenda to protect and promote green spaces and footpaths. There is also a Community Speedwatch programme in place. Rolvenden had, until recently a Rolvenden Rocket Minibus Wellbeing project, (but this was withdrawn as a casualty of Covid) and has close links with Tenterden Social Hub. During the pandemic the council has stepped up to the challenge with initiatives such as a food bank, and post code champions supporting isolated vulnerable residents. I have also been made aware of an adopted Neighbourhood Plan, allotments, Neighbourhood Watch, Community Speedwatch and S106 funding for play areas. The village seems to be involved in a lot of initiatives and there is a strong desire by Councillors to work for the best interests of the residents of Rolvenden. Councillors know their area well, many have actively sought councillor training and have a desire to offer their time and experiences.

Areas of concern:

- There is a pattern of emails and calls being made outside of meetings, and all emails should be shared with all councillors and the clerk. Otherwise when decisions come to be made at a meeting some councillors may not be up to speed on issues. Ideally emails and calls should only be directed to the clerk and should be kept succinct and relevant.
- Many councillors wish to be listening ears for the community, hoping to make a difference, but there is a concern that as a corporate body they are becoming divided.
- Without exception all those who replied mentioned the prevalence of some bullying. Whilst lively council debate and differing views is expected and encouraged, aggressive actions are not. Bullying and aggressive behaviour has been reported as also extending beyond meetings.
- Bullying can lead to intimidation and hampers council business being achieved. Some councillors have experienced personal and unkind behaviour, verging on the threatening.

- Whilst accepting the shortcomings of the past and the fraud of the previous Clerk, the parish council as a corporate body was exonerated, and nearly all Councillors wish to move on from the past. However there is a minority element who wish to blame those councillors in position at the time of the fraud and even force resignations. The councillors on the council at the time the funds were stolen are naturally defensive. Constant reference to the past is in danger of seriously hampering the current and future business of the council.
- Various motions have been resolved to pursue the recovery of the stolen funds. This has gone on for some considerable time and the advice of Ashford Borough Council and the Kent Association of Local Councils has been sought.

Notwithstanding the above all respondents felt the current council structure is working well.

Review of policies and processes

Finance

The Council's **Financial Regulations** are up to date and based on the NALC Model template, and as such mirror good practice. From discussions with the Clerk I am aware that recent updates on procurement limits are to be put to Council at the next annual meeting. The clerk's ability to authorise revenue expenditure is much lower than the recommended level, but this reflects prudent actions arising from the previous fraud. Several other regulations have been similarly altered or removed to further protect the financial processes of the council. Adoption date and review date should be evident on all council policies.

Finance as an agenda item occurs at each monthly meeting. Financial Regulations, Financial Returns, Reports, Notices of Audit and public rights are all available to view on the Council website. Together with other council policies and processes a strong element of transparency is evident. The council has online banking arrangements with Unity, which is a sector recommended provider. All banking and payment processes follow a rigorous and exemplary process.

Standing Orders

The Council's Standing Orders are up to date and based on the NALC Model template, and as such mirror good practice. As with Financial Regulations procurement limits are set to be reviewed at the annual meeting.

Policies

The Council has a comprehensive suite of HR, Financial, and other policies in place. All have been recently reviewed and updated where necessary, and can be found on the Council website. Policies such as Health and Safety, Equal Opportunities, Code of Conduct are among a whole raft of policies that any efficient council needs to have in place to be effective, and Rolvenden have shown that they are aware of the importance of such policies and procedures.

Code of Conduct

There is a link to a document entitled “Kent Code of Conduct” on the parish website, but I would also like to see a reference to this document being adopted by the Parish Council. All councillor information on declarations at meetings and register of interests is available on the Ashford Borough Council website, but a clear link to this information would be recommended. See also further comments under outcomes and recommendations.

Recovery of funds

As mentioned, much advice has been sought on the recovery of stolen funds. Reliable and robust legal advice comes at a cost, some of which has already been incurred by the Council, and the Council needs to consider if any further action will result in financial recompense. If further action to seek legal advice is forthcoming this must be made as a resolution at the meeting, and the decision closely followed. Legal advice should also only be sought from independent, accredited sources to ensure the actions of the council are seen as being fair and transparent. Councillors quite naturally feel the whole council should be involved in any decisions and actions. The current clerk is tasked with carrying out the wishes of the council and should be the only person to undertake this role.

To counteract the lost funds and the costs so far spent on recovery, the precept has been increased over the last two years. It is a credit to the council that they have been able to carry out their functions and the village have been supportive in accepting a rise in the precept demand. The precept demand for 2021/22 appears to have been set at a lower level than the previous year. Whilst still higher than previous to 2018, it suggests the council is entering a period of stability in which they feel able to operate effectively.

Membership of Associated Bodies

As a member of the Kent Association of Local Councils, Rolvenden parish council receives regular information and updates to ensure they are aware of changes to legislation and best practice. KALC (kentalc.gov.uk) also offers training to its member councils, holds regular events, and is affiliated to the National Association of Local Councils (nalc.org.uk). The Council is also a member of the Society of Local Council Clerks (slcc.co.uk), which offers advice and support to Clerks, as well as training and forums. Membership of all these organisations is recommended for all parish and town councils and this has enabled Rolvenden to keep up to date with parish sector requirements.

Outcomes and recommendations

I recommend that all Councillors have a folder, electronic or paper, that contains Rolvenden’s Standing Orders, Financial Regulation and Policies which they can bring to each meeting. Familiarity with these documents and the ability to quickly and easily refer to them will aid the flow of meetings and enhance councillor confidence.

A new **Model Code of Conduct** has recently been published, following concerns over inconsistencies between codes, lack of any national support and views about where lines have been crossed, and especially because of previous lack of sanctions. (2019 report by the Committee on Standards in Public Life). Whilst issues still persist, the LGA have produced a new model which aims to cover a more comprehensive range of interests, with clearer rules and which will apply to all tiers of local government.

The Model Code was published in December 2020, (<https://www.local.gov.uk/local-government-association-model-councillor-code-conduct-2020>) and some of the significant points include:

- respect and bullying – “as a councillor I treat people with respect, and I do not bully or harass anyone”. You must respect not only the individual but also the role they play.
- Training and sanctions – a requirement to undertake Code of Conduct training, a requirement to cooperate with an investigation, and not to intimidate people involved in a case and to comply with any sanctions.

It is ***recommended that Rolvenden Council looks to adopt the Code at the Annual Meeting, and ensure links to registers of interest are clearly available on the Council’s website***, and to seek any supporting guidance and KALC training on the new Code that will become available.

Training. Although most Councillors will have already attended Code of Conduct training, ***refresher training in line with the new Code is recommended***. The Kent Association of Local Councils (KALC) offers a wide range of training, and I would especially ***recommend Finance and Annual Audit awareness and Professional Conduct***. The Association also offers bespoke training, and the benefit of this approach is that the whole council can train together on its chosen topic(s) and be confident that all Councillors/the Clerk are equally informed. The council may wish to consider hosting a bespoke session.

Further training in understanding Standing Orders and Financial Regulations and procurement policies, decision-making, respect, member/officer protocol might also be considered. This could be delivered by the Monitoring Officer, or the local County Association.

Skills audit. ***I recommend the Council carries out a skills audit*** to record what expertise Councillors can bring to their roles. A template Skills Audit is attached to this report together with a Training Log for both the Clerk and Councillors. A word of caution is that any councillor offering advice needs to be aware that they need to be up-to-date with any professional legislation and indemnified to offer advice.

The Clerk and Councillors. It is important that all members understand the processes involved in the effective working of the Council. The Clerk is the “Proper Officer” of the Council and his role should be recognised both professionally and legally. In particular all councillors should understand that all decisions and recommendations are implemented by the Clerk, unless noted in any scheme of delegation. At Rolvenden the Clerk is also the Responsible Financial Officer, and is

legally indemnified to make and undertake financial decisions. As already noted the Council has restricted the Clerk/RFO's ability to authorise revenue expenditure, and this is appropriate in the context of the history of the previous clerk. It is to be hoped that increasing confidence in the role of the Clerk/RFO and the confidence of councillors in understanding their roles, especially through appropriate training and scrutiny, will herald in a period of financial stability.

A procedure to deal with emails, phone calls and meetings, and which recognises the rights and respect that everyone should have for their fellow councillors and the clerk needs to be agreed and implemented. ***A recommended template member/officer protocol*** is attached to this report together with a ***Communications Policy***.

Meetings – Since the Covid pandemic most councils now conduct their meetings via Zoom. However this is a new and challenging area for the council, and many councils have struggled with this concept. Whilst the basic Zoom function is free to use, a more sophisticated and reliable platform is available at a financial cost. I would strongly **recommend Rolvenden Parish Council invests** (*subject to remote meetings continuing to be a legal option after May 2021*) **in the cost of a Zoom package, and seeks relevant training and support**, although this is largely self evident from the help that comes with Zoom. Currently no residents attend meetings, and the Council may wish to consider uploading meetings. Currently (April 2020) no decision has been made to extend the legal right of Councils to hold Zoom meetings, but it is a very real possibility. A Virtual Meeting policy template is attached to this report.

The National Association of Local Councils have recently produced guidelines to providing safe and effective meetings in public places once/if Councils are required to return to non virtual meetings. There may still however be instances and opportunities to hold virtual meetings in the future so an open mind and appropriate policy is recommended.

Standing Orders, Meetings, and Agendas

The Clerk and Councillors should become familiar with their Standing Orders. Behaviour at meetings and decision making are clearly outlined in the Council's Standing Orders (for example, *ref "2. Disorderly Conduct at Meetings". "3.t Interests", "7.a. Previous Resolutions"*). The Council may also wish to consider an item at every meeting dedicated to training/best practice.

Below are templates recommended for adoption:

- Skills Audit
- Training Log
- Member/Officer Protocol
- Communications Policy
- Virtual Meetings (Zoom) Policy

These are generic policies for the council to adapt and adopt as it sees fit.

Sarita Presland

April 2021

XXX Parish Council Skills Audit

Full name	
Home address	
Postcode	
Telephone number	
Mobile telephone number	
Email	

PARISH COUNCILLOR SKILLS AUDIT

Please complete the below and tick the boxes below relevant to your knowledge

- 1. Do you understand the code of conduct and your responsibilities as a Councillor? Do you have knowledge of the legal powers available to the Council? Is there any information on your role you would like training or more information?**

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- 2. Do you have any knowledge of national policy concerning your Council's work?**

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- 3. Do you have knowledge of the Local Planning Policy for the area?**

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4. General to Parish Council

- Knowledge of current good practice for charities
- Experience of other voluntary organisations
- Experience of other voluntary organisations (as staff or volunteer)
- Campaigning
- Partnership Working
- Community Development

5. Regarding links with the Community, which groups do you belong to

6. Management/Organisation

- General Management
- Financial Management
- Project Management
- Monitoring and Evaluation
- Planning
- . Policy Making

7. Professional (please state if you are currently or previously practicing/employed or worked as a volunteer in these areas)

- Law
- Accounting
- IT
- HR
- Marketing/PR
- Training/Development

Other please indicate:

8. Committee

- Experience of Chairing
- Consensus building
- Energy and Enthusiasm
- Strategic thinking
- Governance

9. General

- Ability to Analyse Data
- Ability to Question and challenge
- Experience of being performance managed/appraisals
- Experience of planning/management
- Experience of procurement /purchasing
- Experience of premises and facilities management

10. Do you have any links to local businesses

11. Council is a member of the Kent Association of Local Councils. It is the supporting body for Councillors, do you know how to access the information they provide Councillors and the training on offer?

12. Are there any local issues that you are particularly interested in that you believe could be addressed by Council for the benefit to the community?

13. Do you know your obligations as an employer?

14. Do you have anything else you wish to contribute to the Parish Council not mentioned above either in terms of experience, knowledge or skills?

15. What contribution do you feel you have made to the parish council over the past year?

16. Are there any additional areas of the Councils responsibilities would you like to contribute to in the future?

17. What are your hobbies/interests?

Signed.....

Date...../...

Template Parish Council Training Log

Date	Event	Trainer, Location	Trainer	Councillor	Staff
6 January 2020	Cemetery Management	KALC, Dover	KALC	A.Smith	B.Brown

Parish Council Member/Officer Protocol

1. Reason for the protocol

1.1 The purpose of this protocol is to guide Members and Officers of the Council in their relations with one another in such a way as to ensure the smooth running of the Council and to satisfy the ethical standards required.

1.2 To help ensure that relationships do not go awry, it is advisable to have a written protocol, which can cover the respective roles and responsibilities of the Councillors and the Parish Clerk (and any other staff employees); the relationships between Councillors and Officers; how concerns should be raised; and who is responsible for making decisions.

1.3 Given the variety and complexity of such relations this protocol does not seek to be either prescriptive or comprehensive. It simply offers guidance on some of the issues which most commonly arise. It is hoped, however, that the approach which it adopts to these issues will serve as a guide to dealing with other circumstances. This protocol is to a large extent a written statement of current practice and convention. It seeks to promote greater clarity and certainty. If the protocol is followed, it should ensure that Members receive objective and impartial advice and that Officers are protected from accusations of bias and any undue influence from Members.

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

2. Respective roles

2.1 The respective roles of Councillors and employees can be summarised as follows: Councillors and Officers are servants of the public and they are indispensable to one and other, but their responsibilities are distinct. Councillors are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the council.

2.2 Councillors have four main areas of responsibility:

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

2.3 Officers have the following main roles:

- Initiating policy proposals
- Implementing agreed policy, managing and providing services and being accountable for the efficiency and effectiveness of the services provided
- Providing professional advice to the Council, its various bodies and

individual members

- Ensuring the Council always acts in a lawful manner

3. Councillors

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

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

3.3 Committee Chairs and Vice-Chairs have additional responsibilities which mean that their relationship with employees may be different and more complex than those of other Councillors. However, they must still respect the impartiality of Officers and must not ask them to undertake work of a political nature, or to do anything which would prejudice their impartiality.

4. Officers

4.1 Officers are responsible for day-to-day managerial and operational decisions within the Council and will provide support to all Councillors in their various roles. Officers will give advice and information to Councillors and to implement the policies determined by the Council.

4.2 In giving such advice to Members and in the preparation and presentation of reports, it is the responsibility of the Officer to express their own professional views and make recommendations. Members should not seek to pressure the Officer to make a recommendation contrary to the Officer's professional view because of their wish to express a contrary view.

4.3 The Parish Clerk has certain statutory roles which need to be understood and respected by all members. Members must not obstruct the Parish Clerk in the discharge of their statutory obligations and responsibilities and must not persecute them for discharging their responsibilities.

5. Respective expectations

5.1 All Councillors can expect:

- A commitment from Officers to the Council as a whole, and not to any individual Councillor, group of Councillor's or political group;
- A working partnership;
- Officers to understand and support respective roles, workloads and pressures;
- A timely response from Officers to enquiries and complaints;

- Reports will always contain a recommendation unless the issue is clearly one where political judgement is required.
- An officer's professional advice, not influenced by political views or personal preferences;
- Regular, up to date, information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities or positions that they hold;
- Officers to be aware of and sensitive to the public and political environment locally;
- Respect, courtesy, integrity and appropriate confidentiality from Officers;
- Training and development opportunities to help them carry out their role effectively;
- Not to have personal issues raised with them by Officers outside the council's agreed procedures;
- That Officers will not use their contact with Councillors to advance their personal interests or to influence decisions improperly;

5.2 All Members have the right to seek the advice of the Parish Clerk where they consider there is doubt about the reason for a decision or where they consider a decision might be contrary to pre-determined policies of the Council.

5.3 Officers can expect from Councillors:

- A working partnership;
- An understanding of, and support for, respective roles, workloads and pressures;
 - leadership and direction;
- That members should raise issues with the Officer prior to the meeting wherever possible.
- That the Chairman and Members shall give Officers the opportunity to present any report and give any advice they wish to give.
- Respect, courtesy, integrity and appropriate confidentiality;
- Not to be bullied or to be put under undue pressure;
- That Councillors will not use their position or relationship with officers to advance their personal interests or those of others or to influence decisions improperly;
- That Councillors will comply with the council's adopted Code of Conduct at all times.

6. General Principles

- Close personal relationships between Councillors and Officers can confuse their separate roles and get in the way of the proper conduct of Council business.
- Special relationships between officers with particular individuals or political

groups should be avoided as it can create suspicion that an employee favours that Councillor or political group above others.

- Councillors should not raise matters relating to the conduct or capability of officers at meetings held in public or before the Press, as Employees have no means of responding to the same in public, and such conduct could breach the trust and confidence the officer is entitled to expect from the Council as their Employer.
- If any Councillor feels that they have not been treated with the proper mutual trust, respect or courtesy or has any concerns about the conduct or capability of an officer, they should raise the matter, in private, with the Parish Clerk. Should the officer in question be the Parish Clerk, the matter should be confidentially brought to the attention of the Chair of the Council.
- Councillors should be aware that officers are constrained in the response they may make to public comment from Councillors and should not abuse officers in public or through the press nor seek to undermine their position by abuse, rudeness or ridicule. In meetings, individual Chairmen should be aware of discussions which may become abusive towards an Employee and must protect that Employee.
- The only basis on which the Council can lawfully provide support services (eg stationery, typing, printing, photo-copying, transport etc) to members is to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business. They should never be used in connection with political or campaigning activity.

7. Political Groups

7.1 The operation of political groups is becoming more of a feature within parish councils. Councillors are elected to serve their community and should ensure that is the guiding principle by which decisions are made. Party politics within a parish council can pose particular difficulties for officers in terms of accountability. The council remains their employer and staff, via the management structure, are answerable to the council as a whole.

7.2 To be recognised a political group must contain two or more members and a request to be recognised should be made to the Parish Clerk. If this request is in order, the Parish Clerk will advise all members that a political group exists. In these circumstances the Parish Clerk will follow guidance on political groupings from the Local Government Association and bring forward any proposed changes to council.

7.3 Political groups have no power to require the Parish Clerk or any other officer to attend group meetings or to prepare written reports for them, and officers can legitimately refuse to do so. Any decision to do so will be taken by the Parish Clerk alone. The Parish Clerk and other officers are responsible to the council as a whole and should not take action under instructions from any individual Councillor, even if they have been styled as 'Leader' of the Council.

7.4 If the council has adopted political groupings, officers should ensure that where any reports or advice are offered to a political group, the statements are of relevant facts, with an appraisal of options and do not deal with the political implications of the matter or options or make any recommendations. It is not the role of officers to make recommendations to a political group.

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

8. Resolution of issues

8.1 From time to time the relationship between Councillors and the Parish Clerk (or other employees) may break down or become strained. Whilst it is always preferable to resolve matters informally, through conciliation by an appropriate third party.

8.2 The law requires all employers to have disciplinary and grievance procedures which should be used. The Chair of the Council, nor any other individual member cannot, formally, resolve such matters on their own. A staffing committee of no less than, and no more than, three members with devolved authority to resolve such matter should be used.

8.3 If a Councillor is dissatisfied with the conduct, behaviour or performance of the Parish Clerk or another employee, the matter should be raised in the first instance with the Parish Clerk (if it applies to another member of staff) or the Chair of the Council (if it applies to the Parish Clerk). If the matter cannot be resolved informally, it may be necessary to invoke the council's disciplinary procedure.

8.4 Questions of interpretation of this Protocol will be determined by the Parish Clerk.

Approved [date]

Review [date]

Parish Council Communications Policy

POLICY STATEMENT

The purpose of this policy is to define the roles and responsibilities within the Council regarding communications.

SCOPE

It is not the intention of this policy to curb freedom of speech or to enforce strict rules and regulations. Rather, it provides guidance on how to ensure efficient and effective communications between council members and with third parties. [A separate policy on Social Media exists and should be considered in conjunction with this policy].

Emails received by the Council's Officer or Members may be disclosed following a request under the Freedom of Information Act 2000 or following a subject access request under the Data Protection Act 1998 or in the course of legal proceedings.

Information that is held by someone on behalf of a Local (Parish and Town) Council (that is by a Member or Officer) will satisfy the definition in Section 3(2)(b) of the 2000 Act and constitute 'information held by a parish council' which a person is entitled to request under the 2000 Act. Therefore, information that relates to the official business of the Council that is held in personal email accounts (for example Hotmail, Yahoo and Gmail) of Members or the Officer is caught by the 2000 Act.

If official business of the Council held in personal email accounts of Members (and the Officer) contains personal data, it may come within the scope of a subject access request under the 1998 Act.

If the personal email accounts of Members contain personal data that relates to their activities as a Ward Councillor or campaigning for election, it may come within the scope of a subject access request to the Member under the 1998 Act.

Information in the personal emails of Members (and the Officer) that does not relate to the business of the Council will not be subject to the 1998 or 2000 Act.

If inappropriate internal Council emails are required to be disclosed to persons external to the Council then, at best, they may be considered embarrassing for the Council and, at worst, have other unwanted consequences. If internal emails are defamatory, offensive, or wrongly disclosed confidential information or personal data (which means information that may identify a living individual, such as name, address or telephone number) to those who should not have such confidential information or personal data, this may provide others with a means of legal redress against the Council.

KEY PRINCIPLES

When writing any communication always assume that it may have to be disclosed to a court or tribunal or to the Information Commission, because in some circumstances that could happen.

Keep the communications relevant and concise. Do not send unnecessary copies or forward messages to others if not strictly necessary.

Always write emails as if they are permanent, because even when they have been deleted they can often still be retrieved and may be disclosable to a court or the Information Commissioner.

Internal emails, even if marked private or confidential, might eventually need to be disclosed when it is lawful to do so, e.g. under the 2000 or 1998 Acts or as part of the requirement on parties to disclose documents in the course of legal proceedings.

Information in communications may not be confidential, but may be sensitive information that needs to be respected.

Always respect the privacy of others.

Do not write anything in communications that might be construed as offensive or discriminatory.

Do not make negative comments about an individual, including members of the public, Members, Officer, or business suppliers.

Use a Parish Council signature so that it is clear in what capacity you are writing.

Copy in (either cc or bcc) any appropriate officer or councillor.

RESPONSIBILITIES AND ACCOUNTABILITIES

Officers and Councillors alike are responsible for ensuring compliance with this and related policies.

PROCEDURE

Parish Council Correspondence

The point of contact for the parish council is the Clerk, and it is to the Clerk that all correspondence for the parish council should be addressed.

The Clerk should deal with all correspondence following a meeting.

No individual Councillor or Officer should be the sole custodian of any correspondence or information in the name of the parish council, a committee, subcommittee or working party. In particular, Councillors and Officers do not have a

right to obtain confidential information/documentation unless they can demonstrate a 'need to know'.

All official correspondence should be sent by the Clerk in the name of the council using council letter headed paper, making it clear that it is written in their official capacity and has been authorised by the parish council.

Where correspondence from the Clerk to a Councillor is copied to another person, the addressee should be made aware that a copy is being forwarded to that other person.

Agenda Items for Council, Committees, Sub-Committees and Working Groups

Agendas should be clear and concise. They should contain sufficient information to enable Councillors to make an informed decision, and for the public to understand what matters are being considered and what decisions are to be taken at a meeting.

Communications between councillors regarding agenda items should have regard to the potential issue of pre-determination. While it is perfectly acceptable to exchange thoughts, ideas and information, councillors should ensure they **retain** an open mind and avoid comments that might give the perception of having reached a conclusion.

Items for information should be kept to a minimum on an agenda.

Where the Clerk or a Councillor wishes fellow Councillors to receive matters for "information only", this information will be circulated via the Clerk.

Correspondence from the Clerk marked "Confidential" must be treated as such and not be disclosed to anyone.

Correspondence with external parties

Elected members will be regularly approached by members of the community. Enquiries may be in person, by telephone, letter, e-mail or via social media. When in doubt about how to respond to an enquiry, councillors should seek the guidance of the Parish Clerk.

At no time should councillors make any promises to the public about any matter raised with them other than to say they will investigate the matter. Depending on the issue, it may be appropriate to:

- Refer the matter to the Parish Clerk to deal with it as appropriate
- Request an item on a relevant agenda
- Investigate the matter personally, having sought the guidance of the Parish Clerk. Councillors must ensure that any and all communication with the public on council related matters reflects the decisions and policies of SPC regardless of the councillor's individual views on any subject.

A copy of all outgoing correspondence relating to the council or a Councillor's role within it, should be sent to the Clerk, and it should be noted on the correspondence, e.g. "copy to the Clerk", so that the recipient is aware that the Clerk has been advised.

Councillors e-mails and other communications should be considered as being in the public domain. It is therefore recommended that emails regarding council business are sent from [parish council name] address.

All correspondence for the Parish Council should be addressed to the Clerk. Councillors should forward any correspondence received to the Clerk.

No individual Parish Councillor should communicate direct with companies/individuals with which the Parish Council has a contractual relationship. All enquiries should be through the Clerk.

If a member of the public requests a copy of any correspondence from a councillor, the matter should be referred to the Clerk who will consider whether the correspondence is in the public domain.

Communications with Parish Council Staff

Councillors must not give instructions to any member of staff, unless authorised to do so (for example, three or more Councillors sitting as a committee or subcommittee with appropriate delegated powers from the council).

No individual Councillor, regardless of whether or not they are the Chair of the council, the Chair of a committee or other meeting, may give instructions to the Clerk or to another employee which are inconsistent or conflict with council decisions or arrangements for delegated power.

Telephone calls should be appropriate to the work of the parish council.

E-mails:- Instant replies should not be expected from the Clerk; reasons for urgency should be stated; Information to Councillors should normally be directed via the Clerk; E-mails from Councillors to external parties should be copied to the Clerk; Councillors should acknowledge their e-mails when requested to do so.

Meetings with the Clerk or other officers:- Wherever possible an appointment should be made; meetings should be relevant to the work of the officer; councillors should be clear that the matter is legitimate council business and not driven by a personal agenda.

Contact with the Media

The Clerk is the first point of contact for the media. Approaches from the media should be referred to Parish Clerk. Individual councillors are not permitted to issue media releases on behalf of the Parish Council.

The purpose of a press release is to make the media aware of a potential story, to provide important public information or to explain the council's position on a particular issue. The Clerk, in consultation with the Chairman, is responsible for issuing formal press releases on behalf of the Council.

Proactive media releases may be issued to promote a decision or work of the Parish Council.

Reactive press releases may be prepared and issued in response to a specific question or as a rebuttal to an article already published. Such statements should be dealt with in a timely manner.

Unless a Parish Councillor has been authorised by the Council to speak to the media on a particular issue, parish councillors who are asked for comment by the press should make it clear that any views they express are personal and not necessarily those of the Council.

Confidential matters, including items discussed at meetings where the press and public have been excluded, must not be divulged.

Letters or articles representing the views of the Council should only be submitted by the Parish Clerk unless they have been specifically approved by Council. If Members choose to express their own opinions on Council matters, they must make clear that the views put forward are those of the individual Member and not representative of Council policy.

Members and the Clerk should always have due regard for the long-term reputation of the Council in all their dealings with the media.

Date adopted:

Review Date:

XXX PARISH COUNCIL

Virtual Meeting Policy

[Date]

1. Introduction

XXX Parish Council recognises the opportunities offered by meeting virtually in times where physical meetings are not appropriate. We have therefore developed this policy to assist the Chairman, councillors, members of the public and press to understand how these meetings differ from a physical meeting.

This policy is to be delivered within 'The Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020' and will remain in place until the legislation changes.

2. Publishing the agenda and providing documents

Councillors are to be summonsed, as per the regulation with the agenda and supporting documents being emailed to them in advance of the meeting, with 3 clear days' notice.

No agendas will be published on physical noticeboards, they will be published on the Parish Council's website.

Any person unable to access the Council's website must contact the Clerk: Email: xxxx Telephone: xxxx, to request an electronic copy of the agenda. In cases where documents originate from a third-party electronic links will be provided where available.

3. Virtual Meeting 'platform'

The Council will utilise Zoom to provide video communications. Zoom enables video and audio conferencing for persons using mobile devices, desktops, and fixed room systems. In preparation for the meeting the Clerk will publish via the summons/agenda:

- The Zoom meeting link
- Meeting ID
- Meeting passcode

4. Standing Orders

Standing Orders have been amended with an appendix to take into account the current change in the legislation to allow for remote meetings of the Council. The Standing Orders and the appendix will be used in the same manner as normal to guide the meeting.

5. Virtual Meeting Arrangements

a. Discussions

This section applies if Councillors are experiencing good connectivity. In the case of poor connectivity see 5c.

In order to ensure that the meeting is conducted in an orderly and lawful manner, members of the public wishing to observe the Meeting **MUST WITHOUT FAIL OBSERVE THE FOLLOWING RULES.**

On Joining the Meeting:

1. MUTE your microphone (SWITCH OFF).
2. Enable video (if you have it).

During the Meeting.

1. DO NOT SWITCH ON YOUR MICROPHONE UNTIL REQUESTED TO DO SO BY THE CHAIRMAN.
2. DO NOT attempt to speak until the Chairman asks you to speak
3. If you wish to speak be aware that you will be required to:
 1. Provide your full name and official title where appropriate at the start of the meeting, for example Cllr, District Councillor, County Councillor etc.
 2. Confirm whether you are a registered Elector of XXX Parish.
 3. If you are not a registered elector as in 3 (2) above, you will need to state the basis on which you are raising the issue.
 4. In order to comply with the General Data Protection Regulations embodied in the Data Protection Act 2018 ('the Act') members of the public when speaking **MUST NOT** provide information that either directly or indirectly identifies any individual.

During the meeting and after public participation has closed all persons other than Parish Councillors will be muted. During the public participation period members of the public will be required to 'enable video' in order for them to be visible to the Chairman and will raise their hand to indicate that they wish to speak. Their microphone will then be un-muted, and they can address the meeting. Following the conclusion of their address their microphone will be muted.

During the meeting Councillors and officers will raise their hand to indicate to the Chairman that they wish to speak on an agenda item.

All Councillors attending the meeting will monitor their own background noise and mute their own microphones where required, except when speaking.

b. Voting

All voting will be undertaken by a show of hands, either physically via video link or by using the electronic 'raise hand' feature within Zoom

c. Poor connectivity

In the case of poor connectivity, the Chairman will decide whether to continue with the meeting, or to reconvene at a later date and time subject to the statutory days of notice.

In the case of video not being available for some or all of the Councillors attending, the Chairman can choose to continue, but to operate on a roll call for Councillor views on individual agenda items.

d. Attendance

If a Councillor is believed to have 'dropped out' this will be minuted. If 'drop outs' result in the meeting becoming inquorate, Councillors will endeavour to re-join for a period of 10 minutes. After 10 minutes if the meeting is still inquorate, the Chairman will suspend the meeting and reconvene at a later date and time subject to the statutory days of notice. Councillors will be telephoned to advise of the suspension of the meeting.

6. Virtual Meeting Etiquette

Normal Standing Orders apply regarding the Conduct at Meetings and all attendees are expected to be mindful of the difficulties people experience with operating technology. Behaviour that is contrary to the intended outcomes of the meeting will be dealt with at the discretion of the Chairman. For a member of the public or press this may result in them being dismissed from the Zoom meeting.

7. Declaration of Interests

A councillor that has declared an interest that requires them to leave the meeting, will be required to leave the Zoom meeting, for a period of time determined by the Chairman and to re-join the meeting after this period. No other business will be conducted until the Councillor has re-joined the meeting, or a period of 5 minutes after the re-joining time (when it will be assumed that they have left the meeting).

8. Public Participation

The Clerk will read out any pre-submitted queries or questions from the press and public under Public Participation on the agenda.

Members of the public should be aware that any issues raised, either via email or at the remote meeting under Public Participation will not be commented on or debated by the Parish Council during the remote meeting. Each member of the public participating and wishing to speak will still be given the allotted 5 minutes with a total time for Public Participation being 15 minutes total. The Chairman will indicate if the issue raised will be added to a future agenda or if it will be dealt with by the Clerk.

Members of the public and press are asked to contact the Clerk 48 hours prior to a remote meeting to raise any issues or questions they may have in advance.

9. Confidential Matters

Confidential matters will be dealt with through a separate Zoom meeting that is available to Parish Councillors only.

On conclusion of the non-confidential matters on an agenda the meeting will be suspended for members to re-join using the confidential zoom meeting link that will have been provided to Councillors only.

10. Recording

Zoom meetings will be recorded and made available to Councillors, the press and members of the public where appropriate.

Reviewed: [date]

Next Review: April/May 2021 or when legislation changes

For further information see The Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020

<http://www.legislation.gov.uk/uksi/2020/392/contents/made>