



## **Goostrey Parish Council**

**The Village Hall**

**Goostrey**

**Cheshire**

**CW4 8PE**

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**22<sup>nd</sup> September 2023**

### **DOCUMENT PACK FOR GOOSTREY PARISH COUNCIL MEETING**

**Tuesday 26<sup>th</sup> September 2023 at 7.30pm in the Village Hall, Lounge**

#### **AGENDA**

- 1. Declarations of Interest:** To receive and minute any declarations of interests.
- 2. Apologies for Absence:** To receive apologies for unavoidable absence.
- 3. Co-option of a new member to fill the seat left vacant on the council following the election:** To review the applications submitted by eligible candidates and to vote to co-opt a new member according to the council's co-option procedure.
- 4. Declaration of Acceptance of Office:** To resolve to make arrangements for the new councillor to sign their Declaration of Acceptance of Office.

**Motion:** The Parish Council resolves that the Clerk arranges for the new councillor to sign their Declarations of Acceptance of Office at the earliest opportunity and before the next meeting.

- 5. Minutes:** To accept the minutes from the Parish Council meeting on 25<sup>th</sup> July 2023 and all the decisions therein. View minutes here [Draft Minutes Goostrey Parish Council Meeting 25th July 2023](#).

**Motion:** The Parish Council resolves to accept the minutes of the Parish Council meeting held on 25<sup>th</sup> July 2023.

- 6. Cheshire East Council Matters:** To receive a report on Cheshire East Council Matters. To deal with any questions by Members relating to the report and any questions by Members notified in advance to the Chairman and the CE Councillor.

- 7. Committee Matters:** To receive reports from the Parish Council Committees:

- a) Planning Committee Minutes 25<sup>th</sup> July 2023. View minutes here [Draft Planning Committee Minutes 25th July 2023](#).

**Motion:** The Parish Council resolves to accept the minutes of the Planning Committee meeting of 25<sup>th</sup> July 2023 and all the decisions therein.

- b) Planning Committee Minutes 30<sup>th</sup> August 2023. [Draft Planning Committee Minutes 30th August 2023](#).

**Motion:** The Parish Council resolves to accept the minutes of the Planning Committee meeting of 30<sup>th</sup> August 2023 and all the decisions therein.

- c) Amenities Committee Meeting 6<sup>th</sup> September 2023. [Draft Amenities Committee Minutes 6th September 2023](#).

**Resolved - Christmas Tree Lighting:** The Amenities Committee agreed to request that £3,500 is transferred from the General Fund to the Christmas Lighting Reserve to cover this phase of improvements. Any surplus funds may be transferred back into the General Fund once the work is complete or can be carried over into 2024/25 for a future phase.

**Resolved - 80<sup>th</sup> Anniversary of D-Day:** The Amenities Committee recommended that the Parish Council establishes a project working group to carry out further investigations and report to the committee.

**Motion:** The Parish Council resolves to accept the minutes of the Amenities Committee meeting of 6<sup>th</sup> September 2023 and all the decisions therein.

- d) Village Hall Management Committee Meeting 12<sup>th</sup> September 2023. [Draft Village Hall Management Committee Minutes 12<sup>th</sup> September 2023.](#)

**Resolved - Guttering Sealant Work:** The Committee resolved to recommend that £1,000 is paid to Goostrey Community Primary School, upon presentation of an invoice, as a contribution to the sealant work carried out on the Village Hall.

**Motion:** The Parish Council resolves to accept the minutes of the Village Hall Management Committee meeting of 12<sup>th</sup> September 2023 and all the decisions therein.

- e) **Finance Committee Membership:** To appoint new member to the Finance Committee and approve the committee's Terms of Reference. **See page 4.**

**Motion:** The Parish Council resolves to appoint the newly co-opted member to the Finance Committee.

**Motion:** The Parish Council resolves to approve the Finance Committee's Terms of Reference.

8. **Planning Matters:** None.

9. **Financial Payments:** To approve payments in Schedule 8&9/23. **Includes:** Salaries & expenses. **See page 5.**

**Motion:** The Parish Council approves the payments listed on Schedule 8&9/23.

10. **Clerk's Report:** Including actions from the last meeting and correspondence. **See page 6.**

11. **Highways & Speedwatch:**

- a) **Speedwatch Report** – To receive the Speedwatch Report.

- **SDU at Shearbrook, Main Road - Summary Report.**

- b) **Highways Liaison** – To receive the minutes of the Highways Liaison meeting of 25<sup>th</sup> August 2023. **See page 8.**

12. **Police Matters:** To consider any matters related to local policing.

13. **Rudheath Quarry Liaison Group Update:** To receive an update from the group meeting. **KM**

14. **Policy Review:** To review and approve the following council policies:

- a) **Anonymous Communications.** **See page 13.**

**Motion:** To approve the council's Anonymous Communications policy.

- b) **Co-option.** **See page 15.**

**Motion:** To approve the council's co-option policy.

- c) **Data Protection.** **See page 18.**

**Motion:** To approve the council's Data Protection policy.

**d) Disciplinary. See page 20.**

**Motion:** To approve the council's Disciplinary policy.

**e) Document Retention. See page 27.**

**Motion:** To approve the council's Document Retention policy.

**f) Equality and Diversity. See page 42.**

**Motion:** To approve the council's Equality and Diversity policy.

**g) Grant Awarding. See page 44.**

**Motion:** To approve the council's Grant Awarding policy.

**h) Grievance. See page 46.**

**Motion:** To approve the council's Grievance policy.

**i) Health and Safety. See page 49.**

**Motion:** To approve the council's Health and Safety policy.

**j) Publication Scheme. See page 52.**

**Motion:** To approve the council's Publication Scheme .

**15. Confirmation of Budget Setting Process:** To confirm the important dates for the budget setting process.

**16. Post Office Outreach Service:** To receive an update on the plans to relocate the Post Office service in Goostrey.

**17. Official Recognition for Good Works in Goostrey:** To consider and approve council recognition for voluntary or charity work in Goostrey.

**18. Minor items and items for the next agenda.**

**19. Date of Next Meeting – 24<sup>th</sup> October 2023**

**Close meeting**



# ECLOSURES

## Item 7e) Finance Committee Terms of Reference

## GOOSTREY PARISH COUNCIL

### FINANCE COMMITTEE

#### Terms of Reference

1. These Terms of Reference should be read in conjunction with Goostrey Parish Council's Standing Orders and Financial Regulations.
2. The Committee will appoint a Chairman at the first meeting following the Annual Meeting of the Council in May each year. A Chairman shall serve no more than four consecutive years. In the event of the Chairman's absence the members of the Committee present will appoint a Chairman, at the beginning of the meeting.
3. The Committee will consist of a minimum of six Councillors. A quorum of three members is required for each meeting. It will meet at least four times a year, with additional meetings as required. It will report to the Full Council Meeting following each of its meetings.
4. The purpose of the Committee is to:
  - a) Monitor and update the Financial Regulations and Standing Orders (as regards financial matters) and ensure that they are observed by the Council.
  - b) Monitor the financial administration of the Council.
  - c) Provide advice and guidance to the Chairs of other Committees of the Council and to the Full Council on all aspects of financial management.
  - d) In consultation with the Chair of the Council and the Parish Clerk/RFO, co-ordinate the detailed budget of the Council and recommend to the full Council the annual budget and the annual precept to be levied.
  - e) On a quarterly basis the Chair of the Finance Committee is to report to the full Council on the progress of actual expenditure compared to the budget. The RFO circulate the annual bank reconciliation to all members.
  - f) To ensure that the RFO prepares the accounts of the Council and arranges their internal and external audits.
  - g) Monitor the administration and review of day to day financial matters including internal audit of the Council's income and expenditure.
  - h) Conduct an annual review of the effectiveness of the internal audit.
  - i) Conduct an annual review of the council's insurance policies and monitor the procedure for risk assessment of all of the Council's activities.
  - j) To receive advice from the RFO on all aspects of finance and financial regulations, including the investment of both operating and capital balances and any transfer into and out of the capital fund (such transfers to be subject to agreement by the full Council).
  - k) To make recommendations to the full Council, with regards to the transfer of funds from and to a particular operating budget.
  - l) Consider quarterly applications to the Council's grant budget and periodically review the procedure for making grants.
  - m) In conjunction with Full Council, consider requests for donations.
  - n) Ensure that appropriate records are maintained of all assets and that the assets are adequately controlled maintained and insured.
5. The Committee will communicate with parishioners by submitting news and information for inclusion in the Parish Council Newsletter, the Parish Magazine, the Parish Council Notice Boards and on the website <https://goostreyparishcouncil.gov.uk>
6. These Terms of Reference will be reviewed annually.

#### APPROVAL

4<sup>th</sup> July 2023

#### REVIEW DUE

July 2024

## ITEM 9 FINANCIAL PAYMENTS

### Payment Schedule 08 & 09/23 Aug/Sept 2023

Payment Date	Payee	Money Out	Description	
17/07/2023	1 Natwest	25.85	Bankline Charges	Paid
04/08/2023	2 Staff Salaries	£1,824.80	Staff Salaries	Paid
04/08/2023	3 HMRC	£376.66	Tax and NI	Paid
04/08/2023	4 Nest	£183.04	Pension Payment	Paid by DD
14/08/2023	5 Vodafone	£19.20	Mobile Phone Contract	Paid by DD
15/08/2023	6 Natwest	£24.50	Bankline Charges	Paid
21/08/2023	7 Plusnet	£39.20	Telephone and Broadband	Paid by DD
05/09/2023	8 Staff Salaries	£2,271.27	Staff Salaries	Paid
05/09/2023	9 HMRC	£385.06	Tax and NI	Paid
05/09/2023	10 Nest	£183.04	Pension Payment	Paid by DD
13/09/2023	11 Vodafone	£19.20	Mobile Phone Contract	Paid by DD
15/09/2023	12 Natwest	£21.80	Bankline Charges	Paid
19/09/2023	13 Plusnet	£39.20	Telephone and Broadband	Paid by DD
29/09/2023	14 Caxton Pre-Paid Card	£500.00	Card Load/Top Up	
29/09/2023	15 Northwich Town Council	£870.00	Grass cutting and weeding July	
29/09/2023	16 Northwich Town Council	£870.00	Grass cutting and weeding August	
29/09/2023	17 Netwise UK	£396.00	Website hosting, support & maintenance	
29/09/2023	18 Goostrey CP School	£1,000.00	Guttering Sealant work on Village Hall	
29/09/2023	19 CTS Property Services	£220.00	Cleaning and repair work to assets	
		<b>£9,268.82</b>	<b>inc VAT</b>	

### Receipts at 19th Sept 2023

Village Hall income	£3,417.10
Precept 2nd Installment	£25,340.00
<b>Total Receipts</b>	<b>£28,757.10</b>

### Account Balances at 19th Sept 2023

Current Account	£77,029.80
Santander Capital Account	£78,875.96
NS&I General	£71,824.83
<b>TOTAL</b>	<b>£227,730.59</b>

### Caxton Card Report 19th Sept 2023

Transaction Date	Payee	Amount	Description
	Balance brought forward	£488.48	
05/08/2023	Microsoft	£148.32	Microsoft 365 Business Standard Licence
09/08/2023	Tradeprint	£96.71	Newsletter Printing
10/08/2023	Post Office	£43.50	2nd Class Stamps (Newsletter)
11/08/2023	The Leaflet Team	£149.00	Newsletter Distribution
	<b>Total Spend</b>	<b>£437.53</b>	
	<b>Total Fees</b>	<b>£6.00</b>	
	<b>Total Spend inc Fees</b>	<b>£443.53</b>	
	<b>Card Load</b>	<b>£0.00</b>	
	<b>Card Balance at 19th Sept 2023</b>	<b>£44.95</b>	

## Item 10 Clerk's Report

### Actions

- a) Road Sweeping on Sandy Lane requested. Highways Officer confirmed that slurry seal work to address the issue of loose chippings on the path has been placed on a list for future schemes
- b) Improvements to the footpath/highway on Main Road with CEC Design and Road Safety teams. Highways Officer to investigate whether the PC can be provided with a timeline for this process.
- c) Improvements to pedestrian and vehicle safety over Goostrey Station Bridge. Enquiries have been made with Northern and Network Rail and they have put this issue firmly back with Highways, see minutes of the Highways Liaison meeting. It has been confirmed that this project has now been included in the CEC programme MA22.
- d) Response to Open Gardens regarding plant sale sent.

### Correspondence

- a) Liz Corfield RE: PCC and CEC Borough Town and Parish Council Meeting
- b) Resident RE: Goosfest 23 16/07/2023
- c) Robert Welch RE: Goostrey Station - Highway Improvement Project 17/07/2023
- d) Chris Davenport Terrorism (Protection of Premises) Draft Bill - Martyns Law 18/07
- e) SHUTTLEWORTH, Tom RE: Cheshire East Libraries Service Review - Final Proposal
- f) Resident Blackden Lane, Goostrey 24/07/2023
- g) Sarah F. Morgan RE: Community Rail Steering Group 24/07/2023
- h) Goostrey Primary Admin Guttering work 25/07/2023
- i) Cath Kirwan Northwich Town Council 25/07/2023
- j) Josh Holden RE: Highways Liaison 25/07/2023
- k) Resident Re: Goostrey Tots Grant Approval 26/07/2023
- l) Hilary Hamilton Community Support 28/07/2023
- m) Rachel Kent RE: Goostrey Station Bridge 28/07/2023
- n) Donna Speed (TWM) RE: Support Request 31/07/2023
- o) Emma Blackmore Christmas Lighting 2023 31/07/2023
- p) Pam Graham RE: [EXTERNAL] PCSO Surgeries 31/07/2023
- q) Police Crime Commissioner Safer Streets - Seeking residents' views on anti-social behaviour 31/07/2023
- r) Network Rail Network Rail case: 230801-000422 01/08/2023
- s) WILCOX, Taff RE: 23/00154E03/08/2023
- t) General Enquiries Response to case 255590 Goostrey Station Improvements 04/08
- u) Goostrey Primary Admin RE: VH Recharge 2022/23 04/08/2023
- v) Resident Noise pollution 05/08/2023
- w) Pam Graham Neighbourhood watch 06/08/2023
- x) Resident RE: Goosfest 22 - Health and Safety 07/08/2023
- y) RE: Complaint number 19541281 on Planning Application 21/2569C 61A Main Road
- z) Jack Conwell (TWM) RE: Support Request 10/08/2023
- aa) Resident The Unmade Section of Sandy Lane 12/08/2023
- bb) GOODIER, Julie Planning Lists Week 2332 14/08/2023

**cc) Resident      Boundary Commission      14/08/2023**  
 dd) RECORD OFFICE      RE: Goostrey Parish Council Minutes 19/08/2023  
 ee) CTS Systems      Re: Village Jobs      21/08/2023  
 ff) SHUTTLEWORTH, Tom      UPDATE: Implementation of Green Waste Collection  
     Service for Cheshire East      22/08/2023  
 gg) Resident      Sign      23/08/2023  
 hh) Resident      Re: Co-option to the Parish Council      23/08/2023  
 ii) Resident      Coronation Mug for Primary School Children      25/08/2023  
 jj) Resident      Vacancy Parish Council      25/08/2023  
 kk) RE: Seniors' Christmas Lunch 25/08/2023  
 ll) Electionteam.admin      RE: Electoral Register 30/08/2023  
 mm)      Resident Re: Church Bank Corner.      01/09/2023  
**nn) Resident      Youths      02/09/2023**  
 oo) Nicola Cole      Sibelco - Rudheath Quarry Liaison Meeting - 12th September 2023  
 pp) Archive Exhibition      Tue 12/09  
 qq) Goostrey Rose Festival 2024 : Saturday 29th June 2024      Wed 13/09  
 rr) Goostrey Primary Head      RE: Anti-Social Behaviour      Fri 15/09  
 ss) Resident      Re: Co-option to Goostrey Parish Council      Mon 18/09  
 tt) Resident FOGS Funding      Mon 18/09  
 uu) GREEN, Trevor Pre-Consultation emailer Parking Review      Mon 18/09



## ***Goostrey Parish Council***

### **HIGHWAYS LIAISON MINUTES for the meeting on Friday 25<sup>th</sup> August 2023**

**Present:** Josh Holden (JH) Local Highways Officer, Cllr. Terence Rathbone (TR), Emma Bambrook (EB) Parish Clerk

- 1. Review of the 5 priority items sent in response to the Highways survey:** The items were discussed in turn, updates provided and actions agreed where necessary. It was agreed that Fix My Street reference numbers would be included on future versions of this report. **See updated report on page 2.**
- 2. Review of additional items submitted in response to the Highways survey:** The items were discussed, updates provided and actions agreed where necessary. It was noted that some of these issues fall outside of JH's remit. **See updated report on page 3.**
- 3. Tree Stump on Boothbed Lane:** JH confirmed that the tree stump could be removed but that permission to plant a new tree wouldn't be granted as Highways are waiting on the outcome of CEC's review of tree planting. TR and EB agreed to defer removing the stump until a decision could be made on a replacement.
- 4. Footways at Sandy Lane Bungalows:** JH confirmed that slurry seal work to address the issue of loose chippings on the path has been placed on a list for future schemes.
- 5. Items for next agenda.** No additional items at this time. TR reported issues with the street light outside 79 Main Road using Fix My Street in March 2021, reference number 2626884. The lantern has become loose and the column isn't straight. It was noted that this didn't fall under JH's remit but that he would look into this with the appropriate team.
- 6. Date of the next Highways Liaison Meeting:** Friday 24<sup>th</sup> November at 2pm, Village Hall



## **Local Highways - Town & Parish Council Engagement Survey August 2022**

<b>Priority</b>	<b>Location</b>	<b>Problem/Action Requested</b>	<b>Ref. No.</b>	<b>Progress</b>	<b>Action</b>	<b>Complete?</b>
<b>1</b>	Bomish Lane/Cross Lane	Signage and road markings at this cross road need replacing.	3486466	Signage has been reinstated but road markings have not.	JH to chase progress	No
<b>2.</b>	Pavement outside 77 Main Road	Tree roots are causing the pavement outside 77 Main Road to be so uneven that pushchairs, scooters and mobility scooters are finding it difficult to traverse as the pushchairs etc. tip over. Alternatively, pedestrians have to go into the busy road to get past.	3390675	The issue is now with the Road Safety and Design teams to see where this might sit in terms of any potential funding for future assessment and consideration of improvements	JH to investigate whether the PC can be provided with a timeline for this process.	No
<b>3.</b>	Pavement between The Space Invader and Goostrey Station	Degraded footway between the Red Lion and the Station. Tripping hazard.	3351773 and 3367738	Footway has been resurfaced.	Agreed to remove from list. EB	Yes
<b>4.</b>	Junctions in Goostrey particularly Boothbed, Hermitage, Main Road	Depleted white lining at most junctions in the village.			JH to chase progress as a job has been raised for this.	No
<b>5.</b>	Main Road/Dromedary Lodge	Water runs down Main Road at the bottom of Dromedary	250649 3362100 3348503 3417738		Agreed to remove from list. EB	Yes

		Lodge which freezes in winter and creates potholes.				
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**Additional items submitted with the Local Highways - Town & Parish Council  
Engagement Survey August 2022**

Priority	Location	Problem/Action Requested	Ref. No.	Progress	Action	Complete?
1	Goostrey Station/Station Road	Goostrey Parish Council have, for some years, been exploring various schemes to improve pedestrian and vehicle safety over Goostrey Station Bridge. Currently pedestrians, including those with mobility problems, cross between the platforms via the bridge which has no pavement. Plans with CEC for traffic lights and a safe walkway for pedestrians on the bridge were cancelled in 2021.	4927758	This project has now been included in the CEC programme MA22. <b>* See notes below.</b>	JH asked that this is logged on the system so that he can track this. EB to action.	No
2.	Boothbed Lane/Main Road	Improvements to road Junction.		This has been considered in the past and the measures at the junction considered adequate by Highways.	JH to pursue re-lining work.	No
3.	Goostrey Lane	Speed limits too high e.g. Goostrey Lane approaching the	4927808		EB to log this issue so that JH can progress.	No

		village from A50, New Platt Lane.				
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**\*Network Rail 23/08/2023**

Having spoken to the structures engineers, they have said

We monitor and maintain existing structures, on a limited budget. As we understand this Service Request is enquiring if we can access funding to probably build a footbridge so passengers do not have to use the road bridge to access the other platform or the carpark. This is not an ideal situation as the bridge is not wide enough for a pavement.

Having made enquires within Network Rail, other than the rail operating company who have been consulted already. The response has been that the numbers using the station and the traffic on the road is not great enough at present. If Goostrey was to be expanded with many more houses, then the situation would be re-evaluated.

The link in the email below is a little out of date and seems to refer to a lot of schemes that have already been completed, were the numbers of passengers have increased considerably.

When the railway and the station was built, the bridge was considered acceptable. We haven't made the station bigger, the numbers using the station have not got considerably larger. What has changed is the numbers of vehicles on the road (and the speed at which they travel). The safety of pedestrians on the road that crosses the railway lies with the local Highways Authority. As stated below they originally accepted this, with their proposal to put traffic lights on the bridge, but they have since cancelled that scheme due to a lack of funding. They should be pressed to move this forward.

Perhaps all traffic should be stopped by the use of an extended Pelican crossing lights, activated on request by passengers wishing to cross the bridge, again this would have to be raised with Highways Authority.



## **Policy on Anonymous Communications**

### **REVISION DATE**

September 2023

### **REPLACES POLICY**

New

### **1. INTRODUCTION**

This policy outlines how Goostrey Parish Council ("Council") will act upon information contained in anonymous letters and other Anonymous Communications as defined in Paragraph 4.

### **2. SCOPE**

The Policy applies to Councillors and staff.

### **3. AIM**

To provide an appropriate and consistent approach to dealing with Anonymous Communications.

### **4. DEFINITION OF ANONYMOUS COMMUNICATIONS**

Anonymous Communications are written or verbal communications where no name, address or identifying factors are given sufficient to identify the source or author. This may include notes, letters, telephone calls, 'round robins', newsletters, emails, texts, blogs, website contents, social media contents and all other forms of electronic communications.

### **5. VERBAL ANONYMOUS COMMUNICATIONS**

- a. It is the policy of the Council not to take any action in respect of verbal anonymous communication unless
  - i. it is subsequently put in writing, or
  - ii. the communication warrants an exception.
- b. Exceptionally, the need for immediate action or investigation may prevent the provision of a written communication at that point.
- c. Any Member receiving verbal Anonymous Communications should respond by stating the Council's policy. The source should be encouraged to provide their contact details and the Anonymous Communications should be passed to the Council's Clerk for recording and for determination of next steps in accordance with this policy.
- d. If no written communication is provided by the source, a note summarising what verbal communication took place should be created by the Member and passed to the Council's Clerk.

## **6. STEPS TO BE TAKEN WITH ANONYMOUS COMMUNICATIONS**

Unless of a purely trivial or frivolous nature all anonymous written communications should:

- a. Be treated as being in strict confidence by all Members/Staff and recorded in the correspondence list as “Anonymous Correspondence”.
- b. In the first instance be circulated by email to all Members with any personal and sensitive information redacted from the Anonymous Communications.
- c. An un-redacted copy shall be kept on file and made available for inspection by Members at the offices of the Council and shall be produced at the next meeting of the Council or, if earlier, at the next meeting of an appropriate Committee of the Council.

## **7. CONSIDERATIONS**

- a. The Council may not consider anonymous letters or other Anonymous Communications unless there is corroborating evidence.
- b. The Council expressly reserves the right to take no action.
- c. When deciding what action to take, the following should shall be considered:
  - i. Seriousness of the issues raised and its effect on the community.
  - ii. Criminal and legal implications.
  - iii. Health and Safety of Members.
  - iv. Credibility of the concern.
  - v. Whether sufficient information is provided to corroborate any allegation(s) and to enable an investigation to be carried out.
  - vi. Fraud or other irregularities detrimental to the Council.
- d. Anonymous Communications or indeed any form of communication considered to be vexatious or malicious may be forwarded to the appropriate authorities, and the Council will provide full support for those authorities to carry out their investigation.

## **8. OTHER MATTERS**

- a. The log/record of Anonymous Communications shall be periodically reviewed, normally every 12 months, to identify any developing trends.
- b. Where the writer has provided contact details but has asked for anonymity their right to privacy should be respected.
- c. Due caution must be exercised when reacting to Anonymous Communications which appear to be malicious, potentially libellous or of an extremely personal nature. The Council may consider seeking specific legal advice.
- d. This policy should be reviewed periodically to check compliance with legislative changes which may occur in future.

## **POLICY APPROVAL**

Council Minute Item XX.XX.XX

## **POLICY REVIEW DUE**

September 2024



## **Councillor Vacancies & Co-option Policy**

### **REVISION DATE**

September 2023

### **REPLACES POLICY**

October 2019

### **POLICY STATEMENT**

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Goostrey Parish Council (GPC). The Co-option procedure is entirely managed by GPC and this policy will ensure that the process is fair and transparent.

### **PROCEDURE**

#### **Councillor Vacancies (or Casual Vacancies) Occur When:**

- A councillor fails to make his declaration of acceptance of office at the proper time;
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails for six (6) months to attend meetings of a council committee or subcommittee or to attend as a representative of the Council a meeting of an outside body.

#### **What Happens when a Vacancy Occurs:**

##### Notification of Casual Vacancy to Cheshire East Council Elections Department

1. The Parish Council (Parish Clerk) must notify Cheshire East Council (CEC) Elections Department that a Casual Vacancy has occurred on the Council.
2. A special form of notice is drawn up advertising the vacancy and is sent to CEC Elections Department. The notice advertised the vacancy and gives electors in the Parish the opportunity to request an election to fill the vacancy. If the call for election is within 6 months of an election, the CEC Elections Department will notify the council that it is free to co-opt someone to fill the vacancy should it wish to do so. (If this is the case go to Filling the Vacancy by Co-option)
3. The notice is affixed to the notice boards (and placed on the GPC website) in the Parish on the date of the notice and CEC Elections Department will give the date when the notice expires (usually 14 working days).
4. An election will occur when ten electors write to the CEC Elections Department stating that an election is requested.
5. If an election is called by 10 or more electors CEC Elections Department will organise the election and the Parish will have to pay an election fee. If the call for election is within 6 months of an election, the CEC Elections Department will notify the council that it is free to co-opt someone to fill the vacancy should it wish to do so.

##### Filling the Vacancy by Co-option

1. If there is no call for an election, the CEC Elections Department will notify GPC in writing that it is free to co-opt someone to fill the vacancy should it wish to do so. The council is not obliged to fill the vacancy.
2. If the council decided to co-opt someone to fill the vacancy an advertisement will be placed on the Parish Notice Boards (and placed on the GPC website) the advertisement will indicate the qualities required, statutory requirements and to send the application to the Clerk.
3. The Parish Council is not bound to co-opt any applicant applying.

### Eligibility of Candidates

GPC is able to consider any person to fill a vacancy provided that:

- He/she is an elector for the parish; or
- has resided in the parish for the past twelve months or rented/tenanted land or other premises in the parish; or
- had his/her principal place of work in the parish; or has lived within three miles (direct) of the parish.

There are certain disqualification's for election, of which the main are (see 5. 80 of the Local Government Act 1972):

- holding a paid office under the local authority;
- bankruptcy;
- having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the five years preceding the election;
- and being disqualified under any enactment relating to corrupt or illegal practices.

Candidates found to be offering inducements of any kind will be disqualified.

### Applications

Members may point out the vacancies and the process to any qualifying candidate(s).

Although there is no Statutory Requirement to do so, candidates will be requested to:

- Submit information about themselves, by way of submitting a letter or email
- Confirm their eligibility for the position of Councillor within the statutory rules ([view eligibility criteria](#)).

Following receipt of applications, the next suitable council meeting will have an agenda item 'To receive written applications for the office of Parish councillor and to Co-opt a candidate to fill the existing vacancy'.

Copies of the candidates' applications will be circulated to all Councillors by the Clerk at least 3 clear days prior to the meeting of the full Council, when the Co-option will be considered. All such documents will be treated by the Clerk and all Councillors as Strictly Private and Confidential.

The Clerk will arrange for each of the candidates to meet with the Chairman and Vice-Chairman prior to the Parish Council Meeting.

Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment, together with a copy of the Code of Conduct, Standing Orders and Financial Regulations of GPC.

### At the Parish Council Meeting

At the meeting each candidate being proposed and seconded by the councillors in attendance and a vote by a show of hands. The vote will be recorded so as to show whether each Councillor present and voting gave his/her vote for or against each candidate.

In order for a candidate to be elected to GPC, it will be necessary for them to obtain an absolute majority of votes cast (50% + 1 of the votes available at the meeting). If there are more than two candidates and there is no candidate with an overall majority in the first round of voting the candidate with the least number of votes will drop out of the process. Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority. In the case of an equality of votes, the Chairman of the meeting has a second casting vote.

After the votes has been concluded, the Chairman will declare the successful candidate duly elected and after signing their declaration of acceptance of office, may take their seat immediately.

The Clerk will notify CEC Elections Department of the new Councillor appointment(s). The successful candidate(s) must complete the 'registration of interests' within 28 days of being elected. The form should be handed to the Clerk for forwarding to the Monitoring Officer.

If insufficient candidates come forward for co-option, the process should continue, whereby the vacancies are again advertised.



**IMPLEMENTATION**

The policy and process will be implemented by the Clerk and the Council.

**MONITORING**

The policy and process will be monitored by the Clerk.

**POLICY APPROVAL**

Council Minute XX.XX.XX

**POLICY REVIEW DUE**

September 2024



## **Data Protection Policy**

### **REVISION DATE**

September 2023

### **REPLACES POLICY**

February 2017

### **POLICY STATEMENT**

As a Parish Council we do not hold a great deal of personal data, however, if we ask you for personal information, we promise:

- to make sure you know why we need it;
- to only ask for what we need, and not to collect too much or irrelevant information;
- to protect it and make sure nobody has access to it who shouldn't;
- to let you know if we share it with other organisations to give you better public services - and if you can say no;
- to make sure we don't keep it longer than necessary; and
- not to make your personal information available for commercial use.

In return, we ask you to:

- give us accurate information; and
- tell us as soon as possible if there are any changes, such as a new address.

This helps us to keep your information reliable and up to date.

You can get more details on the following points from our Privacy Statement:

- how to find out what information we hold about you and how to ask us to correct any mistakes;
- agreements we have with other organisations for sharing information;
- circumstances where we can pass on your personal information without telling you, for example, to prevent and detect crime or to produce anonymised statistics;
- our instructions to staff on how to collect, use and delete your personal information;
- how we check the information we hold is accurate and up to date; and
- how to make a complaint.

When we ask you for information, we will keep to the law, including the Data Protection Act 1998.

For independent advice about data protection, privacy and data-sharing issues contact the Information Commissioner's Office

Email: [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk)

Tel: 01625 545745 or 0303 123 1113

Fax: 01625 524510

The Information Commissioner

Wycliffe House

Water Lane

Wilmslow

Cheshire

**POLICY APPROVAL**

Council Minute XX.XX.XX

**POLICY REVIEW DUE**

September 2025



## **Disciplinary Policy**

### **REVISION DATE**

September 2023

### **REPLACES POLICY**

November 2017

### **POLICY AIM**

The aims of this disciplinary procedure are to:

- allow the Council to set standards of performance and behaviour
- make sure that employees are treated fairly and consistently when dealing with shortfalls
- help maintain and improve standards
- provide a means of deciding when dismissal is justified. Dismissal is the last resort when all else has failed or when the employee's breach is a very serious one
- comply with legislation as part of the Employment Act 2008 and be consistent with ACAS Code of Practice relating to Discipline and Grievance.

### **EXECUTIVE SUMMARY**

The main points of this policy are:

- when the Council is considering taking disciplinary action against an employee, there is a Code of Practice to follow
- the Line Manager has to write to the employee giving reasons of why they are considering taking disciplinary action and invite the employee to a meeting to discuss the matter
- the employee has a right to be accompanied at the meeting
- an employee has a right of appeal against the disciplinary action

### **WHO IS AFFECTED BY THIS POLICY**

This policy applies to all employees of Goostrey Parish Council.

### **POLICY STATEMENT**

Goostrey Parish Council recognises the value of its staff and aims to put policies in place to ensure that they are treated fairly and consistently.

### **INFORMAL PROCEDURE**

Cases of minor misconduct or unsatisfactory performance are usually best dealt with informally. An informal conversation or quiet word is often all that is required to improve an employee's conduct or performance. In some cases additional training, coaching and advice may be what is needed. There will be situations where matters are more serious or where an informal approach has been tried but is not working.

If informal action does not bring about an improvement, or the misconduct or unsatisfactory performance is considered too serious to be classed as minor, employers should provide employees with a clear signal of their dissatisfaction by taking formal action.

#### **How should it be done?**

- Talk to the employee in private. This should be a two-way discussion, aimed at discussing possible shortcomings in conduct or performance and encouraging improvement. Criticism should be constructive, with the emphasis being on finding ways for the employee to improve and for the improvement to be sustained.
- Listen to whatever the employee has to say about the issue. It may become evident there is no problem – if so make this clear to the employee.
- Where improvement is required make sure the employee understands what needs to be done, how their performance and conduct will be reviewed, and over what period. It may be useful to confirm in writing what has been decided.
- Be careful that any informal action does not turn into formal disciplinary action.
- Keep brief notes of any agreed informal action for reference purposes. There should be reviews of progress over specified periods.
- Consider at any stage whether the use of an independent mediator may be helpful.

#### **Using Mediation**

There are no hard and fast rules for when mediation is appropriate but it can be used if deemed necessary by the Staff Committee.

#### **Cases un-suitable for mediation:**

- Used as a first resort. People should be encouraged to speak to each other and talk to their manager before they seek a solution via mediation.
- A decision about right or wrong is needed (i.e. criminal activity)
- The parties do not have the power to settle the issue.
- One side is completely intransigent and using mediation will only raise unrealistic expectations of a positive outcome.

#### **FORMAL PROCEDURE**

Examples of when disciplinary action could be taken are:

- poor conduct (i.e. drunkenness or fighting)
- misuse of facilities (i.e. internet and email)
- poor timekeeping
- unauthorised absence
- repeated or serious failure to follow instructions
- poor attendance
- poor health and safety

The Council will always seek to resolve disciplinary and grievance issues in the workplace. Where this is not possible, the Council and its employees will consider using an independent third party to help resolve the problem.

When a potential disciplinary matter arises, the Parish Clerk (or in a case where action is against the Parish Clerk the Chairman of the Council) should establish the facts of the case, take statements from witnesses and hold an investigatory meeting with the employee (please note, that it should be made clear to the employee involved that this is not a disciplinary meeting and that they may be accompanied if they wish by a person of their choosing). It is important to keep a written record of the investigation for later reference.

Having established the facts, the Parish Clerk (or Chairman of the Council) should decide whether there is a case for the employee to answer or not. If, following investigation, formal disciplinary action appears to be necessary the Parish Clerk (or Chairman of the Council) who conducted the investigation should hand the investigation file to the Staff Committee which shall comprise not less than 3 members.

Where potential disciplinary action is to be taken against the Parish Clerk this must be approved by Council beforehand.

In certain cases, for example, in cases of gross misconduct, where relationships have broken down or there are risks to property or people, the employee may be suspended on full pay. Please refer to the suspension policy for full details of the procedure.

#### **Stage 4**

The Committee conducting the disciplinary hearing will write to the employee and include:

- what it is they are alleged to have done wrong and briefly why this is not acceptable.
- a request for them to attend a meeting at which the issue can be discussed – allowing at least 3 working days notice.
- Details of the date, time and venue of the meeting.
- a statement making them aware that they have a right to be accompanied by a trade union official or a person of their choice.
- Copies of any written evidence, which may include witness statements.
- Contain sufficient information about the alleged misconduct or poor performance and its possible consequences to enable the employee to prepare to answer the case at a disciplinary meeting.

The employee will be at liberty to provide a copy of these documents to any person who may be accompanying them at the disciplinary meeting. If disciplinary action is considered against a trade union representative, the case should be discussed, after obtaining the employee's agreement, with a senior trade union representative or permanent union official (region).

If the employee or the person who is accompanying them is unable to make the proposed date, another meeting should be arranged within 5 working days.

#### **Preparing for the meeting**

- arrange a time for the meeting, which should be held as privately as possible, in a suitable room, and where there will be no interruptions.
- make provision for any reasonable adjustments to accommodate the specific needs of the person.
- ensure that all the relevant facts are available, such as disciplinary records and any other relevant documents (i.e. absence or sickness records) and, where appropriate, written statements from witnesses.

## **Stage 5**

The meeting should be held without unreasonable delay whilst allowing the employee reasonable time to prepare their case. At the meeting the Chairman of the Staff Committee will explain the complaint against the employee and go through the evidence that has been gathered. Remember that the point of the disciplinary meeting is to establish the facts, not to catch people out.

The employee will then be given the opportunity to state their case and answer any allegations that have been made. The employee will also be allowed to ask questions, present evidence, call relevant witnesses and be given an opportunity to raise points about any information provided by witnesses. Where an employer or employee intends to call relevant witness they should give advance notice that they intend to do this. Any person accompanying the employee will be able to fully participate in the meeting, for example by addressing the hearing, but not answer questions on behalf of the employee. If new facts emerge, it may be necessary to adjourn the meeting to investigate them and reconvene the meeting when this has been done.

Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently.

### **General questioning and discussion advice:**

- use this stage to establish all the facts.
- ask the employee if they have any explanation for the alleged misconduct or unsatisfactory performance, or if there are any special circumstances to be taken into account.
- if it becomes clear during this stage that the employee has provided an adequate explanation or there is no real evidence to support the allegation, bring the proceedings to a close.
- keep the approach formal and polite and encourage the employee to speak freely with a view to establishing the facts. A properly conducted disciplinary meeting should be a two way process. Use questions to clarify the issues and to check that what has been said is understood. Ask open-ended questions to get the broad picture. Ask precise, closed questions requiring a yes/no answer only when specific information is needed.
- do not get involved in arguments and do not make personal or humiliating remarks. Avoid physical contact or gestures.
- it is possible that the disciplinary meeting may not proceed smoothly – people may be upset or angry. If the employee becomes upset or distressed allow time for them to regain composure before continuing.
- clearly during the meeting there may be some ‘letting off steam’, and this can be helpful in finding out what has actually happened. Please note, abusive language or conduct should not be tolerated.

### **What if an employee repeatedly fails to attend a meeting?**

There may be occasions when an employee is repeatedly unable or unwilling to attend a meeting. This may be for various reasons, including genuine illness or unwilling to attend a meeting. Employers will need to consider all the facts and come to a reasonable decision on how to proceed. Where an employee continues to be unavailable to attend a meeting the employer may conclude that a decision will be made on the evidence available. The employee should be informed where this is to be the case.

## **Stage 6**

Following the meeting the Committee should decide whether or not disciplinary or any other action is justified. The Committee should take account the following when making their decision:

- whether the rules of the organisation indicate what the likely penalty will be as a result of the particular misconduct.
- the penalty imposed in similar cases in the past.
- whether standards of other employees are acceptable, and that this employee is not being unfairly singled out.
- the employee's disciplinary record (including current warnings), general work record, work experience, position and length of service.
- any special circumstances which might make it appropriate to adjust the severity of the penalty.
- whether any training, additional support or adjustments to the work are necessary.

## **Stage 7 & 8**

Reconvene the meeting and inform the employee of your decision, how you made the decision and read out the content of the written confirmation of the action that has been decided upon. Explain to the employee their right to appeal against the decision. Write to the employee to confirm the outcome of the meeting. After a decision has been made all background papers should be placed on the employee's personal file. Formal disciplinary action includes:

### **a. Written warning Unsatisfactory Performance**

If cases of unsatisfactory performance an employee should be given an 'improvement note', setting out:

- the performance problem.
- the improvement that is required.
- the timescale for achieving this improvement.
- a review date.
- any support, including any training, that the employer will provide to assist the employee.

The employee should be informed that the note represents the first stage of a formal procedure and is equivalent to a first written warning and that failure to improve could lead to final written warning and ultimately dismissal.

### **b. Written warning Misconduct**

If a written warning is deemed necessary the Parish Clerk (or Staff Committee Chairman) must write to the employee, referring to the meeting, and include:

- the nature of the misconduct and why this is not acceptable • the level of improvement required
- the date by which it is to be achieved
- a statement making the employee aware that this written warning is part of the formal disciplinary process and that if there is a re-occurrence of the issues raised or not sufficient improvement, this could result in a final written warning and ultimately dismissal
- reference to the fact that this warning will remain in force for 12 months and can be extended if needed



- information about the right to appeal that they have against the decision (as outlined in this procedure). The copy of the letter should be placed on the employee's personal file.

**c. Final written warning**

If the issues which resulted in a written warning do not improve sufficiently or re-occur, or, where the first offence is considered serious, the employee should be issued with a final written warning. The Staff Committee (or Disciplinary Committee Chairman) should write to the employee, referring to the meeting and include:

- the nature of the misconduct and why this is not acceptable
- the level of improvement required
- the date by which it is to be achieved
- a statement making the employee aware that this written warning is part of the formal disciplinary process and that if there is a re-occurrence of the issues raised or not sufficient improvement, this could result in dismissal
- reference to the fact that this warning will remain in force for 12 months and can be extended if needed
- information about the right to appeal that they have against the decision (as outlined in this procedure). The copy of the letter should be placed on the employee's personal file.

**d. Action short of dismissal**

If the employee has received a final written warning and there have not been sufficient improvements, other actions short of dismissal may be taken. These include demotion, withholding promotions, loss of increment or the employee paying for any damage done. These measures may be permanent or temporary depending on the circumstances.

**e. Dismissal with notice following previous warnings**

When all options have failed, dismissal with notice or payment in lieu of notice may be necessary. Dismissal must be reasonable in all the circumstances of the case. Unless the employee is being dismissed for reasons of gross misconduct, he or she should receive the appropriate period of notice or payment in lieu of notice. Only Full Council has the authority to dismiss.

**f. Dismissal without notice for gross misconduct**

Gross misconduct is generally seen as misconduct serious enough to overturn the contract between the employer and the employee thus justifying summary dismissal. In cases of gross misconduct, the Council may consider dismissing the employee even though they haven't already received a written warning or a final written warning. Only Full Council has the authority to dismiss.

Examples of gross misconduct might include:

- theft or fraud.
- physical violence or bullying.
- deliberate and serious damage to property.
- serious misuse of an organisation's property or name.
- deliberately accessing internet sites containing pornographic, offensive or obscene material.
- serious insubordination.
- unlawful discrimination or harassment.

- bringing the organisation into serious disrepute.
- serious incapability at work brought on by alcohol or illegal drugs.
- causing loss, damage or injury through serious negligence.
- a serious breach of health and safety rules.
- a serious breach of confidence.

The list is neither exclusive nor exhaustive and in addition there may be other offences which would constitute gross misconduct.

### **Dealing with special cases**

If an employee is charged with, or convicted of a criminal offence this is not normally in itself reason for disciplinary action. Consideration needs to be given to what effect the charge or conviction has on the employee's suitability to do the job and their relationship with their employer, work colleagues and customers. An employee should not be dismissed or otherwise disciplined solely because he or she has been charged with or convicted of a criminal offence.

### **The Appeal Procedure**

Employees who have had disciplinary action taken against them have the right to appeal. An employee may choose to appeal, for example, because:

- they think the decision made was unfair
- new evidence comes to light
- they think the disciplinary procedure wasn't followed correctly.

If the employee wishes to appeal against the decision, they should write to the Parish Clerk (or in the case of the Parish Clerk the Chairman of the Council) stating their grounds for appeal. This should be done within seven calendar days of receiving the notification. The Parish Clerk will then convene a meeting of the Appeals Committee, consisting of not less than 3 Members who have not been involved in the case.

The Committee hearing the appeal should read all the notes relating to the case and contact the employee to invite them to an appeal meeting. This meeting should be held within 14 days from receiving the letter of appeal or if not possible within a timescale agreed with the employee. The employee should be informed that they have a right to be accompanied by a trade union official or a person of their choice.

Within 7 calendar days of the appeal hearing, the Committee hearing the appeal should respond to the employee in writing and notify them of their decision. The decision will be final.

Any letters or documents relating to the case should be placed on the employee's personal file.

### **Equality**

As an employee of Goostrey Parish Council if you feel that this policy or function has a negative impact on you as an individual and / or you are unable to access this policy or function for any reason please contact the Parish Clerk. Goostrey Parish Council is committed to promoting equality and eliminating discrimination on the grounds of gender, sexual orientation, gender reassignment, marital or civil partnership status, religious belief, race, disability and / or age.

### **POLICY APPROVAL**

Council Minute XX.XX.XX

### **POLICY REVIEW DUE**

September 2025



## **Documents & Retention Policy**

### **REVISION DATE**

September 2023

### **REPLACES POLICY**

New Policy

#### **1. INTRODUCTION**

- 1.1 The Council accumulates a vast amount of information and data during the course of its everyday activities. This includes data generated internally in addition to information obtained from individuals and external organisations. This information is recorded in various different types of document.
- 1.2 Records created and maintained by the Council are an important asset and as such measures need to be undertaken to safeguard this information. Properly managed records provide authentic and reliable evidence of the Council's transactions and are necessary to ensure it can demonstrate accountability.
- 1.3 Documents may be retained in either 'hard' paper form or in electronic forms. For the purpose of this policy, 'document' and 'record' refers to both hard copy and electronic records.
- 1.4 It is imperative that documents are retained for an adequate period of time. If documents are destroyed prematurely the Council and individual officers concerned could face prosecution for not complying with legislation and it could cause operational difficulties, reputational damage and difficulty in defending any claim brought against the Council.
- 1.5 In contrast to the above the Council should not retain documents longer than is necessary. Timely disposal should be undertaken to ensure compliance with the General Data Protection Regulations so that personal information is not retained longer than necessary. This will also ensure the most efficient use of limited storage space.

#### **2. SCOPE & OBJECTIVES OF THE POLICY**

- 2.1 The aim of this document is to provide a working framework to determine which documents are:
  - Disposed of – and if so by what method.
  - Retained – and for how long.
- 2.2 There are some records that do not need to be kept at all or that are routinely destroyed in the course of business. This usually applies to information that is duplicated, unimportant or only of a short-term value. Unimportant records of information include:
  - 'With compliments' slips.
  - Catalogues and trade journals.
  - Non-acceptance of invitations.
  - Trivial electronic mail messages that are not related to Council business.
  - Requests for information such as maps, plans or advertising material.
  - Out of date distribution lists.

- 2.3 Duplicated and superseded material such as stationery, manuals, drafts, forms, address books and reference copies of annual reports may be destroyed.
- 2.4 Records should not be destroyed if the information can be used as evidence to prove that something has happened. If destroyed the disposal needs to be disposed of under the General Data Protection Regulations.

### **3. DOCUMENT RETENTION PROTOCOL**

- 3.1 Councils should have in place an adequate system for documenting the activities of their service. This system should take into account the legislative and regulatory environments to which they work.
- 3.2 Records of each activity should be complete and accurate enough to allow employees and their successors to undertake appropriate actions in the context of their responsibilities to:
- Facilitate an audit or examination of the business by anyone so authorised.
  - Protect the legal and other rights of the Council, its clients and any other persons affected by its actions.
  - Verify individual consent to record, manage and record disposal of their personal data.
  - Provide authenticity of the records so that the evidence derived from them is shown to be credible and authoritative.
- 3.3 To facilitate this the following principles should be adopted:
- Records created and maintained should be arranged in a record-keeping system that will enable quick and easy retrieval of information under the General Data Protection Regulations
  - Documents that are no longer required for operational purposes but need retaining should be placed at the records office.
- 3.4 The retention schedules in Annex A: List of Documents for Retention or Disposal provide guidance on the recommended minimum retention periods for specific classes of documents and records. These schedules have been compiled from recommended best practice from the Public Records Office, the Records Management Society of Great Britain and in accordance with relevant legislation.
- 3.5 Whenever there is a possibility of litigation, the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed.

### **4. DOCUMENT DISPOSAL PROTOCOL**

- 4.1 Documents should only be disposed of if reviewed in accordance with the following:
- Is retention required to fulfil statutory or other regulatory requirements?
  - Is retention required to meet the operational needs of the service?
  - Is retention required to evidence events in the case of dispute?
  - Is retention required because the document or record is of historic interest or intrinsic value?
- 4.2 When documents are scheduled for disposal the method of disposal should be appropriate to the nature and sensitivity of the documents concerned. A record of the disposal will be kept to comply with the General Data Protection Regulations.
- 4.3 Documents can be disposed of by any of the following methods:
- Non-confidential records: place in wastepaper bin for disposal.
  - Confidential records or records giving personal information: shred documents.
  - Deletion of computer records.
  - Transmission of records to an external body such as the County Records Office.

4.4 The following principles should be followed when disposing of records:

- All records containing personal or confidential information should be destroyed at the end of the retention period. Failure to do so could lead to the Council being prosecuted under the General Data Protection Regulations, the Freedom of Information Act or cause reputational damage.
- Where computer records are deleted steps should be taken to ensure that data is 'virtually impossible to retrieve' as advised by the Information Commissioner.
- Where documents are of historical interest it may be appropriate that they are transmitted to the County Records office.
- Back-up copies of documents should also be destroyed (including electronic or photographed documents unless specific provisions exist for their disposal).

4.5 Records should be maintained of appropriate disposals. These records should contain the following information:

- The name of the document destroyed.
- The date the document was destroyed.
- The method of disposal.

**5. DATA PROTECTION ACT 2018 – OBLIGATION TO DISPOSE OF CERTAIN DATA**

5.1 The Data Protection Act 2018 ('Fifth Principle') requires that personal data must not be retained longer than is necessary for the purpose for which it was originally obtained. PART 1 – Section 3 of the Data Protection Act defines personal data as:

Terms relating to the processing of personal data

- (1) This section defines some terms used in this Act.
- (2) "Personal data" means any information relating to an identified or identifiable living individual (subject to subsection (14)(c)).
- (3) "Identifiable living individual" means a living individual who can be identified, directly or indirectly, in particular by reference to--
  - (a) an identifier such as a name, an identification number, location data or an online identifier, or
  - (b) one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.

It includes any expression of opinion about the individual and any indication of the intentions of the Council or other person in respect of the individual. Further details can be found in our Privacy Statement at <https://goostreyparishcouncil.gov.uk/privacy-notice/>

5.2 The Data Protection Act provides an exemption (PART 2, Chapter 3 – Exemptions etc - section 24 & 25) for information about identifiable living individuals that is held by FOI authorities for historical research purposes to be held indefinitely provided that the specific requirements are met.

5.3 Councils are responsible for ensuring that they comply with the principles under the General Data Protection Regulations namely the details of which are provided in our Privacy Statement at <https://goostreyparishcouncil.gov.uk/privacy-notice/> These include:

- Personal data is processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met.
- Personal data shall only be obtained for specific purposes and processed in a compatible manner.
- Personal data shall be adequate, relevant, but not excessive.
- Personal data shall be accurate and up to date.
- Personal data shall not be kept for longer than is necessary.

- Personal data shall be processed in accordance with the rights of the data subject.
- Personal data shall be kept secure.

5.4 External storage providers or archivists that are holding Council documents must also comply with the above principles of the General Data Protection Regulations.

## **6. SCANNING OF DOCUMENTS**

6.1 In general once a document has been scanned on to a document image system the original becomes redundant. There is no specific legislation covering the format for which local government records are retained following electronic storage, except for those prescribed by HM Revenue and Customs.

6.2 As a general rule hard copies of scanned documents should be retained for three months after scanning.

6.3 Original documents required for VAT and tax purposes should be retained for six years unless a shorter period has been agreed with HM Revenue and Customs.

## **7. REVIEW OF DOCUMENT RETENTION**

7.1 It is planned to review, update and where appropriate amend this document on a regular basis (at least every three years in accordance with the *Code of Practice on the Management of Records issued by the Lord Chancellor*).

7.2 This document has been compiled from various sources of recommended best practice and with reference to

- Local Council Administration, Charles Arnold-Baker, 12th edition, Chapter 11
- Local Government Act 1972, sections 225 – 229, section 234
- SLCC Advice Note 316 Retaining Important Documents
- SLCC Clerks' Manual: Storing Books and Documents
- Lord Chancellor's Code of Practice on the Management of Records issued under Section 46 of the Freedom of Information Act 2000

## **8. LIST OF DOCUMENTS**

8.1 The full list of the Council's documents and the procedures for retention or disposal can be found in Appendix A: List of Documents for Retention and Disposal. This is updated regularly in accordance with any changes to legal requirements.

## **MONITORING**

Clerk and Parish Council

## **POLICY APPROVAL**

Council Minute XX.XX.XX

## **POLICY REVIEW DUE**

September 2026 or when changes to the law relating to Data Protection are implemented.

## Goostrey Parish Council

### ANNEX A – List of Documents for Retention or Disposal

All documents are held at Goostrey Village Hall unless otherwise stated.

All electronic documents are backed up and held in secure remote storage.

DOCUMENT	MINIMUM RETENTION PERIOD (where two terms are shown, the longest term noted will be used)	REASON	DISPOSAL
<b>COUNCIL MANAGEMENT</b>			
Minutes	Indefinitely	Archive	Original signed paper copies of Council minutes of meetings must be kept indefinitely in safe storage. At regular intervals of not more than 5 years they must be archived and deposited with the Higher Authority
Agendas & meeting documentation	12 Years	Statute of Limitations Limitation Act 1980 (as amended)	Confidential waste??
Council Attendance Register	Throughout the 4 year term of office	Management	Confidential waste
Declarations of Acceptance of Office	Indefinitely	Management, Archive	N/A
Register of Members Interest	6 Years or as long as the Councillor remains in office (whichever is the greater)	Audit, Tax, VAT	Confidential Waste
Council Standing Orders, Policies & Procedures	Whilst the documents remain in force	Management	Bin
Council Newsletters, Precept Sheets & Annual Reports	Indefinitely	Management, Archive	N/A
Personnel Information	6 Years after individual ceases to be an employee	Statute of Limitations Limitation Act 1980 (as amended)	Confidential waste list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Assets	12 years For the life of the Asset	Management	Bin
Title Deeds	Indefinitely	Management	N/A

S106 Agreements	Indefinitely	Management	N/A
Freedom of Information	10 years	Management	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Pension	12 years after cessation of benefit payable	Audit, Management	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Events	12 years	Management	Confidential Waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Accident Reports	Indefinitely	Management Potential Claims	N/A
<b>COUNCIL FINANCES</b>			
Cash Book Accounts, Sales & Purchase Ledgers	Indefinitely	Management	N/A
Title Deeds, Leases, Agreements & Contracts	Indefinitely	Audit, Management	N/A
Investments	Indefinitely	Audit, Management	N/A
Audited Accounts	Indefinitely	Archive, Audit, Management	N/A
Precept Requests	Indefinitely	Audit, Management	N/A
Quotations & Tenders	12 years	Statute of Limitations Limitation Act 1980 (as amended)	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Wages Books & Payroll	12 years	Superannuation	Confidential waste
Receipt Books	6 Years	VAT	Confidential waste
Paid Invoices & Petty Cash Slips	6 Years	VAT Statute of Limitations Limitation Act 1980 (as amended)	Confidential waste Council does not use petty cash
VAT Records	6 Years but 20 years for VAT on rents	VAT	Confidential waste



Paid Cheques	6 Years	Statute of Limitations Limitation Act 1980 (as amended)	Confidential waste
Members Allowance Register	6 Years	Tax, Audit, Management, Statute of Limitations Limitation Act 1980 (as amended)	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Scales of Fees & Charges	6 Years	Management	Bin
Bank Statements	Last completed audit year 6 years*	Audit	Confidential Waste
Bank Paying-in Books	Last completed audit year 6 years*	Audit	Confidential Waste
Cheque Book Stubs	Last completed audit year 6 years*	Audit	Confidential Waste
Timesheets	Last completed audit year 3 years	Audit Personal injury (best practice)	Bin
Insurance Policies	While Valid	Management	Bin
Certificates for insurance against liability for employees	40 years from date in which insurance commenced or was renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI2753), Management	Bin
Insurance Company Names, Policy Numbers, Insurance Claims & Health & Safety Records	3 Years after the policy lapses Indefinite	Management	N/A
Budget	6 years	Audit, Management	Confidential Waste
Grants	6 years	Audit, Management	Confidential Waste
HMRC	6 years	Audit, Management	Confidential Waste
Internal Audit	Retain current, plus previous year	Audit, Management	Confidential Waste

<b>ALLOTMENTS</b>			
Allotments Plan	Indefinitely	Audit, Management	N/A
Allotment Register	Indefinitely	Audit, Management	N/A
Allotment Tenancy Agreements & Correspondence	Throughout the period of tenancy & 6 Years following Indefinitely	Audit, Management, Statute of Limitations Limitation Act 1980 (as amended)	N/A
Allotment Legal Papers	Indefinitely	Audit, Management	N/A
<b>RISK ASSESSMENTS</b>			
Weekly Inspection Logs	12 Years	Statute of Limitations Limitation Act 1980 (as amended)	N/A
Annual Inspection Logs	12 Years	Statute of Limitations Limitation Act 1980 (as amended)	N/A
Risk Assessments	12 Years	Statute of Limitation Limitation Act 1980 (as amended)s	N/A
<b>HALLS, CENTRES RECREATION GROUNDS</b>			
<ul style="list-style-type: none"> <li>• Booking forms</li> <li>• Invoices</li> <li>• Record of Tickets issued</li> </ul>	6 years	VAT	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Lettings Diary – online booking system and supporting paperwork	6 years	VAT	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Terms and Conditions	6 years	Management	Bin
Event Monitoring Forms	6 years unless required for claims, insurance or legal purposes	Management	Bin. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

<b>PLANNING &amp; CONSERVATION</b>			
Planning Register	Indefinitely	Management, Archive	N/A
Planning Committee Minutes (records of decisions)	5 years Indefinitely	Management, Archive	N/A
Appeals	2 years unless significant development	Management	Bin
Definitive Maps, Planning Maps, Public Rights of Way Maps, Conservation Area Maps & similar documents	Indefinitely	Management, Archive	N/A
Adopted Neighbourhood Plans	Indefinitely	Management, Archive, Historical purposes	N/A
<b>PUBLICATIONS</b>			
Magazines, Journals & Periodicals	Council may wish to keep its own publications.  For others 3 Years (or retained as long as is useful and relevant)	Management The Legal Deposit Libraries its own publications Act 2003 (the 2003 Act) requires a local council which after 1 <sup>st</sup> February 2004 has published works in print (this includes a pamphlet, magazine or newspaper, a map, plan, chart or table) to deliver, at its own expense, a copy of them to the British Library Board (which manages and controls the British Library). Printed works as defined by the 2003 Act published by a local council therefore constitute materials which the British Library holds.	Bin if applicable
Catalogues	1 Year	Management	Bin
<b>GENERAL CORRESPONDENCE</b>			
General Correspondence (on non- historic importance)	Destroyed annually if no longer of use or value	Management	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
General Correspondence (historic importance)	Offered to the County Archivist if no longer of use or value	Archive	N/A

<b>EMPLOYMENT RECORDS</b>			
Rejected job applicant records, including: contact details application letters or forms CVs references certificates of good conduct interview notes assessment and psychological test results	6 months after applicant is notified of rejection  Application forms should give applicants the opportunity to object to their details being retained	<a href="#">ICO Employment Practices Code para 1.7</a>  Equality Act 2010, s 123	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Application records of successful candidates, including: application letters or forms copies of academic and other training received references correspondence concerning employment CVs interview notes and evaluation forms assessment and results	6 years after employment ceases	Limitation Act 1980 (LA 1980), s 5	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Criminal records information: criminal records requirement assessments for a particular post criminal records information forms the Disclosure and Barring Service (DBS) check forms DBS certificates	Criminal records requirement assessments for a particular post—12 months after the assessment was last used All other information in this category—as soon as practicable after the check has been completed and the outcome recorded (ie whether satisfactory or not) unless, in exceptional circumstances, the Town Clerk assesses that it is clearly relevant to the ongoing employment relationship	<a href="#">DBS guidance for employers: Duration of criminal record check validity</a> <a href="#">ICO Employment Practices Code Nov 2011, part 1.7.4</a>	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

Employment contracts, including: personnel and training records written particulars of employment changes to terms and conditions	6 years after employment ceases, unless document executed as a deed, in which case 12 years after employment ceases	LA 1980, ss 5, 8	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Copies of identification documents (eg passports)	Not less than 2 years from date of termination of employment	Immigration (Restrictions on Employment) Order SI 2007/3290, Art 6(1)(b)	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Identification documents of foreign nationals (including right to work)	Not less than 2 years from date of termination of employment	Immigration (Restrictions on Employment) Order SI 2007/3290, art 6(1)(b)	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Records concerning a temporary worker	6 years after employment ceases	LA 1980, s 5	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Employee performance records, including: probationary period reviews review meeting and assessment interviews appraisals and evaluations promotions and demotions	6 years after employment ceases	LA 1980, s 5	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Records relating to and/or showing compliance with Working Time Regulations 1998 including: registration of work and rest periods working time opt-out forms	2 years from the date on which the record was made	Working Time Regulations 1998, SI 1998/1833, reg 9	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

Redundancy records	6 years from date of redundancy	LA 1980, s 5	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Annual leave records	6 years after the end of each tax year	LA 1980, s 5	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Parental leave records	6 years after the end of each tax year	LA 1980, s 5	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Sickness records	6 years after the end of each tax year	LA 1980, s 5	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Records of return to work meetings following sickness, maternity etc	6 years the end of each tax year	LA 1980, s 5	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
<b>PAYROLL AND SALARY RECORDS</b>			
Records for the purposes of tax returns including wage or salary records, records of overtime, bonuses and expenses	6 years	Taxes Management Act, 1970 s 12B Finance Act 1998, Schedule 18, para 21	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

Pay As You Earn (PAYE) records, including: wage sheets deductions working sheets calculations of the PAYE income of employees and relevant payments	3 years	Income Tax (Pay As You Earn) Regulations 2003, SI 2003/2682, reg 97	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Income tax and NI returns, income tax records and correspondence with HMRC	3 years after the end of the financial year to which they relate	Income Tax (Employments) Regulations 1993, SI 1993/744, reg 55	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Records demonstrating compliance with national minimum wage requirements	3 years beginning with the day upon which the pay reference period immediately following that to which they relate ends	National Minimum Wage Regulations 2015, SI 2015/621, reg 59	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Details of benefits in kind, income tax records (P45, P60, P58, P48 etc), annual return of taxable pay and tax paid	6 years (but general time limit under the TMA 1970 is reducing to four years from 1 April 2012)	Taxes Management Act 1970	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Employee income tax and national insurance returns and associated HMRC correspondence	3 years from end of tax year to which they relate	Income Tax (Pay as You Earn) Regulations 2003, SI 2003/2682, reg 97	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Statutory sick pay (SSP) records	3 years after the end of the tax year to which they relate	The requirement to maintain SSP records for 3 years after the end of the tax year to which they relate was revoked in 2014, but an employer may still be required by HMRC to produce such records as are in his possession or power which contain, or may contain, information relevant to satisfy HMRC that statutory sick pay has been and is being paid. The Statutory Sick Pay (General) Regulations 1982, SI 1982/894, reg 13(A)	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.

Wage or salary records (including overtime, bonuses and expenses)	6 years	Taxes Management Act 1970, s 43	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Records relating to hours worked and payments made to workers	3 years	National Wage Act 1998, s 9 The National Wage Regulations 1999, reg 38	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Statutory maternity, paternity and shared parental pay records, calculations, certificates or other evidence	3 years after the end of the tax year in which the period of statutory pay ends	Statutory Maternity Pay (General) Regulations 1986, SI 1986/1960, reg 26	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.



<b>HEALTH AND SAFETY RECORDS</b>			
Records of reportable injuries, diseases or dangerous occurrences reportable incidents reportable diagnoses injury arising out of accident at work (including accident book)	3 years from date of the entry 20 years	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR 2013), SI 2013/1471, reg 12 Potential Claims	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Lists or register of employees who have been exposed to asbestos dust, including health records of each employee	40 years from the date of the last entry made in the record	Control of Asbestos Regulations 2012, SI 2012/63, reg 22(1)	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Medical records and details of biological tests under the Control of Lead at Work Regulations	40 years from the date of the last entry made in the record	The Control of Lead at Work Regulations 2002 (CLAW 2002), SI 2002/2676, reg 10	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry made in the record	The Control of Substances Hazardous to Health Regulations 2002 (COSHH 2002), SI 2002/2677, reg 11	Confidential waste A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations.
Records of monitoring of exposures to hazardous substances (where exposure monitoring is required under COSHH)	Where the record is representative of the personal exposures of identifiable employee—40 years from the date of the last entry made in the record Otherwise, five years from the date of the last entry made in the record	COSHH 2002, reg 10(5)	Confidential waste
Records of tests and examinations of control systems and protective equipment under COSHH	Five years from the date on which the record was made	COSHH 2002, reg 9	Confidential waste .
Waste Documentation	A copy of the waste description for waste transferred or received must be kept (either electronically or on paper format) for: <ul style="list-style-type: none"> <li>two years for <a href="#">non-hazardous waste</a></li> </ul>	Waste Management	Confidential waste

## RETENTION OF DOCUMENTS FOR LEGAL PURPOSES

Most legal proceedings are governed by 'the Limitation Acts'. The Acts (notably the Limitation Act 1980) state that legal claims may not be commenced after a specified period. The specified period varies, depending on the type of claim in question. The table below sets out the limitation periods for the different categories of claim. The reference to 'category' in the table refers to claims brought in respect of that category.

Category	Limitation Period	Disposal
Negligence (and other 'Torts')	6 years	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations
Defamation	1 year	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations
Contract	6 years	Confidential waste. A list will be kept of those documents disposed of to meet the requirements of the GDPR regulations
Leases	12 years	Confidential waste
Sums recoverable by statute	6 years	Confidential waste
Personal Injury	3 years	Confidential waste
To Recover Land	12 years	Confidential waste
Rent	6 years	Confidential waste
Breach of Trust	None	Confidential waste
Trust Deeds	Indefinite	N/A

Cognisance must be taken on the duty of the Council and in particular its Proper Officer to retain certain information, for certain purposes and for certain periods of time.



## **Equality and Diversity Policy**

### **REVISION DATE**

September 2023

### **REPLACES POLICY**

April 2019

### **BACKGROUND**

The Equality Act 2010 replaces the existing anti-discrimination laws with a single Act. It simplifies the law removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways to help tackle discrimination and inequality. The Act applies to all organisations that provide a service to the public or section of the public.

Further information on The Equality Act 2010 can be found at:

<https://www.gov.uk/guidance/equality-act-2010-guidance>

### **POLICY STATEMENT**

Goostrey Parish Council is committed to the principle of equality of opportunity and diversity and recognises that employees, volunteers, members or service users should not experience discrimination on any grounds.

To promote equality and diversity in our organisation the Parish Council will:

- Encourage, value and manage diversity and promote equality of opportunity in all areas of its work and structure, and will take positive action in the areas of employment and volunteering, representation, membership and service provision.
- Recognise that many people in our society experience discrimination. It is our policy that no person or group of people should suffer oppression or lack of opportunity because of their gender, race, nationality, disability, sexuality, age, HIV status, class, geographical location, trades union activity, marital status, political activity or religious activity.
- Believe that all forms of discrimination are unacceptable, regardless of whether there was any intention to discriminate or not.
- Aims to provide an environment where all employees, volunteers, members and service users at all levels are valued and respected and where discrimination and harassment are not tolerated.
- Recognise that The Equality Act 2010 identifies people who have an attribute defined as a 'protected characteristic' and prohibits discrimination against them by reason of that attribute.

The characteristics that are protected by the Act are:

- |                                  |                      |
|----------------------------------|----------------------|
| • Disability                     | • Race               |
| • Age                            | • Religion or belief |
| • Gender reassignment            | • Sex                |
| • Marriage and civil partnership | • Sexual orientation |
| • Pregnancy and maternity        |                      |

### **Definitions**

- **'Equality'** means understanding and seeking to remove the different barriers to equal opportunities for different groups of people.

- **‘Discrimination’** is acting unfairly against a group or individual through actions such as exclusion, verbal comment, denigration, harassment, victimisation, a failure to appreciate needs or the assumption of such needs without consultation.
- The term **‘disability’** applies to a person who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out their normal day-to-day activities.
- **‘Race’** includes ethnic or national origins, colour or nationality.

## **IMPLEMENTATION**

It is the responsibility of the Parish Council to implement this policy, and to review it annually.

Employees, volunteers, members, and service users have a duty to co-operate with Goostrey Parish Council to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination. They should draw the attention of a staff member or a member of the Council to suspected discriminatory acts or practices or cases of bullying or harassment.

The Parish Council will ensure that the users of this policy are made aware of its contents and responsibilities by presenting it in a suitable form, offering an accessible copy where appropriate.

Consultants and businesses contracted to work for Goostrey Parish Council will be required to support our Equality and Diversity policy.

Copies of this policy will be freely available to staff, volunteers, members and any other interested parties. A copy will be displayed in a prominent position in the Village Hall.

Training will be provided for employees, members and volunteers on cultural awareness, disability awareness and other subjects that will develop equality and diversity.

## **Action we will take**

Goostrey Parish Council will:

- Develop an organisational culture that positively values diversity
- Achieve, wherever possible, a membership and workforce that broadly reflects the local community in which we operate and is representative of all sections of society
- Ensure that individuals are treated fairly in all aspects of their employment with the Parish Council.
- Make it clear that intimidation, harassment and bullying will not be tolerated and may lead to disciplinary action
- Ensure that all our services are provided in a way which promotes awareness of the rights and needs of the people who face discrimination and enables all people to have access to them
- Encourage the development of skills and knowledge through training
- Ensure that premises used in relation to our work are accessible and inviting for all members of the community
- Challenge any discrimination or oppressive behaviour from and towards any members, volunteers, clients or agencies we work with
- Work in a way that recognises peoples’ individual needs
- Regularly evaluate this policy and seek feedback from those who are affected by it

## **MONITORING**

The policy will be monitored by the Clerk and the Council as a whole.

## **POLICY APPROVAL**

Council Minute XX.XX.XX

## **POLICY REVIEW DUE**

September 2024



## **Grant Awarding Policy**

### **REVISION DATE**

September 2023

### **REPLACES POLICY**

September 2020

### **BACKGROUND**

Goostrey Parish Council sets aside a sum of money each year for good causes in the parish, available to local organisation as a grant. The sum allocated by the Parish is part of the annual precept the Parish Council collects from the electorate and is available for distribution from 1st April each year.

The Parish Council has the power to award grants, under the General Power of Competence, to organisations which will benefit the parish and its residents. The council makes an annual budget provision for grants to help meet its aims.

Contributions may be made to charities and bodies providing a public service on a non-profit making basis. Contributions to charities and bodies providing a public service do not have to bring any direct benefit to the council's area or to its inhabitants.

No further amount will be allocated from the annual budget if the money is committed before the end of the financial year (end of March each year).

### **POLICY STATEMENT**

Applications will be accepted throughout the financial year from individuals (on behalf of a group) or not for profit community groups, to provide benefit to residents of Goostrey. There is no upper limit for grant applications as each application will be considered on its own merits. The only limiting factor is the total budget the Council has set aside for grants.

We operate the following criteria when considering an application for grant funding:

- Only one application for a grant in each financial year
- The organisation must be non-profit making (and not an individual)
- Individuals applying for a grant on behalf of a group or organisation must provide a letter of support from that group or organisation along with the application.
- Grants are not made retrospectively
- The organisation must be one that, in some way, benefits the local community
- The organisation must demonstrate a clear need for financial support by providing a description of the project / activity for which a contribution is needed
- A financial statement is provided in support of the grant application
- Efforts to generate contributions from other sources must be submitted
- A report on how the money was spent should be submitted to Goostrey Parish Council
- Monitoring may take place

## **PROCEDURE**

Although applications will be accepted throughout the year, normally they will be considered four times during the financial year – in the months of April, July, October and January, therefore applications should be submitted to the Clerk not later than the 7th of the preceding month with the information set out in the Policy above using the Council's application form. The application will be placed on the Finance Committee Meeting agenda for consideration. The Finance Committee will decide on the application based on the information provided. The Committee will recommend its decision be ratified at the next Full Council meeting.

Please note that all agenda papers are published and therefore in the public domain. The Clerk of the Council will inform the applicant of the Council's decision and arrange payment, if the application is successful, or provide an explanation, if the grant was turned down.

Should the application be successful:

- Written receipts must be provided by the organisation and a report detailing how the funds have been used for the purposes specified in the application.
- The Council reserves the right to require repayment in the event of the outcome not being achieved.

## **GRANT APPLICATION FORM**

If you consider your organisation is eligible to apply for a grant please complete the form and return to the Parish Council office at Goostrey Village Hall, Main Road, Goostrey CW4 8PE. If you have any queries please contact the Clerk of the Council to discuss your application on 01477 535825 or email [clerk@goostreyparishcouncil.gov.uk](mailto:clerk@goostreyparishcouncil.gov.uk)

## **MONITORING**

The Policy will be monitored by the Clerk, and the Council as a whole.

## **POLICY APPROVAL**

Council Minute XX.XX.XX

## **POLICY REVIEW DUE**

September 2024



## **Grievance Policy**

### **REVISION DATE**

September 2023

### **REPLACES POLICY**

November 2017

### **POLICY AIM**

The aims of this grievance procedure are to:

- provide employees with a course of action if they have a complaint that they are unable to resolve informally with their line manager
- allow managers to deal with employee grievances fairly, consistently and quickly
- comply with legislation
- comply with the ACAS guidance on dispute resolution

### **EXECUTIVE SUMMARY**

The main points of this policy are:

- if a grievance cannot be settled informally there is a procedure to follow:
  - an employee should write to their line manager and set out the grievance
  - the line manager meets with the employee to discuss the grievance
  - following the meeting the line manager responds to the employee's grievance in writing
  - employees have a right to appeal if they are not satisfied with their line manager's response.

### **WHO IS AFFECTED BY THIS POLICY**

This policy applies to all employees of Goostrey Parish Council.

### **POLICY STATEMENT**

Goostrey Parish Council recognises the value of its staff and aims to put policies in place to ensure that they are treated fairly and consistently.

### **PROCEDURE**

What is a grievance? 'Grievances are concerns, problems or complaints raised by a staff member with management. Anybody may at some time have problems or concerns with their working conditions or relationships with colleagues that they wish to raise' - ACAS.

The Council is committed to trying to defuse and resolve situations early before they reach the formal grievance process. Mediation and counselling will be used where possible.

Employees should try and resolve grievances informally with their line manager. Issues that may cause grievances include:

- terms and conditions of employment (other than grading)
- health and safety
- work relations
- bullying and harassment
- working environment
- equality and diversity
- organisational change

### **The formal grievance process**

If a grievance cannot be settled informally, then the employee should raise the matter formally and follow the procedure:

1. The employee should set out the grievance in writing and give this to their line manager. If the complaint is about their line manager the employee can submit their grievance to that person's manager (where the manager is the Parish Clerk to the Chairman of the VHMC).
2. Once the line manager has received a grievance in writing they should, within fourteen calendar days, contact the employee to arrange the grievance hearing meeting for a mutually convenient date, time and place. The Grievance Committee shall comprise not less than 3 Members who have not been involved in any associated issue. The meeting does not have to be held within fourteen calendar days however there should be no unnecessary delay. The employee has a right to be accompanied by a trade union official or a person of their choice. It is important that the meeting is not interrupted and the grievance is treated confidentially. Every effort must be made by all parties to attend this meeting.
3. At the meeting the Chairman of the Committee should state the purpose of the hearing and introduce everyone present. The employee should explain their complaint and say how they think it should be settled. Members should ask as many questions as necessary to ensure all relevant details are known. It is likely at this stage that further investigation or advice will be needed before making a decision. The Chairman should explain what they propose to do in response to the employee's complaint e.g. conduct an investigation and what the likely timescales are.
4. In line with the timescales the Chairman or Parish Clerk should arrange to meet with the employee to outline the response to the employee's grievance. The response should include what action the Council intends to take following the grievance. The outcome of this meeting should be followed up in writing. The employee should be informed that if they remain dissatisfied they have a right of appeal to the Chairman of the Parish Council.
5. If the employee is dissatisfied with the response a written application can be made to the Chairman of the Parish Council, stating their grounds for appeal. This should be done within fourteen calendar days of receiving notification of the decision.
6. The Chairman of the Parish Council should then arrange a meeting of the Appeals Committee (minimum of 3 Members who have not been involved in the case) with the employee within fourteen calendar days from receiving the letter of appeal. The employee has a right to be accompanied by a trade union official or a person of their choice.
7. Within seven calendar days of the meeting, the Chairman of the Appeals Committee should respond to the employee in writing and notify them of their decision. This decision will be final.
8. Nothing in this procedure shall prejudice the legal rights of the employee and the Council.



9. Any letters or documents relating to the case should be placed on the employee's personal file. Leavers If an employee makes a written or verbal statement as part of a resignation or leaving process which is effectively a complaint about the Council, then this complaint will be regarded as a grievance and dealt with as per the grievance procedure. Only if the employee states that they do not wish the complaint to be dealt with as per the grievance procedure and signs a statement to that effect, will the complaint not be dealt with as per the grievance procedure.

### **Complaints in writing**

The Council will deal with any complaints made by employees in writing (however informal they may appear) in accordance with this grievance procedure. This will include any emails complaining about something, resignation letters, hand written notes etc.

### **Information for companions**

If the employee's chosen companion is not available at the time arranged for the first meeting the hearing can be postponed but the hearing must be held within five working days after the original date proposed by the employer.

At the hearing the companion is permitted to:

- Address the hearing, but not to answer questions on behalf of the employee
- Confer with the worker during the hearing
- Ask questions of the employer and employee during the hearing
- Participate as fully as possible in the hearing
- Take reasonable time to confer privately with the employee.

### **Information**

Any records made must be held in accordance with the provisions of the Data Protection Act 1998 and the guidance of the Information Commissioner.

### **POLICY APPROVAL**

Council Minute XX.XX.XX

### **POLICY REVIEW DUE**

September 2025



## **Health & Safety Policy**

### **REVISION DATE**

September 2023

### **REPLACES POLICY**

September 2019

### **POLICY AIM**

The aim of this policy is to show how Goostrey Parish Council is committed to ensuring the Health and Safety of its councillors, staff, volunteers, hirers of the Village Hall and members of the public visiting the Village Hall.

### **POLICY STATEMENT**

#### **Introduction**

This is the Health and Safety policy of Goostrey Parish Council.

Goostrey Parish Council recognises the responsibility it has to its employees under the Health and Safety at Work Act 1974 and the provisions of the Management of Health and Safety at Work Regulations 1999.

This policy applies to all councillors, staff, volunteers, hirers of the Village Hall and members of the public visiting the Village Hall.

This policy will be reviewed annually. However as this policy is a working document, any areas identified in need of change should be noted and the policy should be reviewed at the first available opportunity.

#### **General Statement**

It is the declared and committed policy of Goostrey Parish Council as an employer to be concerned for and attentive to, the needs and expectations of its staff in respect of health and safety at their place of work (this includes working out of the office), so far as is reasonably practicable.

As the employer Goostrey Parish Council has a responsibility to:

- Provide a suitable and acceptable environment in which to work
- Provide and maintain a safe and healthy working environment
- Set and maintain appropriate standards of safety, health and cleanliness
- Carry out regular health and safety risk assessments
- Ensure that staff are made aware of the Goostrey Parish Council Health and Safety

#### **Policy**

Responsibilities of councillors, staff and users of the Village Hall

Councillors, staff and users of the Village Hall must take all reasonable care for their own individual health and safety and be concerned for any other persons who may be affected by their own acts or omissions.

In particular, councillors, staff and members of the public have a responsibility to:

- Know, or seek explanation of, and observe Goostrey Parish Council Health and Safety Policy.
- Conduct themselves as to promote and maintain a safe, healthy, clean and tidy environment in the best interests of all concerned.
- Ensure that floor space, passage-ways and stairs are kept tidy and are not subject to any dangerous obstructions.
- Report any incidents, situations or any safety hazard which may lead to injury or damage.

#### **Responsible Person**

The application of this policy is the responsibility of the Goostrey Parish Council Clerk, who is the designated "Responsible Person" for the premises.

The responsibility of the Responsible Person extends to all aspects of this policy, including information, training and induction of councillors, staff and members of the public.

Goostrey Parish Council responsible person is: the Clerk to the Council.

### **Competent Person**

The Responsible Person shall appoint a Competent Person and ensure they are fully trained.

The name of the Competent Person shall be made known to the rest of Goostrey Parish Council staff, council members and users of the Village Hall.

Goostrey Parish Council competent person is: Yvonne Duke ~~Janet Keates~~, Village Hall Supervisor

### **Information**

Councillors, staff and members of the public will be advised of the responsibilities of Goostrey Parish Council on health and safety matters.

All staff will also be provided with safety information in respect of hazards, risks and any preventative measures that affect their workplace.

Councillors, staff and users of the Village Hall will also be told the names of the appropriate Responsible Person, Competent Person and First Aider(s) if applicable.

### **Training**

All staff will be given suitable training in the steps required to ensure safe working. Upon appointment, new staff will undergo a safety induction briefing.

### **Statutory requirements and standards**

The Responsible Person shall ensure that all reasonably practical steps are taken to comply with statutory standards in respect of workplace hazards

### **Risk assessments**

Risk assessments shall be carried out at all Goostrey Parish Council premises in order to identify hazards, determine risks, and put in place any necessary preventative measures.

Risk assessments will be conducted by the Competent Person, in consultation with the appropriate staff member(s), councillors and users of the Village Hall.

Risk assessments shall be recorded in writing and be subject to an annual review. If circumstances change (for example new premises) it may be necessary to undertake an earlier review.

### **Handling ~~(amend as appropriate a/b)~~**

A Goostrey Parish Council has a policy of not handling members of the public with physical difficulties, as staff/volunteers/members have not received the appropriate training. Members of the public who need physical help should have a Carer in attendance to give aid when necessary.

### **Concerns over safety**

All Goostrey Parish Council members and employees have the right and responsibility to raise any matters concerning health and safety with the appropriate responsible person.

Any councillor or staff member, who considers that a health and safety issue has not been dealt with satisfactorily, may discuss the matter with their Line Manager/supervisor, with a view to pursuing the matter either informally, or through the grievance procedure.

### **Hazards**

Councillors, staff and users of the Village Hall are requested to advise the Responsible Person of any malfunction or signs of wear and tear which are dangerous, in respect of any electrical appliances or other equipment situated in Goostrey Parish Council premises.

Councillors, employees and users of the Village Hall are instructed to ensure that all electrical equipment is switched off and left in a safe condition after use.

The Responsible Person will ensure that all Goostrey Parish Council electrical equipment is subject to annual safety testing where appropriate.

## **Emergency procedures**

Procedures will be established by the Responsible Person for the emergency evacuation of the office in line with the building procedures.

All councillors, employees, users of the Village Hall and sub-contractors working on Goostrey Parish Council premises will be informed of the procedures and notices will be displayed prominently to advise visitors of the procedures.

Councillors, employees and hirers of the Village Hall should be familiarised with the site and operating instructions of any fire extinguishers situated on Goostrey Parish Council premises.

## **Accidents**

Serious accidents shall be reported immediately to the Responsible Person or the most senior person available at the time and to the Responsible Person as soon as practicable.

Where necessary, an ambulance shall be called or other transport provided to take the injured person to the nearest Hospital Accident and Emergency Department.

Equipment that might have contributed to the accident should be isolated and any obstructions removed.

All serious accidents will be investigated thoroughly by the Responsible Person.

All minor accidents shall be reported to the Village Hall Supervisor, and first aid provided if appropriate.

All accidents (major or minor) must be recorded in the Office Accident Book. The location of the accident book will be made known to all councillors, staff and hirers of the Village Hall.

In the event of any accident near misses the councillor, staff member or hirer of the Village Hall should report the incident to the Responsible Person, who will record the incident.

## **First Aid**

Where possible, a member of staff shall undergo first aid training and will be appointed the office First Aider.

Goostrey Parish Council premises shall have a First Aid Box.

All councillors, staff and hirers of the Village Hall will be informed of the location of the first aid box.

The Responsible Person (or First Aider if there is one) will ensure that the contents of the First Aid Box are kept in good condition and any item used is replaced as soon as possible.

A leaflet giving general First Aid guidance will be available inside the First Aid Box.

First aid is for minor or temporary treatment only.

No member of staff should give first aid treatment unless trained to do so.

This policy should be read in conjunction with the following:

- Health & Safety Book/folder

## **IMPLEMENTATION**

Councillors and Parish Clerk

## **MONITORING**

The Parish Council

## **POLICY APPROVAL**

Council Minute ~~XX.XX.XX09.20.13. LOCAL COUNCIL AWARD SCHEME – QUALITY AWARD~~

## **POLICY REVIEW DUE**

September 2024~~2~~



## **Publication Scheme**

### **REVISION DATE**

September 2023

### **REPLACES POLICY**

November 2018

### **INTRODUCTION**

The Freedom of Information Act 2000 (FOIA) deals with access to official documents and gives individuals or organisations the right to request information from any public authority. The Information Commissioner's Office has produced a Model Publication Scheme which sets out the classes of information which must be available to the public ([view ICO Model Publication Scheme](#)). There is no specific requirement as to how the information is to be available and, as Goostrey Parish Council has a website, the majority of the information is provided through this medium. The Information Commissioner's Office website offers further guidance on the Freedom of Information Act at <https://www.ico.gov.uk>

### **CLASSES OF INFORMATION**

#### **1. Who we are and what we do**

Organisational information, locations and contacts, constitutional and legal governance This will include names of Councillors, roles e.g. Chairman of the Council, Chairmen of committees of the Council; Council structure; staffing structure; locations and accessibility details and staff contact details. All available on the website, Council office, and on Cheshire East website and on the public notice boards in Goostrey

#### **2. What we spend and how we spend it**

Financial information relating to projected and actual income and expenditure, tendering, procurement, contracts and financial audit. Precept request and budgets are on the website, income and expenditure (including grants given and received) available in the minutes. Financial Regulations are available on the website and from the Parish Council office. Viewing the annual return is available by appointment at the office; details are posted on the public notice board during the period when electors are permitted to exercise their rights to view the annual return

#### **3. What are priorities and how we are doing**

Strategies and plans, performance indicators, audits and inspections and reviews. These include the Annual report to the Annual Parish Meeting and policy statements issued by the Council and responses to consultation papers. These are available in the minutes which are published on the web site or by visiting the Parish Council office

#### **4. How we make decisions**

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations. Through the minutes and newsletter.

#### **5. Our policies and procedures**

Current written protocols for delivering our functions and responsibilities. All available on website

#### **6. Lists and Registers**

Information held in registers required by law and other lists and registers relating to the functions of the authority

Any information held by the Parish Council has specific guidelines from the local authority

#### **7. The services we offer**

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered. Through the website and newsletter.

#### **CHARGES**

Further information or clarification can be sought by contacting the office on clerk@goostreyparishcouncil.gov.uk or by phone 01477 535825 and leaving a message with contact details. The table describes how charges have been arrived at:

<b>Type of charge</b>	<b>Description</b>	<b>Basis of charge</b>
Disbursement cost	Photocopying @ 10p per sheet (black and white)	Actual cost 2p
	Photocopying @ 15p per sheet (colour)	Actual cost 10p
	Postage	Actual cost of Royal Mail 2nd Class

#### **POLICY APPROVAL**

Council Minute XX.XX.XX

#### **POLICY REVIEW DUE**

September 2025

A list of the documentation available via our scheme is available at

<https://goostreyparishcouncil.gov.uk/wp-content/uploads/2023/06/GOOSTREY-PARISH-COUNCIL-Publication-Scheme-List-of-Docs-v3.pdf>