



Downley Community Centre
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DOWNLEY PARISH COUNCIL

TO: ALL MEMBERS OF THE COUNCIL

You are **HEREBY SUMMONED** to attend a **MEETING** of the **DOWNLEY PARISH COUNCIL** which takes place **ON TUESDAY 9th FEBRUARY 2021 at 7pm**

This meeting will be held by Zoom Video Conference for the purpose of transacting the following business. Instructions for joining the Zoom meeting are as follows:

<https://us02web.zoom.us/j/6482386990?pwd=djJUZzNBd21BZDRtdElld0xFWG4zdz09>

Meeting ID: 648 238 6990 Passcode: 639877

A G E N D A

- 1) To record Attendance and receive Apologies for Absence
- 2) To receive and note any Declarations of Interest made by Councillors in connection with any agenda item
- 3) Public Participation Session - To receive questions and comment from the public on any matter on the Agenda or which affects the Parish
- 4) To Approve the Minutes of the Meeting of Council held on 12 January 2021. (Below)
- 5) To receive and note reports from Buckinghamshire Councillors
- 6). To submit Comments on Planning Applications received as set out below:

20/08500/FUL 21 Southfield Road High Wycombe Buckinghamshire HP13 5JZ
Excavation of front for the extension of driveway and extended vehicle cross over (retrospective)

21/05107/ADRC Hill Cottage Plomer Hill High Wycombe Buckinghamshire HP13 5NB
Application for approval of details subject to Conditions 10 (Construction Traffic Management Plan) and 15 (Ecological Enhancements) of planning ref: 20/07438/FUL

21/05111/FUL 83 Westover Road High Wycombe Buckinghamshire HP13 5HX
Construction of part single, part two storey side/rear extension following demolition of existing garage, hip to gable roof alterations with rear roof dormer and 3 x front roof lights in connection with loft conversion and alterations to existing driveway.

21/05067/FUL 4 Curlew Close High Wycombe Buckinghamshire HP13 5JY
Construction of single storey rear extension following demolition of existing conservatory and insertion of 1 x window to ground floor side elevation.

21/05065/ADRC 25 Gosling Grove Downley Buckinghamshire HP13 5YS
Approval of details subject to Condition 4 (Landscaping) of planning ref: 20/07664/FUL

20/08423/FUL The Stables Downley Common Downley Buckinghamshire HP13 5YN
Construction of single storey garage and storage shed.

21/05097/FUL 50 Southfield Road High Wycombe Buckinghamshire HP13 5LA
Construction of single storey front/side/rear extension and external alterations

21/05215/HPDN Highlands School Close Downley Buckinghamshire HP13 5TR
Single storey rear extension; Depth extending from the original rear wall of 6.21 metres, a maximum height of 3.69 metres and an eaves height of 2.7 metres

21/05195/FUL Highlands School Close Downley Buckinghamshire HP13 5TR
construction of single storey rear extension and first floor front extension

- 7). To receive and note the Decisions made by The Buckinghamshire Council in respect of the following Planning Applications set out below:

20/08009/FUL 25 Hillfield Close High Wycombe Buckinghamshire HP13 5NA
Insertion of windows to front and side and raising of existing garage roof in connection with garage conversion to habitable accommodation: **Approved**

20/07664/FUL 25 Gosling Grove Downley Buckinghamshire HP13 5YS
Construction of part single, part two storey side extension, dropped kerb and aluminium flue to fireplace at ground floor: **Approved**

20/07820/FUL 48 The Pastures High Wycombe Buckinghamshire HP13 5LY
Construction of raised decking and balustrade with privacy screen to rear (retrospective): **Approved**

20/08226/FUL 45 White Close High Wycombe Buckinghamshire HP13 5ND
roof alterations incorporating double hip to gable roof extension, erection of 1 x dormer window to rear and installation of 2 x rooflights to front all in connection with conversion of existing loftspace to habitable accommodation. **Approved**

- 8). To Receive and Note the Progress Report (below)
- 9). To Adopt revised Standing Orders for the Council (See Clerk's Report & Appendix 1)
- 10). To Adopt a new Anti-Harassment and Bullying Policy (See Clerk's Report & Appendix 2)
- 11). Additional Defibrillator for the Village (See Clerk's Report)
- 12). New Banking arrangements for the Council (See Clerk's Report)
- 13). New Finance software package for the Council (See Clerk's Report)
- 14). Allotments report (See Clerk's Report)
- 15). Community Right to Bid (See Clerk's Report)
- 16). Parish Charter (See Clerk's Report & Appendix 3)
- 17). Gosling Grove Pond (see Clerk's Report)
- 18). Signage (see Clerk's report)
- 19). Email addresses for Councillors
- 20). To consider the Appointment of a Council representative on the Downley Old School Community Association, DOSCA. (Clerk's Note: The appointment of representatives to Outside Bodies usually takes place at the Annual Meeting in May)

21). To note the payment of Invoices below:

Bank Balance at 29.12.20 was £226,622.11 includes £50,000 ring fenced projects			
Ch No.	Payee	Amount	Description of goods/services
1936	KAD Garden service	£1,504.00	Grass cutting /Leaf clearance/planting etc Dec & Jan
1937	Kamila Turner	£50.00	Overpayment of Allotment rent
1938	M W Kennedy	£2729.69	Professional fees & Expenses Locum Clerk for January
1939	SLCC Enterprises Ltd	£360.00	Advert for Parish Clerk
1940	M A Lazenby	£60.41	Office Supplies
	TOTAL	£4,704.10	

22). To note the Date and Place of next Meeting March 9th, 2021

23). Close of the Meeting.

Mike Kennedy
Locum Clerk to the Council
2 February 2021

Downley Parish Council
Minutes of the Council held online, via Zoom
on Tuesday 12 January 2021 at 7.00pm

Present: Councillors M Lazenby, (Chairman presiding), R Bowden, K Chandarana, A Lenard, W Monroe-West, V Naik, V Srao, W Steneskog, and S Tozer

In Attendance: Buckinghamshire Councillor P Turner
2 Members of the Public.
Officer: M Kennedy (Locum Clerk)

The Chairman welcomed everybody present to the meeting and wished everyone a Happy New Year.

1) Apologies for Absence (8231/01/21)

None.

2) Declarations of Interest (8232/01/21)

None.

3) Public Participation (8233/01/21)

Paul Homer, resident and Trustee of the Downley Old School Community Association (DOSCA) and the Downley Communications Forum addressed the meeting on the following matters:

- (i) Agenda Item 12 Downley Controlled Crossing Feasibility Study Mr. Homer apprised Councillors of the Downley Communications Forum's decision to contribute £2,500 towards this feasibility study. Members were unaware of this pledge.
- (ii) Erection of Banners in Downley Village Mr. Homer wanted to make Councillors aware that 2 banners promoting a GP surgery in Disraeli and Downley had been erected outside Tara's News and the Co-op. Members questioned whether permission had been sought for these banners. **ACTION: Clerk to investigate this.**
- (iii) DOSCA – Council Representative Members were told that the Association no longer has a representative from the Council. Although this is not covered in the lease agreement between the Council and DOSCA, it was felt that a Council representative would be beneficial although it was understood that the Clerk had previously assumed this role. **ACTION: Agenda item to next meeting.**
- (iv) Street Light Hithercroft Road by Bus Stop Mr. Homer reported the failed lamp at this location. A Member confirmed this light is part of the LED Lighting replacement contract for which tenders are currently invited. **ACTION: Councillor Bowden to update residents on this project through the Village Newsletter**
- (v) Car on the Highway Mr. Homer drew the Council's attention to a vehicle on Plomer Green Avenue without an engine but covered in tarpaulin that was parked on the highway close to another property that have 5 scrap cars and many tyres in the garden. Together this could present a major risk. Mr. Homer had reported the matter to the Buckinghamshire Council but was seeking the Parish Council's support to ameliorate the situation. It was understood the vehicle was taxed but there may be other road safety/environmental concerns. **ACTION: Clerk to progress.**

4) Minutes (8234/01/21)

The Minutes of the Meeting of the Council held on 15 December 2020 were presented for adoption. It was **RESOLVED that the Minutes of the meeting held on 15 December 2020, be received, approved, and adopted and signed by the Chairman as a true record.**

5) Reports from Buckinghamshire Councillors (8235/01/21)

Councillor Turner gave a brief oral report. Referring to Mr. Homer's previous comments about a van parked on Plomer Green Avenue, Councillor Turner said that he was aware of the situation and had reported the situation over many years. If vehicles are not roadworthy then the police will intervene or if they have no MoT and are parked on the highway then DVLA can be notified. **ACTION: Councillor Turner and the Clerk to progress as discussed at the meeting.**

Councillor Turner reported that redevelopment of Burrows House should start by the end of January, subject to Covid restrictions.

As regards the Covid vaccine, Councillor Turner confirmed that all over 80-year-olds will be offered a vaccination by the end of January through their GPs. He reinforced the need for all residents to comply with social distancing regulations. It was suggested that the Downley Covid Action Group promotes the regulations in the Downley Village Newsletter. **ACTION : Councillor Naik to progress.**

Councillor Turner left the meeting at 7.30pm

6) Committee Reports (8236/01/21)

It was proposed by Councillor Lenard, seconded by Councillor Lazenby and **RESOLVED that the report of the Staffing /HR Committee held on 8 January 2021 be received, considered, and adopted and that the recommendations contained therein be approved.** Arising from the report:

Minute No. 5 Terms of Reference

The Chairman, Councillor Lenard, reinforced the Committee's role, its interacting with the Council, the need for a good dialogue between councillors and their ability to raise matters of concern about the Clerk's performance, capability, or disciplinary issues. Councillor Lenard as committee Chairman will take the lead on this.

Minute No. 6 Appointment of the Clerk

The Chairman confirmed that all committee members would take an active role in the recruitment process and that all applications received by 17 February would be reviewed.

Arising from the Minutes it was **RESOLVED that the committee shall henceforth be known as the HR Committee.**

7) Planning Applications (8237/01/21)

Councillors considered submitting representations to Buckinghamshire Council on current planning applications. It was **RESOLVED** that the Council submits the following comments to Buckinghamshire Council as set out hereunder.

January 2021				
Application Number	Address	Postcode	Planning Committee	DPC Decision
20/08103/FUL	37 Downs Park	HP13 5LU	Approve	Approve
20/08284/LBC	The Timber Barn	HP13 5XN	No Recommendation	No Recommendation

8) Decision Notices (8238/01/21)

The Council noted the Decision Notices received from the Buckinghamshire Council as set out hereunder.

January 2021			
Application Number	Address	Postcode	BC Decision
20/07438/FUL	Hill Cottage Plomer Hill	HP13 5NB	Approve
20/07765/CLP	83 Westover Road	HP13 5HX	Certificate Granted
20/08010/ADRC	8 Narrow Lane	HP13 5XP	Permit - detail Reserved by Condition
20/07806/FUL	31 Hithercroft Road	HP13 5LT	Approve
20/07761/FUL	40 Sunny Croft	HP13 5UR	Approve

9) Draft Budget for 2021/22 (8239/ 01/21)

The Chairman of the Finance Committee, Councillor R Bowden, presented the draft income and expenditure account for the financial year commencing 1 April 2021, copy having been issued, which had been recommended for approval by the Finance Committee following their meeting on 7 December 2020. It was noted that allotment rents were still being collected by BACS payments however reconciliation to the list of current tenants was proving difficult due to incomplete records having been passed to the Locum Clerk. It was **RESOLVED that the draft budget for 2021/22 be received, approved, and adopted.**

10) Precept for the year 2021/22 (8240/01/21)

Members considered the precept to be levied on the Buckinghamshire Council for the financial year commencing 1 April 2021. Councillors welcomed the slight reduction in the precept which would reduce the overall tax burden on taxpayers in Downley. It was **RESOLVED that a precept of £100,000.00 be levied on the Buckinghamshire Council for the financial year commencing 1 April 2021.**

11) Progress Report (8241/01/21)

Members had before them a progress report on outstanding matters/projects, copy having been issued. It was **RESOLVED that the report be received, considered, and adopted.** Arising from the report.

(i) Street Lighting Tender

The Clerk informed the Council that the replacement Street Lighting Contract had been upload on the Government's Contract Finder and that the closing date is 1 March. However, the Council was faced with a potential legal challenge from a company who maintained that they had been awarded the contract in 2020. The Council had sought professional advice and was adamant that while the company had undertaken non-destructive testing of the columns a contract had not been

signed for the replacement of the lamps. It was **RESOLVED that the matter be left to the Clerk to further investigate and respond on the Council's behalf.**

(ii) Streetlight in Narrow Lane

The Clerk reported that the owner of 23 Commonsides had responded to the Council's request to cut back the overhanging trees in his garden and was seeking 2 further quotations before undertaking this work. The connection to the supply had been referred to the electrical contractor to further investigate with the energy provider. It was **RESOLVED that the report be noted.**

(iii) Additional Defibrillator for the Village

The Council had proposed an additional defibrillator outside Tesco Express. However the store holds a device within the premises and Members were invited to consider alternative locations within the village. A member suggested K S Starlight Stores would be an ideal location due to its proximity to the Common, its position within the High Street, and footfall is high. Alternative proposals were suggested including the Memorial Hall, where it was understood the Council is Custodial Trustee. It was **RESOLVED that the Clerk further investigates this proposal and that the matter be deferred to the next meeting.**

12) The Downley Controlled Crossing Feasibility Study (8242/01/21)

Council had applied for LAF funding for a survey to determine if there is a suitable location for a pedestrian crossing in the Village. The new Community Board had approved this scheme and had invited the Council to approve a matched funding contribution of £4,855.22. It was **RESOLVED that the Council contributes £4,855.22 towards The Downley Controlled Crossing Feasibility Study representing 50% towards the cost of the Study, the Clerk to liaise with Paul Homer of the Downley Communications Forum on their pledged contribution of £2,500 towards this study.**

13) Park Fencing School Close Park (8243/01/21)

The perimeter post and rail fencing surrounding School Close Park had collapsed in many places and needed repair. The matter had been referred to Buckinghamshire Council who had proposed the construction of a perimeter earth bund that had been rejected by this Council. Members considered alternative options including the replacement of the rail with low wooden posts like those surrounding the Common, to be supplied by West Wycombe Estate; allowing the bund to be constructed to a low level and top planted with grass and flowers; consulting the residents to garner their views; and referral to Barratt Homes.

It was understood that while the open space was transferred to the former Wycombe District Council, the knee rail fence was excluded by the developer, Barratt Homes and was not adopted by Bucks County Transport at that time. It was suggested that responsibility for the reinstatement and repair remains with Barratt Homes, and **RESOLVED that the Clerk writes to Barratt Homes in this matter to establish ownership and the adoption of the land as highway land by Buckinghamshire Council.**

14) Report of the External Auditor on the Accounts for 2019/20 (8244/01/21)

The Council was pleased to note that in the Auditor's opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no other matters have come to their attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

The Auditor had however, raised three matters that required the Council's attention to which the Clerk had presented suggested responses. It was **RESOLVED that the report be noted along with the suggested responses set out in the Clerk's report.**

15) Council Policies for Adoption (8245/01/21)

Members considered the adoption of three policies that related to capability, disciplinary, and grievance, copies of which had been issued and had been previously considered and recommended for approval by the HR Committee at its meeting of 8 January 2021. It was **RESOLVED that the Council formally adopts the policies on Capability, Disciplinary and Grievance.**

16) Payment of Invoices (8246/01/21)

The Council received and approved the schedule of payments, as set out hereunder.

Ch No.	Payee	Amount	Description of goods/services
1928	cancelled cheque		
1929	Royal British Legion	£16.00	Poppy Wreath
1930	KAD Garden service	£1,101.00	Grass cutting /Leaf clearance November
1931	Colin Clarke Construction	£6,114.00	Works to Downley Community Centre
1932	PKF Littlejohn	£480.00	External Audit Fee
1933	Mr Peter Redman	£1,368.00	Clearing Downley Village for Jan-Sept 2020 (replacing cheque number 1926 payable to Fourlegswood)
1934	West Wycombe Estate	£450.00	Annual Rent of Jubilee Allotment Gardens
BACS	M W Kennedy	£2,162.63	Replacing cheque Nos. 1927 & 1928 Professional fees & Expenses Locum Clerk for November – Both cheques stopped
BACS	M W Kennedy	£3,094.86	Professional fees & Expenses Locum Clerk for December
	TOTAL	£14,786.49	

The Chairman indicated that BACS payments had been made to the Clerk as there had been problems with cheque signing and differences with the Bank Mandate, with respect to which 11 former councillors were still on the Mandate and would be removed while the 3 co-opted Councillors needed to be added.

17) Date and Place of next meeting (8247/01/21)

It was agreed that the next ordinary meeting of Council shall be held by zoom on Tuesday 9 February 2021 at 7pm

18) Closure of the Meeting (8248/01/21)

There being no other business the Chairman closed the meeting at 8.38pm

Chairman _____

Date _____

Progress Report to Council 9 February 2021

Minute Reference	Subject	Progress (updates to bold)
8165/10/20	Streetlight replacement project	<p>Scheme uploaded to the Government's Contract Finder 22.12.2020. Closing date 1.3.2021.</p> <p>Several companies have suggested that we broaden our specification to allow them to compete. Our extremely specific requirement precludes others from entering the process.</p> <p>Responses sent to all companies inviting them to tender stating their preferred solution for Council to decide at its meeting in March. Council is asked to NOTE this matter</p>
8167/10/20	Junction Protection Road Markings (Downley Element)	<p>Email sent to Community Board on 23.12.2020 confirming DPC will contribute £3,078.85 towards this scheme as its matched funding contribution.</p> <p>Confirmation received from Buckinghamshire Council who will invoice Downley Parish Council upon completion of the scheme or at the end of the next financial year (March 2022) whichever is sooner. Council is asked to NOTE this matter</p>
7973/07/19 7997/09/19 Finance Committee 30.7.19 8242/01/21	The Downley Controlled Crossing Feasibility Study	<p>Email sent to Community Board on 15.01.2021 confirming DPC will contribute £4,855.22 towards this scheme as its matched funding contribution. Buckinghamshire Council will invoice Downley Parish Council upon completion of the scheme or at the end of the next financial year (March 2022) whichever is sooner.</p> <p>The Downley Communications Group has confirmed their pledge to contribute £2,500 towards this scheme and has already made the payment to DPC. Council is asked to NOTE this matter with delight and record its thanks and appreciation.</p>
8196/11/20 8245/01/21	Policy Review	<p>New Capability, Disciplinary, and Grievance Policies approved by Council 12.01.21. Adoption of revised Standing Orders and Anti -Harassment and Bullying Policy before Council see Agenda items 9 &10</p>
8197/11/20 8218/12/20 8241/01/21	Defective Street Lights in the Village	<p>Council approved expenditure of £4,993.92 for the replacement of 17 lamps in the current financial year, 2020/21, this number to be deducted from the overall total listed on Contract Finder. Order placed with Sparkx. Lamps expected 29.1.21, installation to follow. Council is asked to NOTE this matter</p>

8220/12/20 8241/01/21	Street Lighting in Narrow Lane	<ul style="list-style-type: none"> • Tree on the boundary at 23 Commonside to be cut back. – letter to resident 5.1.2021 requesting trees are cut back, acknowledged by telephone call. Seeking 2 more quotes • new connection not progressed • Installation of the column and upfront payment to SSE for the first quotation still outstanding. Email to Sparkx 5.1.21 Reminder email 20.1.21
8221/12/20	Use of the Community Centre as a Council Office	<p>Council to review the £3,000 contribution it makes to DOSCA towards the library, and to pursue the use of the Maple Room as a permanent office from 1 April 2021 on terms to be agreed by the Council in consultation with DOSCA.</p> <p>DOSCA has no objection and will look at favourable terms when the need arises next year, and details can be agreed. No further progress during lockdown. On-going Council is asked to NOTE this matter</p>
8222/12/20 8243/01/21	Park Fencing School Close Park	<p>Buckinghamshire Council had intended to construct a grassed bund around site. Council's objections conveyed.</p> <p>Suggested that responsibility for the reinstatement and repair remains with Barratt Homes.</p> <p>Email to Barratt Homes 13/01/21, chased 20/01/21. On-going. Council is asked to NOTE this matter</p>
8224/12/20 8240/01/21	Additional Defibrillator for the Village	<p>Council to procure an additional defibrillator from London Hearts and seeks a further grant from Tesco towards the overall cost of £995. Tesco Express already have a defibrillator in store and staff are trained in its use.</p> <p>Co-op were interested but would fund and pay for the unit themselves. Council rejected the Residential Care Home nearby in Langley Close as this is a private company. Council considers alternative locations within the village and proposed The Memorial Hall</p> <p>Email to Trustees 19.1.21. Matter to be considered by the Trustees on 2/2/21 - Agenda Item 11</p>
8244/01/21	Report of the External Auditor on the Accounts for	<p>The Auditor had raised three matters that required the Council's attention to which the Clerk had presented suggested responses. Email to Auditor 18/1/21 expressing the Council's responses. Acknowledged by Auditor 21/1/21. Council is asked to NOTE this matter</p>
8233/01/21	Erection of Banners in Downley Village	<p>3 banners have been erected promoting a GP surgery in Disraeli.</p> <p>Reported on-line to Planning Enforcement. Council is asked to NOTE this matter</p>
8233/01/21	DOSCA – Council Rep	Agenda Item No.17

8233/01/21	Street Light Hithercroft Road by Bus Stop	Failed light. Resident informed part of the LED replacement Lighting Contract. Councillor Bowden to update residents on this project through the Village Newsletter Council is asked to NOTE this matter
8233/01/21	Car on the Highway – Plomer Green Avenue	Vehicle on Plomer Green Avenue without engine covered in tarpaulin parked on the highway close to another property that with 5 scrap cars and many tyres in the garden. Together this could present a major risk. Matter referred to Buckinghamshire Council 18.1.21. Cllr. Turner also contacted the police. Their response is the car is secure, not obstructing anything and is not dangerous, there is unfortunately not much the police are able to do in this situation. Nothing Council or DVLA can do legally about removing cars/vans that are taxed and MOT'd on the highway. Council is asked to NOTE this matter
8235/01/21	Breaches of Covid 19 Guidelines on social distancing and wearing masks	Downley Covid Action Group to promote the regulations in the Downley Village Newsletter. ACTION: Councillor Naik to progress. Council is asked to NOTE this matter
Min. no. 9 Fin.cttee 7.12.20 8211/12/20	Draft Budget 2021/22 Cloud Storage	Councillor Naik to investigate facilities for storing data in the Cloud within the budget provision of £2,000 in 2021/22. Report to next meeting. Council is asked to NOTE this matter
8147/09/20	Web accessibility	A paper was circulated about web accessibility, this is now a legal requirement. Cllr Naik agreed to look at the website to ensure we are compliant. The Clerk will work with him on this. Report to next meeting. Council is asked to NOTE this matter

Mike Kennedy
Locum Clerk
1.2.2021

Clerk's Report to Council 9 February 2021

Agenda Item No. 9 Revised Standing Orders

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. The National Association of Local Councils (NALC) model standing orders 2018, adopted by Downley Parish Council in 2019, incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's standing orders.

Attached as **Appendix 1** below are revised Draft Standing Orders incorporating the NALC revised Model Standing Order published in 2020.

Recommendation: The Council adopts the Revised Standing Orders

Agenda Item No. 10 Anti-Harassment and Bullying Policy

As part of the Council's review of its Governance arrangements, a new Anti-Harassment and Bullying Policy is presented as **Appendix 2** for adoption by the Council.

This Policy was commissioned by the National Association of Local Councils (NALC) in 2019 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication.

This document has been written by the HR Services Partnership – a company that provides HR advice and guidance to town and parish councils.

Recommendation: The Council adopts the Anti-Harassment and Bullying-Policy

Agenda Item No. 11 Additional Defibrillator for the Village

At your meeting in December, Members considered options for locating an additional defibrillator in the village supplied by London Hearts. Last month I reported that Tesco Express already has a defibrillator in store while the Co-op are interested but would fund and pay for the unit themselves.

Council rejected the Residential Care Home nearby in Langley Close as this is a private company and suggested alternative locations within the village and proposed The Memorial Hall.

The Trustees are due to meet on 2 February and an oral report will be presented to your meeting.

In summary, the cost of the defibrillator after deducting the £200 grant awarded by London Hearts is £995. Included in the £995.00 is:

- Defibrillator
- AED Battery
- Carry Case
- 2 Sets of AED Pads
- 2 AED Starter Kits
- Laminated AED Wall Sign
- FREE Defibrillator Awareness and CPR training session for up to 50 people.

The Defibrillator is the advanced dual functioning SP1 IPAD Defibrillator. Not only does this model carry out daily self-diagnostic tests, meaning maintenance is extremely limited but importantly this model can be applied to both an adult and a child at the flick of a switch rather than having to change the pads.

Subject to the agreement of the Trustees, the Defibrillator will be wall mounted in a heated locked cabinet for which an additional cost of 525.00 is required. Power to cabinet is required via a standard 3 pin plug socket (Annual electric cost of approximately £8 per annum). The Defibrillator battery needs to be changed after 5 years (cost of approximately £155.00) and the Defibrillator pads expire after 2 years or each use as they are not re-useable (cost of approximately £30.00).

The SP1 IPAD Defibrillator supplied comes with a 7-year Warranty which can be extended to a full 10 years upon simple registration with the manufacturer within the first three months of receipt.

The total initial cost to the Council would be £1,520, thereafter, the annual maintenance charges would be £74pa.

Recommendation: Subject to the approval of the Memorial Hall Trustees, the Council authorises expenditure of £1,520 from reserves for the purchase of a defibrillator as set out in the report.

Agenda Item No. 12 New Banking arrangements for the Council

The Council currently banks with Lloyds Bank, a straightforward free of charges business account operating a cheque bank that requires 2 signatories to authorise cheque payments and a pay-in book. The clerk has no access to the bank account and receives monthly paper statements. The clerk therefore cannot check that payments have been made and income received. This has been particularly frustrating recently because I have been unable to verify receipt of allotment rents, (see Clerk's report Agenda Item 14 below). There is currently no on-line banking facility. Cheques must be posted to the suppliers which adds around £50 per annum in postage and envelopes.

The situation came to a head recently where a cheque was returned to the bank as the signature on the cheque did not match the signature of the councillor held on file. A replacement cheque was issued but this was also returned because I had written across the top of the cheque (which is good audit practice, "Replacing Cheque Number "). It subsequently transpired that our bank records were woefully out of date with former and deceased councillors still showing on our bank mandate.

A system of on-line banking is considered essential in this modern day. Cheques were due to be abolished in 2018 but the Government's Payments Council announced that cheques will continue for as long as they are needed. Instead, it (the Payments Council) will focus on making all payments fit for the 21st century by encouraging innovation in new and existing types of payment methods.

Unity Bank, www.unity.co.uk/business-current-accounts/ with who I have previously operated a Council's banking system, provide on-line banking with single, dual, and even triple authority of payments made on-line. Payments are set up on-line by the Clerk ready for payment. The supporting vouchers are made available for 2 Councillors to verify and authorise and then go on-line to authorise the payments. Payments are only made when both councillors have completed the authorisation process.

The clerk has access to on-line banking through a password protected log-in and can view the transactions only. The cost to the Council is £6 per month bank charges plus 15p per credit and debit transaction, around £100 per annum in total.

Recommendation: That the Council switches to Unity Bank to enable on-line payments to be made in future.

Agenda Item No. 13 New Finance Software Package for the Council

The Council's financial records are currently maintained on a simple spreadsheet. There is no system for monitoring budgetary control, preparing monthly reports or a year end summary, bank reconciliations, the preparation of the Annual Return (AGAR) or VAT management and claims for refunds, all of which is undertaken manually and is time consuming.

Council is invited to consider the purchase of a bespoke software package designed for parish councils. The package produced by Edge IT Systems Limited is known as AdvantEDGE Finance and has been developed exclusively for Parish and Town Councils and is widely used by the sector. The company provides remote access and support and has recently recruited a former Parish Clerk to provide guidance to all existing customers.

The AdvantEDGE Finance package enables Councils to produce regular financial reports, submit VAT returns, bank reconciliations and year end returns. The cost to the Council would be:

Setup and Training

Initial Set up and configuration service	£ 90.00
AdvantEDGE Email Facility setup	£ 72.00
Training in use of AdvantEDGE 4 hrs	£288.00
Total (ex VAT)	<u>£450.00</u>

Annual Charges (based on a 5-year contract)

AdvantEDGE Finance Band 3 up to £150,000	£360
Email Facility	£12
Total (ex VAT)	<u>£372</u>

The setup charge and thereafter the £12 annual fee for the AdvantEDGE email facility is for the email service directly out of the software enabling the user to email reports, invoices, remittances etc. directly from the software, rather than having to save documents via PDF and then attach to an email in outlook etc; an extremely useful and time saving function.

Recommendation: That the Council purchases the AdvantEDGE Finance package at a cost of £822 in the first year and £372 thereafter for 5 years, subject to inflationary increases.

Agenda Item No. 14 Allotments Report

The Council has 51 allotment plots at the Jubilee Allotment Gardens. The allotment records handed to me on a memory stick in November were out of date and in many cases incomplete or inaccurate.

I am pleased to report that I have contacted 20 ploholders by email who were in arrears and all but two tenants, occupying 4 plots, have replied. The situation to date is as follows.

Status	no. of plots
Paid or payment pending	45
Contact details for tenant unknown	1
Vacant plots	0
emails sent to tenants awaiting reply (2 tenants occupying 4 plots)	4
Under offer	1
TOTAL	51

In the absence of on-line banking, I am unable to confirm receipt of payment from 15 tenants although I have no reason to doubt their legitimacy. That being the case, the total receipts from Allotment rents, including deposits, overpayments and arrears of rent to date is £1,417.50 represented by:

Status	Amount
Paid or payment pending 44 x £25	£1,100
Paid for half a year Oct-Mar 1x£12.50	£12.50
Deposits 5 x £50	£250
Arrears of rent collected in 2021	£50
Overpayments	£5
TOTAL	£1,417.50

Given that the total income for the year, assuming 100% occupancy and no deposits, would be £1,275, then £1,112.50 from 45 plots represents an excellent return of 87.3%.

Recommendation: That the Council is asked to note this report.

Agenda Item No. 15 Community Right to Bid

The Community Right to Bid (Assets of Community Value) legislation was a new initiative introduced in the Localism Act 2011.

The Community Right to Bid allows communities and parish councils to nominate buildings or land for listing by the principal authority as an asset of community value.

An asset can be listed if its principal use furthers (or has recently furthered) their community's social well-being or social interests (which include cultural, sporting or recreational interests) and is likely to do so in the future. When a listed asset comes to be sold, a moratorium on the sale (of up to six months) may be invoked, providing local community groups with a better chance to raise finance, develop a business and to make a bid to buy the asset on the open market.

Le De Spencer's Arms is listed as an Asset of Community Value. However this expired at the end of the five years listing period on **21st October 2019** and has been removed from the Council's List of Assets of Community Value, and its land registry entry has been updated to reflect this.

Assets may be nominated for Asset of Community Value Status again after their previous listing has expired. All nominations will be processed in accordance with the Buckinghamshire Council's Assets of Community Value Policy and relevant parties will be notified accordingly. For more information, or to nominate an asset, please visit: <http://www.buckinghamshire.gov.uk/community-right-to-bid>

Members are further advised that the *Bricklayers Arms* listing expired on 25 January 2021. The only other building in Downley that was on the assets register is *The Downley Donkey Pub*. This listing expired in May 2014, is now the Co-op and should be removed from the list altogether.

Recommendation: That the Council makes application to the Buckinghamshire Council for the re-listing of the Le De Spencer's Arms and the Bricklayers Arms as Assets of Community Value on the grounds that they both further the social wellbeing and interests of the local community.

Agenda Item No. 16 Parish Charter

The Town and Parish Charter sets out the relationship between Buckinghamshire Council and town and parish councils in Buckinghamshire, to strengthen partnership working and improve services for residents. A copy is attached as **Appendix 3**.

Buckinghamshire Council has worked with a number of clerks and BMKALC over the last 18 months, and the working group are pleased to now be able to share the draft charter with councils and councillors, to gather feedback.

Buckinghamshire Council aims to strengthen the relationship between town and parishes and the unitary authority, and the charter sets out the commitment of both the principal authority and local councils to working together, the joint principles and respective roles, responsibilities, and expectations. The development of the charter was informed by:

- Best practice elsewhere, with particular consideration to other unitary councils.
- Feedback from workshops with town and parishes during the unitary programme
- Partnership working with BMKALC, and a working group of town and parish council clerks who have shared their expertise and vision of a collaborative cultures.

The consultation is open until 7 March 2021 and it is important that we complete and return the comments so that the charter can become a working document following the proposed roll-out in Spring/Summer 2021

Recommendation: The Council is invited to submit comments on the Draft Town and Parish Charter.

Agenda Item No. 17 Gosling Grove Pond

This item is included on the agenda at the request of Councillor Steneskog. Councillor Steneskog writes, *“It has come up in the past and at some point, I think we put money aside for it. There were discussions where I have a vague memory of if the planned works were not done eventually it could cause flooding to properties surrounding it. Although I am not 100% sure on the facts behind that. However, I feel that we need to revisit this and look at how we are going to protect the pond which I feel is an asset to Downley.”*

The Council has earmarked £2,500 in the 2021/22 budget for restoration and beautification works. By way of background information the following references are recorded in the Council's minutes:

February 2018 *The next phase of the pond maintenance project is tree management work. This will involve reducing the bulk of the trees around the edge by about 25%. Work is scheduled to commence in March and will involve tree surgeons. Equipment will be on site for at least three days. The Council expressed thanks to Clive for all of his hard work on this project, it would not have been possible without his time and effort.*

Cllr Paul Turner has generously donated his ward budget towards the Pond regeneration project, the Council are extremely grateful for this valued contribution.

April 2018 *Tribute was paid to the work masterminded by Clive Knapman and the Chiltern Rangers and the improvements already being enjoyed by local residents. A third stage was being planned to analyse the water quality and degree of silt. An interpretation board and seating were being considered.*

October 2018 *Clive Knapman gave an update on the Gosling Grove pond project. A working party has recently carried out some work on the pond, the next steps are excavation.*

May 2019, Annual Parish Meeting May 2019 *The Chairman reported that “The pond in Gosling Grove has been improved but this is an ongoing project. I would like to thank Clive and Chiltern Rangers for their hard work on the pond area.”*

November 2019 Gosling Grove Project (8022/11/19) *A meeting will be held in the spring to discuss further works to be carried out at the pond.*

Recommendation: The Council's further consideration and instructions in this matter are requested.

Agenda Item No. 18 Signage

This item is included on the agenda at the request of Councillor Bowden. Councillor Bowden writes *I believe that it would be useful to have a sign on the wall of the community centre stating 'Downley Parish Council' especially if we are going to use the centre as a permanent home. One for DOSCA as well, for political reasons.*

There is no sign near the allotments. Mannings Field, Jubilee Orchard and the Jubilee Allotments are all on a public footpath, but no indication where they are since none can be seen from Plomer Green Lane. At one point a number of months ago, an ambulance was required to be called for a person at the allotments, but there was no postcode, or sign indicating where they were. It would be useful if a sign was added to the walkway pole.

While there is no specific estimate provision for new signage in the 2021/22 revenue estimates, the cost can be contained from within existing budgets. It is suggested that all new signage should be consistent incorporating the Council's livery.

Recommendation: The Council's further consideration and instructions in this matter are requested.

DOWNLEY PARISH COUNCIL STANDING ORDERS

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Introduction

These standing orders incorporate the National Association of Local Council (NALC) The Model Standing Orders 2018 for England, revised in 2020.

How to use model standing orders

Standing orders are the written rules of Downley Parish Council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of Downley Parish Council are not the same as the policies of the Council but standing orders may refer to them.

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

Our standing orders do not include our financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of the council. The financial regulations, as opposed to the standing orders, include most of the requirements relevant to the council's Responsible Financial Officer.

Important notes

Standing orders that are in bold type contain legal and statutory requirements. We have adopted them without changing them or their meaning.

For convenience, the word "councillor" is used in our standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

1. Rules of debate at meetings

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

- iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 11, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the chairman of the meeting.

2. Disorderly conduct at meetings

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

- c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. Meetings generally

- Full Council meetings ●
- Committee meetings ●
- Sub-committee meetings ●

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3l shall not exceed 15 minutes unless directed by the chairman of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- h In accordance with standing order 3l, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The chairman of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his comments to the chairman of the meeting.

k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.

● l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**

● m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**

● n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

● o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**

● p **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**

● q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**

● r **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**

See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.

● s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**

t The minutes of a meeting shall include an accurate record of the following:

i. the time and place of the meeting;

- ii. the names of councillors who are present and the names of councillors who are absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session; and
- vii. the resolutions made.

- u **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

- v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.

- w **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

- x A meeting shall not exceed a period of 3 hours.

4. Committees and sub-committees

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**

- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

- d The Council may appoint standing committees or other committees as may be necessary, and:

- i. shall determine their terms of reference;

- ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
- iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
- iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
- v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 1 day before the meeting that they are unable to attend;
- vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
- vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
- viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
- ix. shall determine if the public may participate at a meeting of a committee;
- x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee or a sub-committee.

5. Ordinary council meetings

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**

- f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
- i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - vi. Review of the terms of reference for committees;
 - vii. Appointment of members to existing committees;
 - viii. Appointment of any new committees in accordance with standing order 4;
 - ix. Review and adoption of appropriate standing orders and financial regulations;
 - x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
 - xi. Review of representation on or work with external bodies and arrangements for reporting back;

- xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
- xiii. Review of inventory of land and other assets including buildings and office equipment;
- xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- xv. Review of the Council's and/or staff subscriptions to other bodies;
- xvi. Review of the Council's complaints procedure;
- xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
- xviii. Review of the Council's policy for dealing with the press/media;
- xix. Review of the Council's employment policies and procedures;
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

6. Extraordinary meetings of the council, committees and sub-committees

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chairman of a committee [or a sub-committee] does not call an extraordinary meeting within 5 days of having been requested to do so by 2 members of the committee [or the sub-committee], any 2 members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

7. Previous resolutions

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 4 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. Voting on appointments

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

9. Motions for a meeting that require written notice to be given to the proper officer

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and, in any event, shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 5 clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

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

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;

- iii. to defer consideration of a motion;
- iv. to refer a motion to a particular committee or sub-committee;
- v. to appoint a person to preside at a meeting;
- vi. to change the order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

11. Management of information

See also standing order 20.

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

12. Draft minutes

- Full Council meetings ●
- Committee meetings ●
- Sub-committee meetings ●

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

“The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”

- e The Council shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.
- f Subject to the publication of draft minutes in accordance with standing order 12I and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. Code of conduct and dispensations

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.

- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required, and that decision is final.
- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required.
- h **A dispensation may be granted in accordance with standing order 13I if having regard to all relevant circumstances any of the following apply:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - ii. **granting the dispensation is in the interests of persons living in the Council's area; or**
 - iii. **it is otherwise appropriate to grant a dispensation.**

14. Code of conduct complaints

- a Upon notification by the Buckinghamshire Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and

the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).

- c The Council may:
- i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by Buckinghamshire Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

15. Proper officer

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
- i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
- See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;*
- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 3 days before the meeting confirming his withdrawal of it;
 - iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
 - iv. **facilitate inspection of the minute book by local government electors;**
 - v. **receive and retain copies of byelaws made by other local authorities;**
 - vi. hold acceptance of office forms from councillors;

- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;
(see also *standing order 23*);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the Chairman or in his absence Vice-Chairman (if there is one) of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council];
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(see also *standing order 23*).

16. Responsible financial officer

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

17. Accounts and accounting statements

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:

- i. the Council's receipts and payments (or income and expenditure) for each quarter;
- ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
- iii. the balances held at the end of the quarter being reported and

which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

- d. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. Financial controls and procurement

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

- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. 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. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a**

port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

19. Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of HR committee is subject to standing order 11.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of HR Committee or, if he is not available, the Chairman of the Council of absence occasioned by illness or other reason and that person shall report such absence to the HR Committee at its next meeting.
- c The chairman of the HR Committee or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of Parish Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the HR Committee.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the Chairman of the HR committee or in his absence, the Chairman of the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the HR Committee.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Clerk relates to the chairman of the HR Committee this shall be communicated to another member of HR Committee which shall be reported back and progressed by resolution of HR Committee.
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

20. Responsibilities to provide information

See also standing order 21.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**

The Council shall publish information in accordance with the requirements of the Local

Government (Transparency Requirements) (England) Regulations 2015.

21. Responsibilities under data protection legislation

Below is not an exclusive list. See also standing order 11.

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

22. Relations with the press/media

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

23. Execution and sealing of legal deeds

See also standing orders 15(b)(xii) and (xvii).

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

24. Communicating with Buckinghamshire councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillors of Buckinghamshire Council representing the area of the Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the Buckinghamshire Council shall be sent to the ward councillors representing the area of the Council.

25. Restrictions on councillor activities

- a. Unless duly authorised no councillor shall:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect;
or
 - ii. issue orders, instructions or directions.

26. Standing orders generally

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 2 councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

Adopted by Council on 9 February 2021

DOWNLEY PARISH COUNCIL
ANTI-HARASSMENT AND BULLYING POLICY

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Introduction

All staff should be able to work in an environment free from harassment and bullying and be treated with dignity and respect regardless of gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age, or disability.

This policy and procedure provide guidance on what to do if you are concerned about bullying or harassment and what to expect if you raise concerns. It applies to all staff (whether permanent, fixed term, or casual), contractors and agency staff.

Policy

The Council does not tolerate bullying or harassment in the workplace. This is the case for work-related events that take place within or outside of normal working hours; on council property or elsewhere; whether the conduct is a one-off act or repeated course of conduct, and whether done purposefully or not.

The Council does not tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. Retaliation or victimisation will also constitute a disciplinary offence, which may in appropriate circumstances lead to dismissal. You should also be aware that if a court or tribunal finds that you have bullied or harassed someone, in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

The council will take appropriate action if any of our staff are bullied or harassed by staff, councillors, members of the public or suppliers.

What type of treatment amounts to bullying or harassment?

Bullying is offensive, intimidating, threatening, malicious or insulting behaviour, and/or an abuse or misuse of power that undermines, humiliates or injures the person on the receiving end.

Harassment is unwanted conduct related to relevant 'protected characteristics', which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age. Harassment amounts to unlawful discrimination if it relates to a 'protected characteristic'.

Examples of bullying and harassment include:

- Verbal abuse or offensive comments, jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Lewd or suggestive comments
- Deliberate exclusion from conversations or work activities
- Withholding information, a person needs in order to do their job
- Practical jokes, initiation ceremonies or inappropriate birthday rituals
- Physical abuse such as hitting, pushing or jostling
- Rifling through, hiding or damaging personal property

- Subjecting a person to humiliation or ridicule, belittling their efforts, often in front of others
- Abusing a position of power

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable. All employees must, therefore, treat their colleagues with respect and appropriate sensitivity.

Bullying does not include appropriate criticism of an employee's behaviour or proper performance management.

Reporting concerns

What you should do if you witness an incident you believe to be harassment or bullying

If you witness such behaviour you should report the incident in confidence to the Clerk or a councillor. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

What you should do if you feel you are being Bullied or Harassed by a member of the public or supplier (as opposed to a colleague)

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with the Clerk or a councillor in the first instance. They will then decide how best to deal with the situation, in consultation with you.

What you should do if you feel you are being Bullied or Harassed by a councillor

If you are being bullied or harassed by a councillor, please raise this with the Clerk or the Chair of the Council in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is described below. Formal concerns regarding potential breaches of Code of Conduct breaches will be investigated by the Monitoring Officer.

What you should do if you are being Bullied or Harassed by another member of staff

If you are being bullied or harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.

Informal resolution

If you are being bullied or harassed you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to our policy and must stop. Alternatively, you may wish to ask the Clerk, a colleague or another councillor to put this on your behalf or to be with you when confronting the perpetrator(s).

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own manager, you should raise the issue with the Chair of the Council. The Chair (or another appropriate individual) will discuss with you the option of trying to resolve the situation informally by:

- Telling the alleged perpetrator(s), without prejudging the matter, that there has been a complaint that their behaviour is having an adverse effect on a member of staff;
- That such behaviour is contrary to our policy;
- That for employees, the continuation of such behaviour could amount to a serious disciplinary offence.

It may be possible to have the conversation with the alleged perpetrator without revealing your name, if this is what you want. They will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party to facilitate a resolution of the problem. The Chair will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as a serious allegation of harassment or in cases where a problem has happened before) the council may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

Raising a formal complaint...

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about the harassment or bullying to the Clerk or the Chair of the Council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The Clerk or the Chair of the Council will appoint someone to investigate your complaint. You will need to co-operate with the investigation and provide the following details (if not already provided):

- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred
- The names of any witnesses and
- Any action taken by you to resolve the matter informally

... against a colleague or contractor

The alleged perpetrator(s) would need to be told your name and the details of your complaint for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to separate you whilst the matter is being investigated.

... against a member of the public or supplier

We will investigate the complaint as far as possible by contacting the member of public or the supplier's employer and asking for a response to the allegations.

... against a councillor

Formal concerns regarding potential breaches of Code of Conduct breaches will be investigated by the Monitoring Officer.

During the investigation

Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. If, after an investigation, we decide that an employee has harassed or bullied another employee, then the employee may be subject to disciplinary action, up to and including dismissal.

The Council will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to better understand your complaint. Whilst there is no Statutory right to be accompanied at investigation meetings, the Investigator will consider your request if you want to have a work colleague or union representative with you at that meeting.

Hearing

After the investigation, a panel will meet with you in a Grievance Hearing (following the Grievance Procedure) to consider the complaint and the findings of the investigation. At the meeting you may be accompanied by a fellow worker or a trade union official.

After the meeting the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the Grievance Procedure.

Victimisation

Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

False allegations

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under our disciplinary procedure.

Disclosure and confidentiality

We will treat personal data collected during this process in accordance with the data protection policy. Information about how data is used and the basis for processing data is provided in the employee privacy notice.

Use of the disciplinary procedure

Harassment and bullying constitute serious misconduct. If, at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. Any employee

found to have harassed or bullied a colleague will be liable to disciplinary action up to and including summary dismissal.

This is a non-contractual procedure which will be reviewed from time to time.

Date of policy: February 2021

Approved by Council on 9 February 2021:

— policy ends here —

Notes

1. Protected characteristics

A 'protected characteristic' is defined in the Equality Act 2010 as age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is unlawful to discriminate against an individual because of any of the protected characteristics.

Discrimination includes treating people differently because of a protected characteristic. Harassment is unwanted conduct related to a 'protected characteristic'. Employees can complain of harassment even if the behaviour in question is not directed at them. This is because the complainant does not actually need to possess the relevant protected characteristic. An employee can complain of unlawful harassment if they are related to someone with a protected characteristic, or because a colleague believes they have a protected characteristic.

2. Legal risks

An employee does not need to be employed to make a discrimination claim at a tribunal.

- Job applicants who believe they have not been appointed because of a 'protected characteristic' can make a claim.
- New or established employees who are dismissed because of a health condition can make a discrimination claim at a tribunal.
- An employee in their probationary period may claim discrimination if their employment has been ended for no credible reason.
- An employee subjected to harassment can make a discrimination claim at a tribunal.
- An employee asked to retire can make a discrimination claim at a tribunal.

Successful unfair dismissal claims are limited to a compensation cap, whereas those for unlawful discrimination have no cap.

A positive employment culture, and swift action if conduct falls beneath acceptable standards will help mitigate the risks. An unhealthy culture will make it difficult to defend claims.

The time to defend and the cost of defending tribunal claims can be significant, irrespective of the outcome.

3. Culture and behaviour

Modern day workforces are eclectic, and a positive culture throughout the council enables staff with different backgrounds and beliefs to share ideas and shape how the council achieves what councillors decide for the community.

Different people find different things acceptable. It may not be obvious that some behaviour would be unwelcome or could offend a person. Those in positions of 'power' over an employee may not always understand how words or actions are received. An employee may not always find it easy to communicate how they really feel. 'Banter' that on the face of it is reciprocated may nonetheless be unwelcomed and damaging. Others who overhear comments, or learn of them third hand, will form judgements about the culture.

Whilst both staff and councillors jointly determine what the working culture is like, councillors are key in demonstrating what is and is not acceptable behaviour. This is apparent from how councillors behave with each other in council meetings and also in how standards of behaviour are applied through the use of informal discussion and formal policies. Examples of unacceptable behaviour at work include (but are not limited to):

- physical conduct ranging from touching to sexual advances and serious assault;
- the offer of rewards for going along with sexual advances, e.g. promotion, access to training;
- suggestions that refusing sexual advances will adversely affect aspects relating to employment (such as pay, promotion, training, work opportunities, or any other condition of employment or development);
- comments about a person's appearance;
- jokes or comments of a sexual or racial nature or about an individual's age, disability, sexual orientation or religion;
- questions about a person's sex life;
- unwanted nicknames, especially related to a person's age, race or disability;
- the use of obscene gestures;
- excluding an individual for a non-work reason
- treating an employee differently because they have, or are perceived to have, a 'protected characteristic' or are associated with someone who does;
- the open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person;
- spreading malicious rumours or insulting someone;
- picking on someone or setting them up to fail;
- making threats or comments about someone's job security without good reason;
- ridiculing someone;
- isolation or non-cooperation at work; and
- excluding someone from social activities.

4. During the investigation

Employers have duty of care to provide a safe place of work. If a complaint is made, discuss how to manage working relationships whilst the allegation is being investigated and until the outcome is disclosed. This is as much for the protection of the alleged perpetrator as for the aggrieved.

Consider whether a neutral person should be offered as a 'listening ear' for both parties in the investigation. Offer other support that may be appropriate to the situation such as signposting to support groups, time off for counselling etc. If you have suspended a staff member, your duty of care continues, and it is important to consider their wellbeing and mental health.

Ensure that you regularly communicate with both parties.

5. Victimisation

All employees have the right to raise genuine concerns without the fear of reprisals. If the aggrieved (or a witness) is treated differently / less favourably because they have raised a complaint, then this is victimisation. This would include isolating someone because they have made a complaint, cancelled a planned training event, or giving them a heavier or more difficult workload. Victimisation can lead to a claim to an employment tribunal.

6. False allegations

If an employee makes an allegation that they know to be untrue, or gives evidence that they know to be untrue, the council should consider the matter under the disciplinary procedure. Such an allegation would be potentially Gross Misconduct.

7. Complaints against councillors

Following the Ledbury case, the law is clear that any formal complaint regarding a breach of the Code of Conduct must be referred to the Monitoring Officer for investigation. During the investigation, it is critical to ensure that where an employee of the council has made the complaint, that the council agrees with the employee reasonable measures to protect their health and safety. Such measures may include a temporary change in duties, change of work location, not attending meetings with the person to whom the complaint has been made etc.

Guidance

Where there is text in [square brackets] this part may be updated or be deleted if not relevant. An alternative option may have been provided.

Important notice

This is an example of an employment policy designed for a small council adhering to statutory minimum requirements and does not constitute legal advice. As with all policies it should be consistent with your terms and conditions of employment.

This document was commissioned by the National Association of Local Councils (NALC) in 2019 for the purpose of its member councils and county associations. Every effort has been

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This document has been written by the HR Services Partnership – a company that provides HR advice and guidance to town and parish councils. Please contact them on 01403 240 205 for information about their services.



Town and Parish Charter



Working together for the people of Buckinghamshire



A shared commitment between Buckinghamshire Council and the parish and town councils of Buckinghamshire

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1. Welcome

Gareth Williams, Cabinet Member for Communities and Public Health, Buckinghamshire Council



Strong local working relationships is essential in supporting the council and our services to understand and respond to what matters to our local people and communities. Local councils are at the heart of their communities; their connections, relationships and local knowledge is invaluable in supporting the council with local service design and delivery and they will play a key role in the council's new approach to locality working through Community Boards.

The council is committed to working closely with local councils, understanding and complementing each other's roles for the benefit of our people. We share the goal to make our county, towns and villages, great places to live, work and bring up a family and know that there is strength and value in doing that together.

The tremendous community spirit and dedication we have seen across Buckinghamshire of people coming together to support our communities and the vulnerable during the pandemic of 2020 has been overwhelming and we want to continue to build on this for the future. Relationships have been built, local links strengthened and there are many great examples of collaborative working. This has demonstrated the huge impact we can have when we work together, and I look forward to seeing this develop and grow.

We have a diverse range of local councils across Buckinghamshire, from town councils and large parishes, to small parish meetings in our rural villages and are committed to a flexible and adaptable approach to working with you all.

Buckinghamshire and Milton Keynes Association of Local Councils (BMKALC)



Buckinghamshire & Milton Keynes Association of Local Councils

We are a membership organisation representing the majority of town and parish councils and parish

meetings across Buckinghamshire. We give advice on best practice as well as updating members on the changes to statutory law that affects them to keep them operating legally and not making ultra vires decisions.

By working in partnership with the unitary authority we ensure that the views of local councils, who are the first tier of government and closest to the residents, are taken into consideration by Buckinghamshire Council to establish good working relationships between all parties. As Buckinghamshire is a very diverse county with a range of local councils both

large and small, it is important that we work together to continue with a flexible way forward to benefit all groups.

To this end we have worked closely with Buckinghamshire Council before and during the transition to a unitary authority to ensure an understanding of local council structure, statutory law as well as their processes and procedures. We will continue the close working relationship ensuring the views, concerns and suggestions for the way forward are still taken into account by Councillors and officers of Buckinghamshire Council as each level strives to improve the lives of their communities and residents.

2. Introduction

Buckinghamshire is a newly formed unitary council area (from April 2020), with a secondary tier of local councils known as town and parish councils governed by locally elected representatives.

Both the unitary and local councils want Buckinghamshire to be a great place to live, work and bring up a family and know that by working together we can serve our residents better and improve their lives.

All 171 town and parish councils play a valuable role in local life, are trusted within their communities and possess local knowledge and insight that can help the process of community planning and decision-making. The town and parish councils across Buckinghamshire are the first and most local tier of government in the county with powers and duties laid down in law, and the ability to shape the decisions that affect communities at a local level. The establishment of the new unitary council offers an exciting new beginning for Buckinghamshire, including the opportunity to strengthen and build upon existing relationships and partnership arrangements.

Local councils in Buckinghamshire range from town councils with tens of thousands of residents and budgets in the hundreds of thousands, to parish meetings with under 100 residents and in many cases no budget at all. One size does not fit all, and Buckinghamshire Council is committed to working with all town and parish councils, and their representative bodies, in the most effective way possible so that together we can improve services and outcomes for all our residents.

This charter has one simple aim - to provide a framework for us to work together to serve the people of Buckinghamshire. We have a common purpose to promote the wellbeing of Buckinghamshire, and we serve the same residents. This is the foundation of our charter.

This sets out the relationship between the new Buckinghamshire Council and the town and parish councils in Buckinghamshire, including how we will harness the opportunities presented by this exciting new beginning for Buckinghamshire to strengthen partnership working and improve services for our residents. It sets out the joint principles and respective roles, responsibilities and expectations, and it will be a live document which will be refreshed regularly in consultation with town and parish councils.

Diversity across the local council sector is recognised. Whilst the impact of these shared commitments on individual councils will vary according to scale, its principles are consistent and by signing up to this document councils agree to:

- work together to promote the best interests of the communities we serve;
- provide quality, value for money public services and;
- promote opportunities for greater public participation and involvement in public life

The charter is founded on mutual respect of all member councils and between the two tiers of local government as democratically accountable bodies. By working together Buckinghamshire Council and town and parish councils to strengthen relationships and work in partnership for the benefit of our local communities.

For this charter to work, it needs to be picked up, read, understood and referred to at all levels throughout our organisations. The charter and its principles will be disseminated throughout the unitary council and local councils as the basis for working together to achieve greater efficiencies and better outcomes for our local communities.

Town and parish councils represent most of Buckinghamshire except the unparished area of High Wycombe which is represented by the High Wycombe Town Committee and High Wycombe Community Board. Appendix 1 provides details of how the council will continue to engage with residents of the unparished area of High Wycombe through these forums.

The development of this charter was informed by feedback from town and parish councils, input from discussions with Buckinghamshire & Milton Keynes Association of Local Councils and discussions as part of the unitary programme.

For more information about the charter please contact localities@buckinghamshire.gov.uk

3. Understanding town and parish councils

There are 171 town and parish councils in Buckinghamshire ranging from town councils and larger parishes to small parish meetings.

The role of local councils

“Local councils work towards improving community well-being and providing better services. Their activities fall into three main categories: representing the local community; delivering services to meet local needs; striving to improve quality of life and community well-being.

Through an extensive range of discretionary powers local councils provide and maintain a variety of important and visible local services including allotments, bridleways, burial grounds, bus shelters, car parks, commons and open spaces, community transport schemes, community safety and crime reduction measures, events and festivals, footpaths, leisure and sports facilities, litter bins, public toilets, planning, street cleaning and lighting, tourism activities, traffic calming measures, village greens and youth projects.” (source NALC website <https://www.nalc.gov.uk/about-local-councils>)

The role of the clerk

Town and parish council clerks are the ‘engine’ of the council. The clerk is the principal executive and adviser for the council, and for the majority of smaller parish councils, clerks are responsible for the administration of its finances.

Clerks carry out the role of the Proper Officer of the Council and as such are under a statutory duty to carry out all the functions, and in particular to serve or issue all the notifications required by law of a local authority's Proper Officer. The Clerk is totally responsible for ensuring that the instructions of the Council in connection with its function as a Local Authority are carried out. Alongside this, many clerks also hold the position of the Responsible Financial Officer and are therefore responsible for all financial records of the council and the careful administration of its finances.

The role of elected town and parish councillors

Town and parish councillors are elected representatives of their community. They are unpaid for this role.

Local councillors have three main areas of work:

- **Decision-making:** through attending meetings and committees with other elected members, councillors decide which activities to support, where money should be spent, what services should be delivered and what policies should be implemented.
- **Monitoring:** councillors make sure that their decisions lead to efficient and effective services by keeping an eye on how well things are working.
- **Getting involved locally:** as local representatives, councillors have responsibilities towards their constituents and local organisations. This often depends on what the councillor wants to achieve and how much time is available.

4. Respecting and valuing each other

Successful partnership working at a local level can only be achieved if all parties - the unitary council and town and parish councils - understand and respect each other's roles and work to complement those roles in serving the community.

In general, officers, councillors and other partners involved in joint working value the helpfulness and professionalism of their colleagues. There is openness and a willingness to work together.

There is always room for improvement and through this charter we will recognise the impact of how we behave with each other and our commitment to building strong partnerships.

Buckinghamshire Council recognise that town and parish councils:

- Are a vital part of local democracy and represent communities at a truly local level.
- Serve their residents by addressing the most local needs and concerns of their communities
- Are a primary source of information about community aspirations and opinions and a key connection between the unitary council and their community
- Provide an opportunity to foster greater community empowerment, in particular through devolution and Community Boards

Town and parish councils recognise that Buckinghamshire Council:

- Represents the interests of local communities at a unitary county level
- Has strategic roles and responsibilities and has to work within government financial constraints
- Has to take into account community interests wider than the town or parish

We will:

- Work together to raise awareness and support a greater understanding of town and parish councils across the unitary council to strengthen working relationships.

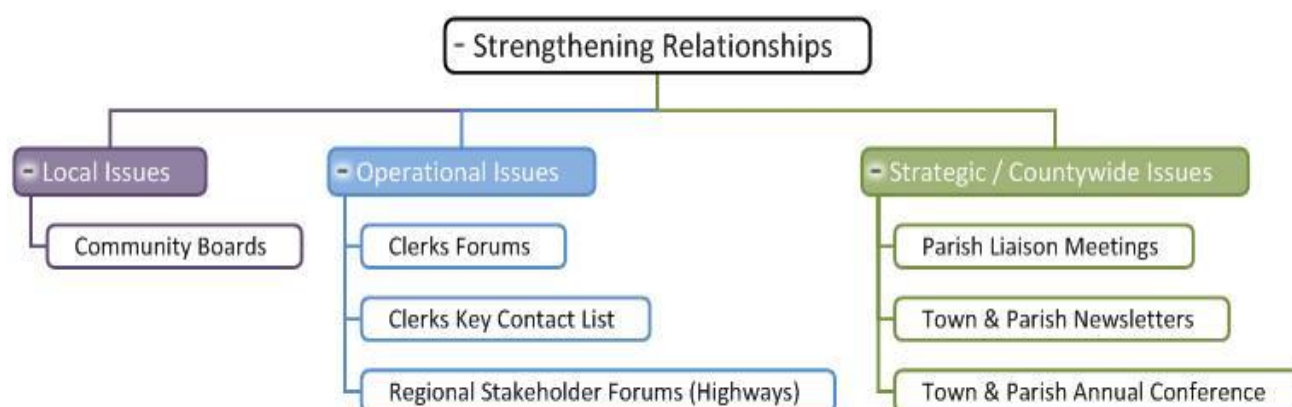
5. Effective communication

Working together effectively is founded on good relationships and regular opportunities for discussion, sharing and keeping one another updated. To facilitate this regular and effective communication channels are required.

As a democratically elected council, the first point of contact for town and parish councils will be their local Buckinghamshire Council councillors. Buckinghamshire Councillors are able to escalate and pursue local issues on behalf of local councils and residents, including through Community Boards if appropriate.

Operational day to day matters can be dealt with directly with council officers such as highways, playgrounds, waste and recycling. Parish clerks will be provided with key contacts in all services with which they need to interact as well as a dedicated phone line into the customer contact centre and dedicated parish liaison officers.

To ensure effective engagement at a strategic, regional and county-wide level, regular strategic forums and conferences will be held to enable discussions with services such as Highways.



There are several mechanisms in place to facilitate closer working relationships and the opportunity for regular dialogue.

- **Community Boards**

The Community Boards will be the key forum for the council to connect with local communities, groups and organisations. Community boards are a new way of working with our communities to explore issues that matter most to them and find creative solutions together with those who can make them happen. They will not replace the role or work of

town and parish councils but complement all public services, with specific projects and funding. The dedicated chair and coordinator will be the main council link for local issues.

Community boards are the local forum for addressing local issues and enabling local solutions by working together, including delivery of devolved budget and influencing local service design and delivery. Community boards will be tailored to their local area so each one will be different, with the common goal on bringing communities together to make a difference. They will use local data and intelligence, together with extensive engagement and listening to the people in their communities to prioritise areas of focus and explore issues that are of most importance.

Community Boards are open to all members of the community to attend and get involved. This includes Buckinghamshire Council officers, town and parish councils, public, partners, local community groups and organisations.

They are chaired by an appointed local Buckinghamshire Council councillor.

Councillors and clerks of town and parish councils are encouraged to take an active role in their community board, through attendance at meetings and involvement in the working groups and wider work of the boards.

- **BMKALC Town and parish councils' liaison forum**

The county-wide liaison forum supports two-way communications on strategic issues of common interest (e.g. service changes, budgets, etc.).

Town and parish councils (up to two representatives per local council, councillor or clerk) meet with Buckinghamshire Council senior officers on a quarterly basis. The forum is chaired by a BMKALC executive board representative with Buckinghamshire Council executive officers in attendance.

- **Clerks' Liaison Forum**

The Clerks' Liaison Forum is a quarterly forum for clerks and council staff to liaise on both practical and strategic issues. This forum is open to all clerks to meet with Buckinghamshire Council senior officers, chaired by Deputy Chief Executive, Buckinghamshire Council.

- **Town and Parish Councils' Conference**

The conference will be an annual event to share best practice and strategic updates, open to all local councillors and clerks involving a range of services from across Buckinghamshire Council, Buckinghamshire Council senior officers and councillors.

To support effective communication Buckinghamshire Council will:

- Provide Town and parish councils with a named officer for each Community Board area
- Provide a named officer with overall responsibility for strategic support and liaison with Town and Parish Councils
- Develop and maintain effective communication channels for Town and parish councils including:
 - A single priority telephone number for Town and parish councils to use when contacting Buckinghamshire Council
 - Newsletters with local updates for each community board area
 - Key contacts list for council service areas
- Ensure proactive and timely communication on key issues that will have an impact on Town and Parish Councils
- Ensure timely responses to information requests from Town and Parish Councils
- Advise Town & Parish Councils of changes to contact details
- Maintain a single database and website list of all town and parish councils
- Work in partnership with town and parish councils to enable the transfer of services and assets where this will benefit local communities, in accordance with the Council's agreed Service Devolution and Asset Transfer Policy

To support effective communication Town and parish councils will:

- Progress enquiries and resolve issues through the communication channels promoted
- Provide feedback to ensure that channels remain effective and fit for purpose
- Maintain relationships with named officers in Buckinghamshire Council to facilitate effective joint working and communications
- Ensure timely responses to information requests from Buckinghamshire Council
- Advise Buckinghamshire Council of changes to contact details so that a single list can be maintained.

Joint communication

The council and BMKALC joined forces to send weekly, and then fortnightly updates during the first 3 months of the COVID-19 pandemic. This proved to be a key channel to keep everyone up to date with changes during a difficult time that was welcomed by town and parish councils and has paved the way for regular communications going forward.

“It was extremely helpful and very valuable for our community – great job.”

“It is by far the most informative, concise and best structured of all the Bucks communications and it is not being replaced by anything nearly as good in terms of communication flow. The lack of Covid does not mean that a lack of communication is ok. Indeed most of what has been interesting about this newsletter has been non-Covid content”

6. Local democracy and community leadership

Local democracy and community leadership is about ensuring elected representatives can fairly and effectively represent their wards and electors. It is important that the relationship between Buckinghamshire Councillors and Town and Parish councillors is open, and information is readily shared between these groups.

Buckinghamshire Council will:

- Assign the Cabinet Member for Communities and Public Health lead responsibility for relationships with Town and Parish Councils to champion town and parish councils
- Encourage Buckinghamshire councillors to attend Community Board meetings
- Encourage Buckinghamshire councillors to attend local town and parish council meetings, as appropriate and work constructively with town and parish councils
- Invite town and parish councils to attend local Community Board meetings and get involved
- Ensure that support is provided for the administration of Town and Parish Council elections, polls and referendums, as required
- Provide guidance on producing neighbourhood plans
- Provide guidance on producing local emergency plans
- Provide planning training to town and parish councils
- Provide the opportunity for strategic conversations with Cabinet Members on specific issues where appropriate

Town & Parish Councils will:

- Invite Buckinghamshire Council councillors to attend Town and Parish Council meetings
- Ensure agendas and papers are available in the public domain, as appropriate
- Attend Community Board meetings and get involved
- Produce neighbourhood plans, as required
- Produce local emergency plans, as required

Partnership working on flood defences in Aylesbury

In February 2014, over 80 properties flooded on the Willows estate to the west of Aylesbury. Working with residents, the former Buckinghamshire County Council and Aylesbury Vale District Council purchased temporary defences (a 700m long barrier and several pumps) on behalf of the residents, using Central Government Resilience funding. The defences are designed to protect the estate in the future against flood events like that in 2014.

Aylesbury Town Council (ATC) and Buckinghamshire Council (BC, previously BCC) agreed for the defences to be stored at and deployed from the Aylesbury Town Council depot. Buckinghamshire Council staff watch the weather forecast and water levels in the Stoke Brook alongside the Willows estate and take the decision with Aylesbury Town Council on when to use the defences. Aylesbury Town Council take responsibility to deploy the defences as required on site. There has been training with ATC and BC staff and residents to ensure the deployment is done safely and in accordance with the plan. The plan was put into action during Storm Alex in early October 2020 and internal property flooding on the estate was largely successfully avoided. The partnership between Buckinghamshire Council, Aylesbury Town Council and residents demonstrates excellent partnership working to manage this flooding issue.

7. Collaboration

Buckinghamshire Council and town and parish councils are both responsible for serving our communities, residents, visitors, and businesses. This means that Buckinghamshire Council and town and parish councils will need to work together (including delivery of services where appropriate) to deliver the best outcomes for Buckinghamshire. There are a number of examples of good collaboration already taking place, for example in highways devolution and Buckinghamshire's response to Covid - we want to build on this further.

Buckinghamshire Council will:

- Recognise the diversity and variety of Town and Parish Councils, and tailor approaches accordingly (i.e. one size does not fit all)
- Work in partnership with Town and Parish councils to enable the transfer of services and assets, in accordance with the Council's Service Devolution and Asset Transfer Policy
- Encourage and support the development of local solutions to local problems, for example through innovative projects
- Support Town and Parish councils to address local needs through the provision of advice and signposting

Town & Parish Councils will:

- Consider opportunities for the transfer of services and assets to benefit local communities
- Contribute to the work of Community Boards by participating and contributing ideas, supporting the development of ideas/projects, and considering match-funding, as appropriate
- Work with Buckinghamshire Council to address local needs, including through advice and signposting, as appropriate.

Co locating local services

The vision for Council Access Points was that they would be a place in a local area where residents can go to access information about a wide range of topics, a social space that they can enjoy, and a place where they can get support from different services.

Local Access Points are an integral part of the Buckinghamshire Council's Customer Service Strategy. They are particularly important to ensure that all residents across Buckinghamshire continue to have access to services more locally, without the need to travel long distances.

Local councils have offices often located in the heart of their communities. Iver Parish Council office was agreed as a County Council 'community hub pilot' and has now become a Council Access Point for the new unitary council. Parish council staff have been trained to be able to support residents that visit the access point with their queries. An iPad and printer were installed in the office to enable residents to access Buckinghamshire Council services online and complete transactions. The Iver office also has a direct dial line into the Buckinghamshire Council customer services team to be able to transfer residents directly or gain support for more difficult queries.

Iver Parish Council said they were "looking forward to supporting the new unitary council in this exciting new venture".

8. Consultation

Consultation provides opportunity to hear from businesses and residents on our proposed changes to policy, planning, and strategies. Effective and meaningful consultation is essential in empowering local communities and ensuring local voices are heard.

Buckinghamshire Council will:

- Ensure that Town and parish councils have their say on proposed changes to services, as consultees
- Ensure that information about all public consultations are communicated to town and parish councils in a timely manner with proportionate notice period for responses
- Prepare a summary report for any BC consultations that are more than four pages long
- Provide briefings to Town and parish councils on complex consultation issues
- Recognise Town and Parish Council's cycles of meetings, precept timelines, etc.
- Consult with Town and parish councils on planning issues, as appropriate

Town & Parish Councils will:

- Endeavour to take part in consultation exercises and respond within the given period
- Submit feedback on proposed changes through the most appropriate channel
- Cascade information on consultations to Town and Parish councillors and residents, as appropriate
- Submit local views on planning matters

Working with Town and Parish Councils on service design

As part of the Planning and Environment service review the council has gathered views of town and parish councils through engagement and briefing sessions. Theme led focus groups will take place as part of the service design stage to help develop ideas further.

The Planning and Environment Service have also delivered training sessions on how planning works in the new council.

9. Advice and Service Support

Residents, visitors and businesses benefit from well trained and skilled local government members and officers. We recognise the resourcing difference between the councils and therefore want to ensure we are able to provide opportunities for Town and Parish Council members and officers to receive relevant training and advice.

Buckinghamshire Council will:

- Promote a 'think local, think parish' approach in how the Council makes decisions. This means that members and officers will consider the impact of changes in service delivery/policy on town and parish councils, including consulting, where relevant.
- Develop, in partnership with Town and Parish Councils, guidance and training for councillors and staff on how best to work with local councils.
- Provide briefings on service changes where there is a significant impact for Town and Parish Councils
- Support BMKALC in providing training resources for Town and Parish Councils, as required. This may include specific training or briefing sessions on services where relevant (i.e. emergency planning, planning policy, etc.)

Town & Parish Councils will:

- Promote and support training and briefing opportunities to Town and Parish Council staff and councillors
- Work with BMKALC to support the delivery of training and identify training needs
- Feedback on training, advice and support, as appropriate
- Take advantage of training available from a wide range of sources including BMKALC and NALC to maintain and develop skills.

10. Shared Commitments

Equality of opportunity

Buckinghamshire Council embraces equality and diversity in all its work. The issue of equality is not the responsibility of one section or service area solely, it is owned by all Members and staff at all levels of the Council.

In Buckinghamshire we recognise the value difference can make and we are committed to serving the diverse needs of our communities. We are committed to treating everyone fairly, openly and honestly and the Council is striving to achieve equality for the diverse mix in our communities and our own workforce, recognising that people have different needs, cultures, experiences and expectations.

The Council recognises that valuing equality and diversity will lead to more sensitive services that are responsive to the needs of the communities, a workforce that is representative of the community, and a commitment to participation by all.

Local Councils in Buckinghamshire are encouraged to make the same commitments and to eliminating discrimination in all its forms, providing equality of opportunity to all the communities we serve.

Safeguarding

Safeguarding responsibilities encapsulate our duty to reduce accidental harm and to protect vulnerable adults and children and young people from abuse. This includes harassment and discrimination, neglect, emotional abuse, violence, sexual abuse and exploitation, and financial abuse. Safeguarding should ensure that all reasonable actions and approaches are taken to minimise the risk of accidents and harm, and to enable individuals to make appropriate choices and have opportunities to take part in day to day life.

Buckinghamshire Council responds to all concerns about the safety of a vulnerable adult, child, or young person. In doing so it takes appropriate actions to address the concerns and reduce risk by working to the agreed policies and procedures in full partnership with other local agencies. The Council considers safeguarding in a proactive manner to raise awareness of issues and take actions to minimise potential risks occurring.

Local Councils in Buckinghamshire are encouraged to think about safeguarding and to help to protect vulnerable adults, children and young people as part of our shared responsibilities to the people of Buckinghamshire.

Ethical Standards

All elected councillors of the unitary and town and parish councils in Buckinghamshire have a duty to adhere to the highest ethical standards and, when undertaking their role, to comply with their Council's adopted Code of Conduct.

Buckinghamshire Council is committed to promoting and maintaining high standards of conduct amongst elected councillors and have adopted a Code of Conduct setting out the behaviour we expect of our councillors as they carry out that role. The council recognises the importance of good governance in preserving the confidence of local communities and the benefit of learning from and adopting best practice to achieve this. The council responds to all concerns about the behaviour of councillors and takes appropriate action to address these concerns through the council's member complaints process.

Local councils in Buckinghamshire are encouraged to make the same commitment in promoting the highest ethical standards and behaviours amongst their councillors.

Buckinghamshire Council has a statutory duty to investigate complaints and concerns against town and parish councils and will do so fairly and expeditiously in accordance with the council's complaints procedure. The council will also share good practice and training with town and parish councils.

Review and operation of the charter

The charter will initially be reviewed after a twelve-month period and again after a further three years. However, changes in functions or legislation may dictate that it be updated as and when required. It will also be reviewed following any Local Government Elections. The Charter will be monitored and evaluated regularly, through liaison meetings with BMKALC, Liaison Forums, direct communications and further opportunities to raise issues of common interest or concern through Community Boards.

11. Planning

Buckinghamshire Council aims to create an outcome focused planning service that places customers at the heart of service delivery. All elements of service delivery will be continuously tested against an ambition for the service to be:

“Shaping and enhancing the County to secure the quality of life in Buckinghamshire now and the future.”

To do this the council will work closely with town and parish councils to:

- Ensure that there is engagement at a local level;
- Enable town and parish councils to share the views of the communities they represent;
- Recognise the importance of local knowledge held by town and parish councils; and
- Equip town and parishes with knowledge and skills to be able to contribute to the planning process.

Neighbourhood planning and local plans

Town and parish councils will be able to set policies for their own local areas by preparing Neighbourhood Plans. The Buckinghamshire Council recognises the importance of a plan led system and will support local councils in the production of these where possible.

The Buckinghamshire Council will produce a Local Plan that will replace the current adopted local plans on completion, in addition to the Minerals and Waste Local Plan.

Planning Applications

Town and parish councils are a statutory consultee in the planning process. Buckinghamshire Council notifies town and parish councils received in their area, whom have 21 days to submit any representations. These are very important in highlighting issues, particularly local issues that you have knowledge of, called material planning considerations, which need to be taken into account when applications are decided.

Town and parish councils should make comments using the Public Access section of the relevant part of the website (or Consultee Access where available). This ensures that comments are automatically and immediately published on the website. When commenting on applications, Town and Parish Councils are encouraged to also highlight any potential infrastructure issues in their local area that may be addressed through Section 106 negotiations with applicants.

Planning Committee

The power to determine applications rests with either a planning committee or more usually delegated to officers. In accordance with best practice over 96% of applications are usually determined under delegated authority. This allows Planning Committees to focus their

resources more effectively on cases of local or strategic significance, which would benefit from scrutiny. Where an application is referred to an area or strategic planning committee, town and parish councils will be given a dedicated speaking slot where they have made representation. The speaking slot for town and parish council's is 3 minutes shared. At the strategic planning committee, more time can be allocated, at the discretion of the chairman, to allow parish and town councils to participate fully.

Enforcement

The Buckinghamshire Council recognise that the Town and parish councils have an important role to play in the enforcement of planning control. The council are keen to use the parish and town councils as our 'eyes and ears'. Local knowledge when dealing with planning enforcement matters can often turn up important information and we are keen to tap into the local resource. We also see Town and Parish Councils assisting us in our monitoring of formal notice compliance.

Training

The Buckinghamshire Council will ensure that town and parish councils receive training to enable full participation in planning processes. Training sessions will be provided through BMKALC by officers of the service. In addition, the council will provide updates on the service at BMKALC meetings.

Newsletter

Buckinghamshire Council will provide quarterly planning updates to town and parish councils advising of changes in national and local planning policy, legislation and guidance.

Making it happen

This charter's implementation is the joint responsibility of Buckinghamshire Council and Town and Parish Councils.

This charter will be published and communicated widely to Buckinghamshire Council staff, members and all Town and Parish Councils.

Through their work in developing relationships with town and parish councils the Localities and Strategic Partnerships Service in Buckinghamshire Council will monitor and progress the implementation of the charter. Where there may be areas of concern raised these will be resolved collaboratively.

This charter is a statement of intent on the relationship of the new Council. It will be reviewed annually and will continue to develop over time.

Signed

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Buckinghamshire Council

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BMKALC

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Local Council in Buckinghamshire

Appendix 1 - Engagement and Representation in High Wycombe

The town of High Wycombe remains an unparished area and does not have a town or parish council. Buckinghamshire Council is fully committed to ensuring that residents and businesses in the town are engaged and supported.

Two of the ways in which the council supports residents in High Wycombe are through the High Wycombe Town Committee and the High Wycombe Community Board.

1. High Wycombe Town Committee

Role, Purpose and Membership

The High Wycombe Town Committee was established as a committee of the former Wycombe District Council (now adopted by the new Buckinghamshire Council) to act as an advisory body to the council, cabinet and other relevant committees on any issues affecting the unparished area of High Wycombe.

The membership of the High Wycombe Town Committee is restricted to Buckinghamshire Councillors* representing the wards of High Wycombe that cover the unparished area.

The High Wycombe Town Committee can consider any issue referred to it by the council, the cabinet, or other committees. It also considers any issues, which in the opinion of the Chairman, or at least 5 members of the committee, is of particular relevance / importance to the residents of High Wycombe town.

The committee must meet at least twice a year, but in practice often meets four or five times a year. Meetings are webcast and can be accessed through the Buckinghamshire Council website.

In the past year the committee has discussed topics such as the High Wycombe Market, Allotments, High Wycombe Transport Strategy, Community Infrastructure Levy (CIL) allocations and Climate Change Projects.

Special Expenses

One of the key functions of the committee is to make recommendations to the cabinet / full council as to which services should be deemed a Special Expense. The committee also recommends the amount required to be raised each year for Special Expense purposes and is consulted on any schemes or proposals that would alter these levels significantly. Special Expenses currently include: Public Halls and Community Centres, Cemeteries, Recreation Grounds, Allotments, Footway Lighting, War Memorials and grants to voluntary and community sector groups.

In addition to this the High Wycombe Town Committee monitors and reviews those services provided under Special Expenses and makes recommendations for changes or improvements to the Cabinet, appropriate Committee or Service Director.

Grants for Voluntary Sector Organisations

The High Wycombe Town Committee also runs two grants schemes for voluntary sector organisations operating within the town. The community facilities grants, awarded for one-off projects which must be for the improvement/upgrading of a community facility and community support grants, awarded for one-off projects, events or activities.

2. High Wycombe Community Board

Purpose and Style

The High Wycombe Community Board is an exciting new initiative, enabling local people to have a voice, helping them to work with the Council, local agencies and other community organisations to make a real difference within their communities.

The Community board will represent the voices of local people and is creative in how thoughts, ideas and suggestions are captured, enabling local residents and partners to work with Buckinghamshire councillors to identify need, priorities and creative solutions.

The community board has a dedicated coordinator who will champion the local area and help to drive forward an action plan of collaborative working through informal working groups and projects to improve outcomes for residents.

Membership, Meetings and Budgets

The membership of the High Wycombe Community Board includes councillors representing the unparished area of High Wycombe as well as statutory partners from police, fire & rescue and health, voluntary and community sector partners, residents and businesses.

The High Wycombe Community Board meets 'formally' around 5 times per year and has a budget of £312,000 which can be spent on local projects that address the agreed local priorities. The budget consists of three funding streams, community areas priorities fund, health and wellbeing fund and local infrastructure fund.

The High Wycombe Community Board is a public meeting which members of the public are encouraged to attend. Decisions are usually made by consensus although Buckinghamshire councillors may be asked to vote on specific issues such as budget allocation or when a consensus cannot be found.

**Please note this only refers to Buckinghamshire Councillors who were members of the former Wycombe District Council until formal elections to the Buckinghamshire Council take place in 2021.*