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### INDEX TO POLICIES

<table>
<thead>
<tr>
<th>Policy</th>
<th>Number</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complaints policy</td>
<td>1.</td>
<td>3-4</td>
</tr>
<tr>
<td>Dignity at work policy</td>
<td>2.</td>
<td>5-9</td>
</tr>
<tr>
<td>Disciplinary policy</td>
<td>3.</td>
<td>10-15</td>
</tr>
<tr>
<td>Document management policy</td>
<td>4.</td>
<td>16-20</td>
</tr>
<tr>
<td>E-mail policy</td>
<td>5.</td>
<td>21-23</td>
</tr>
<tr>
<td>Internet (web) policy</td>
<td>6.</td>
<td>24</td>
</tr>
<tr>
<td>Equal opportunities policy</td>
<td>7.</td>
<td>25-26</td>
</tr>
<tr>
<td>Grievance policy</td>
<td>8.</td>
<td>27-30</td>
</tr>
<tr>
<td>Press and media policy</td>
<td>9.</td>
<td>31-32</td>
</tr>
<tr>
<td>Publication policy</td>
<td>10.</td>
<td>33-37</td>
</tr>
<tr>
<td>Small Grants policy</td>
<td>11.</td>
<td>38-39</td>
</tr>
<tr>
<td>Risk management policy</td>
<td>12.</td>
<td>40-46</td>
</tr>
</tbody>
</table>
1. COMPLAINTS POLICY

1.1 INTRODUCTION
Enborne Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. The Parish Council strives to get its service delivery right every time, but there are occasions when service users may be dissatisfied with its performance for any number of reasons.

1.2 APPLICATION
This Complaints Procedure applies to complaints about Enborne Parish Council administration and procedures and may include complaints about how council employees have dealt with concerns that have been raised.

This Complaints Procedure does not apply to complaints by one Parish Council employee against another Parish Council employee, or between a Parish Council employee and the Parish Council as employer. These matters are dealt with under the Parish Council’s disciplinary and grievance procedures.

1.3 COMPLAINTS AGAINST COUNCILLORS
Complaints against Enborne Parish Councillors are covered by the Code of Conduct for Members adopted by the Council on 16\textsuperscript{th} May, 2016. If a complaint against a Councillor is received by the Council, it will be referred to the Standards Committee of West Berkshire Council.

A complaint about a Parish Councillor should be addressed to:

The Monitoring Officer
West Berkshire District Council
Council Officers
Market Street
Newbury
Berkshire
RG14 5LD

The Monitoring Officer can only deal with complaints about the behaviour of a Councillor. The Officer will not deal with complaints about matters that are not covered by the Councillor’s Code of Conduct. Complaints must be about a Councillor’s failure to follow the Code of Conduct.

1.4 INFLUENCING DECISION-MAKING
The appropriate time to influence Parish Council decision making is by raising concerns before the Council debates and votes on a matter. This can be done by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise concerns in the Public Session section of Parish Council meetings.
Concerns about Enborne Parish Council decisions may be raised with the Parish Council. However, Standing Orders prevent Enborne Parish Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.

1.5 FORMAL COMPLAINTS
Complaints about Enborne Parish Council’s procedures or administration may be made to the Parish Clerk. This can be done by appointment in person, by telephone, in writing or by e-mailing the Parish Clerk. The addresses and telephone numbers are set out at the beginning of the Policy and Procedures document.

Wherever possible the Parish Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days.

If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Chairman of Enborne Parish Council who will report your complaint to the Complaints Committee of Enborne Parish Council or to Enborne Parish Council (as appropriate).

The Clerk or the Complaints Committee of Enborne Parish Council or Enborne Parish Council (as appropriate) will investigate each complaint, obtaining further information as necessary from you and/or from the staff or members of Enborne Parish Council.

The Clerk or the Chairman of Enborne Parish Council will notify you within 20 working days of the outcome of your complaint and of what action (if any) Enborne Parish Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)

If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the Complaints Committee of Enborne Parish Council or to the full Council (as appropriate) and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.
2. DIGNITY AT WORK POLICY

2.1 INTRODUCTION
In support of our value to respect others Enborne Parish Council will not
tolerate bullying or harassment by, or of, any of its employees, officials,
members, contractors, visitors to the council or members of the public
from the community which we serve. The Parish Council is committed to
the elimination of any form of intimidation in the workplace.

This policy reflects the spirit in which the council intends to undertake all
of its business and outlines the specific procedures available to all
employees in order to protect them from bullying and harassment. It
should be read in conjunction with the Council’s policies on Grievance and
Disciplinary handling and the Elected Members Code of Conduct.

The council will issue this policy to all employees as part of their induction
and to all Members as part of their Welcome Pack. The council may also
share this policy with contractors, visitors and members of the public.

2.2 DEFINITIONS
Bullying
“Bullying may be characterised as a pattern of offensive, intimidating,
malicious, insulting or humiliating behaviour; an abuse of this use of
power or authority which tends to undermine an individual or a group of
individuals, gradually eroding their confidence and capability, which may
cause them to suffer stress.”

Harassment is
“unwanted conduct that violates a person’s dignity or creates an
intimidating, hostile, degrading, humiliating or offensive environment.”
This usually covers, but is not limited to, harassment on the grounds of
sex, marital status, sexual orientation, race, colour, nationality, ethnic
origin, religion, belief, disability or age.

These definitions are derived from the ACAS guidance on the topic.
Bullying and Harassment are behaviours which are unwanted by the
recipient. They are generally evidenced by a pattern of conduct, rather
than being related to one-off incidents.

Bullying and harassment in the workplace can lead to poor morale, low
productivity and poor performance, sickness absence, mental health
issues, lack of respect for others, turnover, damage to the Council’s
reputation and ultimately, legal proceedings against the Council and
payment of legal fees and potentially unlimited compensation.

2.3 EXAMPLES
Examples of unacceptable behaviour are as follows; (this list is not
exhaustive)
Spreading malicious rumours, insulting someone, ridiculing or demeaning someone, exclusion or victimisation, unfair treatment, overbearing supervision or other misuse of position or power, unwelcome sexual advances, making threats about job security, making threats of physical violence against a person or their family, deliberately undermining a competent worker by overloading work and/or constant criticism, blaming a person for others’ mistakes, preventing an individual’s promotion or training opportunities.

Bullying and harassment may occur face-to-face, in meetings, through written communication, including electronic communication such as e-mail or on social media, by telephone or through automatic supervision methods. It may occur on or off work premises, during work hours or non-work time.

2.4 PENALTIES
Bullying and harassment by any employed persons can be considered examples of gross misconduct which will be dealt with through the Disciplinary Procedure at Gross Misconduct level and may result in summary dismissal from the council. If elected Members are bullying or harassing employees, contractors, fellow councillors, others then a referral through the Standards process in place at the time reported as a contravention of the Member’s Code of Conduct could be an appropriate measure. If an employee is experiencing bullying or harassment from a third party the council will act reasonably in upholding its duty of care towards its own employees. In extreme cases harassment can constitute a criminal offence and the council should take appropriate legal advice, often available from the council’s insurer, if such a matter arises.

2.5 THE LEGAL POSITION
Councils have a duty of care towards all their workers and liability under common law arising out of the Employment Rights Act 1996 and the Health and Safety at Work Act 1974. If an employer fails to act reasonably with regard to this duty of care by allowing bullying or harassment to continue unchallenged an employee may decide to resign and claim ‘constructive dismissal’ at an Employment Tribunal.

Under the Equality Act 2010 bullying or harassment related to one of the protected characteristics covered by the Act (age, gender, marital status, sexual orientation, race, religion, belief, colour, disability) can be considered unlawful discrimination which could lead to an Employment Tribunal claim for discrimination against the corporate employer, the council and the perpetrator(s) as individual named Respondents.

In addition, the Criminal Justice and Public Order Act 1994 and Protection from Harassment Act 1997 created a criminal offence of harassment with a fine and/or prison sentence as a penalty and a right to damages for the
A harasser may be personally liable to pay damages if a victim complains to an Employment Tribunal on the grounds of discrimination. The 1997 Act was originally designed to assist in stalking situations but case law has demonstrated that it can be relevant to employment disputes, for instance; employers can be vicariously liable for harassment received in the workplace, that the conduct is viewed as ‘serious’, or ‘oppressive and unacceptable’, that a ‘course of conduct’ needs to be established but that this can link incidents which are separated by long time periods and that damages for personal injury and distress can be awarded under the Act.

2.6 PROCESS FOR DEALING WITH COMPLAINTS OF BULLYING AND HARASSMENT

2.6.1 Informal approach
Anyone; employee, contractor, member or visitor, who feels he or she is being bullied or harassed should try to resolve the problem informally, in the first instance. It may be sufficient to explain to the person(s) involved in the unwanted behaviour, or an intermediary, that their conduct is unacceptable, offensive or causing discomfort. Anyone concerned about being bullied or harassed is encouraged to maintain a journal or other record of the incidents.

2.6.2 Formal approach
(a) Employees
Where the employee feels unable to resolve the matter informally any complaint about harassment or bullying can be raised confidentially and informally, initially with the Chair of the Staffing/Personnel committee or another Councillor if more appropriate. It may be appropriate for the complaint to be put in writing after the initial discussion, as this will enable the formal Grievance Procedure to be invoked. The employee will be expected to provide evidence of the conduct about which s/he is complaining.

(b) Others
Any other party to Enborne Parish Council, other than an employee, who feels he or she is being bullied or harassed should raise their complaint with Enborne Parish Council, where possible, if an informal notification to the alleged perpetrator has been unsuccessful at eliminating the problem. The complaint should then be investigated and a meeting held to discuss the facts and recommend the way forward. A member of the public who feels s/he has been bullied or harassed by any Members or officers of Enborne Parish Council should use the Enborne Parish Council’s official Complaints Procedure. It is important that the Officer(s) or Member(s) being complained about do not prevent Enborne Parish Council from operating impartially in its investigation and decision-making in this regard.
2.7 GRIEVANCE – EMPLOYEES ONLY
A meeting to discuss the complaint with the aggrieved party will normally be arranged within five working days of a written complaint being received and will be held under the provisions of Enborne Parish Council’s Grievance Procedure. This meeting will be to discuss the issues raised and a way forward for the member(s) of staff involved. Employees have a right to be accompanied by a work colleague or a trade union representative at this meeting. A full investigation of the complaint will be held by an officer, or other duly appointed person as appointed by the committee of Enborne Parish Council which is handling the process. It may be appropriate for an external investigator to be involved in order to maintain objectivity and impartiality. The Hearing Panel will publish its recommendations following deliberation of the facts. An action plan should be made available to the aggrieved employee to demonstrate how the problem is to be resolved. It may be decided that mediation or some other intervention is required and Enborne Parish Council should contact NALC, an employer’s body or ACAS to this effect or Enborne Parish Council may offer counselling. The employee will have a right of appeal. At all times the confidentiality of the grievance will be of paramount importance in order to maintain trust in the process hence details of the full grievance will not be shared with the full council without prior approval by the aggrieved party. Enborne Parish Council will commit not to victimize the aggrieved for raising the complaint once the appropriate dispute resolution process has been concluded.

2.8 DISCIPLINARY ACTION
Following a Grievance Hearing or investigation into allegations of bullying or harassment a full report will be made to all parties and this may result in disciplinary action being taken against the perpetrator of the alleged action/behaviour.

For an Employee found to have been bullying/harassing others this will follow Enborne Parish Council’s Disciplinary procedure under the ACAS Code of Practice and would normally be treated as Gross Misconduct.

For Members who Enborne Parish Council reasonably believe have been bullying or harassing another person(s) whilst undertaking council activities the range of sanctions available to Enborne Parish Council, are limited and must be reasonable, proportionate and not intended to be punitive. In some cases counselling or training in appropriate skill areas e.g. inter-personal communication, assertiveness, chairmanship etc. may be more appropriate than a penalty. Sanctions may include; admonishment, issuing an apology or giving an undertaking not to repeat the behaviour, removal of opportunities to further harass/bully such as removal from a committee(s) where direct contact with the employee or decision-making about that employee will take place, or removing the right to representation on any outside bodies where there will be contact with the employee who has raised the complaint. A referral under the Code of Conduct to the relevant reviewing body is usually an appropriate
step and there may be further disciplinary sanctions available as a result of the Standards Committee (England) or Ombudsman (Wales) reviewing the evidence under the Code in place at the time.

A referral to the Police under the Protection from Harassment Act 1997 may also be appropriate in the more extreme cases.

False or malicious allegations of harassment or bullying which damage the reputation of a fellow employee/Member will not be tolerated and will be dealt with as serious misconduct under the Disciplinary Procedure or a referral to the Standards process.

2.9 RESPONSIBILITIES
All parties to Enborne Parish Council have a responsibility to ensure that their conduct towards others does not harass or bully or in any way demean the dignity of others. If unacceptable behaviour is observed then each individual can challenge the perpetrator and ask them to stop. There needs to be agreement about how “robust people management” and “bullying” differ; effective management of performance will usually include feedback based on objective evidence, delivered by a committee specifically designated and often trained to manage and appraise staff, with dialogue occurring on a face to face basis in confidential surroundings. Bullying is more likely to be complained about when individual Members criticise staff, often without objective evidence, without the mandate from the corporate body of Enborne Parish Council and in environments which are open to the public or other employees or by way of blogs, social media comments, or in the pub or local playground.

Enborne Parish Council undertakes to share its policy with all members and workers and request that each party signs to demonstrate acceptance of its terms. All new members and employees will be provided with a copy of this policy.

A review of the policy shall be undertaken each year (or as appropriate) and necessary amendments will be undertaken by the Clerk and reported to the full council for approval.

Enborne Parish Council will undertake to ensure that its members and workers are trained in the processes required by this policy as deemed appropriate.

2.10 Useful contacts
• ACAS www.acas.org.uk
• Local Government Ombudsman for England www.lgo.org.uk
• SLCC www.slcc.co.uk
• DirectGov website www.GOV.uk
3. DISCIPLINARY POLICY

3.1 PURPOSE AND SCOPE
This procedure is designed to help and encourage all Enborne Parish Council employees to achieve and maintain high standards of conduct whilst at work or representing Enborne Parish Council. The aim is to ensure consistent and fair treatment for all. This procedure is prepared in accordance with the dismissal and dispute resolution procedures as set out in the Employment Act 2008 and the ACAS Code of Practice APR 2009.

3.2 PRINCIPLES
a) No disciplinary action will be taken against an employee until the case has been fully investigated.
b) At every stage in the procedure the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made.
c) At all formal stages the employee will have the right to be accompanied by a trade union representative or work colleague during the disciplinary interview.
d) No employee will be dismissed for a first breach of discipline except in the case of gross misconduct when the penalty of dismissal without notice or payment in lieu of notice may be applied.
e) An employee will have the right to appeal against any disciplinary penalty imposed.
f) The procedure may be implemented at any stage if the employee’s alleged misconduct warrants such action.

3.3 THE PROCEDURE FOR MISCONDUCT and GROSS MISCONDUCT
3.3.1 The following list provides examples of misconduct which will normally give rise to formal disciplinary action:
- Unauthorised absence from work
- Persistent short-term and/or frequent absences from work without a medical reason
- Lateness for work or poor time keeping
- Inappropriate standard of dress
- Minor breaches of Health and Safety or other Society rules or procedures
- Failure to perform the job to the standard expected or in line with your job description/objectives
- Time wasting
- Disruptive behaviour
- Misuse of the Enborne Parish Council’s facilities (e.g. telephones, computers, e-mail or the internet)
- Refusal to carry out reasonable requests or instructions
- Smoking in unauthorised areas
- Failure to follow an agreed Enborne Parish Council Procedure
This list is not exhaustive and offences of a similar nature will result in disciplinary action being instigated N.B. persistent or frequent absence on medical grounds and long term sickness absence will be dealt with using a procedure for Incapacity, which is described in the Absence Policy.

### 3.3.2 The following list provides examples of offences which are normally regarded as gross misconduct:

- Theft, fraud, deliberate falsification of records, or other acts of dishonesty
- Fighting, assault on another person
- Deliberate damage to property of Enborne Parish Council, its workers or members
- Gross incompetence in the conduct of work
- Gross negligence which results in Enborne Parish Council or employees being put at risk.
- Being under the influence of illegal drugs or excessive alcohol
- Acts of incitement towards or actual acts of discrimination, harassment or victimisation including on the grounds of sex, race, colour, ethnic origin, disability, sexual orientation, age, religion or belief
- Serious acts of insubordination
- Serious breach of duty to keep information of the council, its service providers and its clients confidential
- Unauthorised entry to computer records
- Serious breach of the council’s Security Policy, Health & Safety Policy, Confidentiality or e-mail and Internet Policy
- Any action, whether committed on or off the premises, that is likely to or does bring the council into disrepute
- Serious negligence which causes or might causes significant loss, damage or injury
- Accepting bribes or incentive payments from suppliers
- Unauthorised use of Society funds or credit
- Working with an external agency to provide information which would be detrimental to and cause commercial risk to the council.

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

### 3.4 INFORMAL ACTION

Minor misconduct will be dealt with informally usually in a confidential one-to-one meeting between the employee and line manager. In the case of the Clerk being the individual against whom there is a complaint or allegation the matter should be handled discreetly by members of the Staffing (or similar) committee and involve an informal meeting initially. However, where the matter is more serious or informal action has not brought about the necessary improvement Formal Action will be used:
3.5 FORMAL ACTION

3.5.1 The level of warning an employee may receive for misconduct/gross misconduct will depend on how serious Enborne Parish Council considers the alleged actions to be and the employee’s previous conduct in all the circumstances. In the event of alleged gross misconduct the formal process may commence at Stage 4.

3.5.2 Disciplinary Letters
If there is a concern about an employee’s conduct or behaviour then a letter will be given to the employee advising him/her of the allegation(s) and reasons why this is unacceptable. The letter should invite the employee to attend a meeting at which the alleged misconduct will be discussed and will inform the employee of their right to be accompanied to the meeting. The letter will specify at which stage the disciplinary procedure is being invoked (see 4 stages below) and if invoked at Stage 4 for Gross Misconduct the letter will warn that a potential outcome could be dismissal. The time, date and venue of the meeting will also be advised. Any documents to be produced at the meeting will also be provided.

3.5.3 Disciplinary Meetings
The time and location of a disciplinary meeting should be agreed with the employee and it should be held in a private location with no interruptions. This will normally be without undue delay but allowing the employee to prepare their case e.g. within 5 days of the letter being sent, where practically possible. At the meeting the manager (or in the case of the Clerk being disciplined, the Chair of the hearing panel) will state the complaint against the employee and go through the evidence which has been gathered. The employee will also be allowed to ask questions, present evidence and call witnesses if advance notice has been given that they will do so.

If the employee is unable to attend the meeting due to unforeseeable reasons out of their control (e.g. illness) then the council will reasonably rearrange the meeting. However, if the employee fails to attend the meeting without good reason the meeting can be held in the employee’s absence.

3.6 OUTCOMES AND PENALTIES

3.6.1 Stage 1 - Oral Warning
In the instance of a first complaint that conduct does not meet acceptable standards, the employee will normally be given a formal ORAL WARNING. He or she will be advised of;

- the reason for the warning,
- that it is the first stage of the disciplinary procedure,
- the improvement that is required and the timescales for achieving this improvement,
- together with a review date and any support available (where applicable) and
• his or her right of appeal.

A brief note of the oral warning will be kept but it will be spent after 6 months, subject to satisfactory conduct.

3.6.2 Stage 2 - Written Warning

If the offence is a serious one, or if further to previous formal disciplinary action, a WRITTEN WARNING will be given to the employee by the Line Manager. This will give details of the complaint, the improvement required and the timescale. It will warn that action under Stage 3 will be considered if there is no satisfactory improvement and will advise of the right of appeal. A copy of this written warning will be kept on file but it will be disregarded for disciplinary purposes after 12 months subject to satisfactory conduct.

3.6.3 Stage 3 – Final Written Warning

If there is still a failure to improve and conduct or performance is still unsatisfactory, or the misconduct is sufficiently serious, a FINAL WRITTEN WARNING will normally be given to the employee. This will give details of the complaint, will warn that dismissal will result if there is no satisfactory improvement and will advise of the right of appeal. A copy of this final written warning will be kept by the Line Manager (or in the case of the Clerk being disciplined by the Chair of the Hearing Panel) but it will be spent after 12 months (in exceptional cases the period may be longer) subject to satisfactory conduct.

3.6.4 Stage 4 – Dismissal or other sanctions

If conduct is still unsatisfactory and the employee still fails to reach the prescribed standards, or where the Society reasonably believes Gross Misconduct has occurred, DISMISSAL may result. Only the appropriately convened hearing panel can take the decision to dismiss an employee. The employee will be given a written statement of allegations against him/her, invited to a meeting and then be notified in writing of the reasons for the decision taken at the hearing. Penalties at this stage may include dismissal with notice or summary dismissal (i.e. without any notice), Final Written Warning with/without demotion, loss of pay or loss of seniority. If dismissal is the outcome, the employee will be advised of the date on which employment will terminate. In all cases the employee has a right of appeal.

Very exceptionally, if an offence of Gross Misconduct is extremely serious an employee can be dismissed immediately without a meeting. In this situation a letter setting out reasons for dismissal would be sent to the employee offering the opportunity for an appeal hearing.

3.7 SUSPENSION

If an employee is accused of an act of gross misconduct, they may be suspended from work on full pay while Enborne Parish Council investigates the alleged offence. Only the appropriately convened
committee has the power to suspend. This enables a swift and thorough investigation to occur. Whilst suspended pending disciplinary investigation regular contact with a nominated person at the council will be maintained although access to premises, equipment or systems may be denied. The Investigator who compiles evidence for the disciplinary hearing must play no part in the subsequent decision-making to ensure impartiality. Enborne Parish Council needs to consider the implications of such arrangements on its hearing and appeal panel plans early on in the disciplinary process.

3.8 APPEALS
The Appeals stage of the disciplinary process is part of the Code of Practice to which an employee has a right. It can be exercised after any of the stages of disciplinary action for Misconduct/Poor Performance or Gross Misconduct.

An employee who wishes to appeal against a disciplinary decision should inform the Chair/Mayor (or Chair of the relevant committee) within five working days, in writing and giving reasons for the appeal. An Appeal may be raised if:

- The employee thinks the finding or penalty is unfair
- New evidence has come to light
- The employee thinks that the procedure was not applied properly.

Where possible the Appeal will be heard by a separate panel of elected members who have not been involved in the original disciplinary hearing, who will view the evidence with impartiality. The employee will have the right to be accompanied by a colleague or accredited Trade Union official or lay member at the appeal hearing. The outcome of the appeal and reasons for it will be advised to the employee as soon as possible after the meeting and be confirmed in writing. At the Appeal hearing any disciplinary penalty imposed will be reviewed but it cannot be increased. The decision taken at the Appeal hearing will be final.

3.9 THE RIGHT TO BE ACCOMPANIED
At each formal stage of disciplinary interview an employee has the right to be accompanied and can make a reasonable request for such a person to accompany them. An employee can ask any other employee or a trade union representative or an appropriately accredited official employed by a trade union to accompany them, to give support and help them prepare for the disciplinary interview. This right is enshrined in the 1999 Employment Relations Act. As this is an internal process there is no provision to have any external person accompany or represent an employee e.g. partner, parent, solicitor etc. the companion can address the hearing, put and sum up the employee’s case, respond on behalf of the worker to any views expressed at the meeting, confer with the employee. The companion cannot however answer questions on the employee’s behalf or address the hearing if the employee does not wish him/her to or prevent the employee explaining their case.
3.10 HEARING PANELS
The SLCC advise that Enborne Parish Council should establish hearing panels to hear disciplinary and grievance hearings on an annual basis so that if a dispute does arise in the workplace the elected members involved are already trained and briefed on their duties as a hearing or appeal panel member. In situations where individual members are implicated in the dispute or have undertaken an investigatory role then they will need to be substituted as panel members.

3.11 NOTE-TAKING
It is highly recommended that a note-taker be provided to every meeting/hearing which arises as a result of a disciplinary process as Employment Tribunals are particularly keen to view contemporaneous notes of events which have led to an employment dispute. Enborne Parish Council will need to give this requirement careful consideration in order to respect employee confidentiality.

3.12 GRIEVANCES RAISED DURING DISCIPLINARIES
In some circumstances when a disciplinary process has commenced an employee chooses to exercise his/her right to raise an internal grievance about the employment relationship with Enborne Parish Council or individual Members. The SLCC recommends, in line with ACAS advice, that disciplinary matters are placed on hold until grievances have been aired and actions towards a resolution have been progressed. In exceptional circumstances it is pragmatic to deal with the two disputes concurrently but SLCC would advise caution and specialist advice should be sought if this arises.

3.13 CRIMINAL CHARGES OR CONVICTIONS
If an employee is charged with or convicted of a criminal offence this does not automatically give rise to a disciplinary situation. Consideration needs to be given to how a charge or conviction may affect an employee’s ability to undertake his or her job duties and their relationships with the employer, colleagues, subordinates or customers.

3.14 GETTING IT WRONG
Failure to follow the ACAS Code of Practice (available at www.acas.org.uk) can lead to an Employment Tribunal awarding an uplift of an award against Enborne Parish Council of up to 25%. Tribunals dealing with unfair dismissal claims are particularly interested in whether the employer followed a procedure and whether the employer acted fairly and reasonably. One way in which to avoid such a penalty is to have an agreed procedure, communicate that procedure to staff and Members, revisit and review the procedure regularly and have some training for those who are expected to operate the procedure.
4 DOCUMENT MANAGEMENT POLICY

4.1 INTRODUCTION
Under Section 46 of the Freedom of Information Act 2000 (Code of Practice on the management of records), the following recommended practice has been adopted in relation to the retention, management and disposal of Enborne Parish Council’s documents and records.

Good records and information management benefits those requesting information because it provides some assurance that the information provided will be complete and reliable. It benefits those holding the requested information because it enables them to locate and retrieve it easily within the statutory timescales or to explain why it is not held. It also supports control and delivery of information promised in Enborne Parish Council’s Publication Scheme or required to be published by the Environmental Information Regulations 2004 (the EIR) and in accordance with Standing Orders.

4.2 GOOD PRACTICE
Good practice in records management is made up of a number of key elements:

a. Enborne Parish Council should have in place a formal records management policy, with organisational arrangements in place to support that policy.

b. Enborne Parish Council should ensure it keeps the records it needs for business, regulatory, legal and accountability purposes.

c. Records should be kept in systems that enable the records to be stored and retrieved as necessary.

d. Enborne Parish Council should know what records it holds, where they are and that they remain usable for as long as they are required (i.e. that they can be retrieved, used and relied upon).

e. Records should be stored securely, with access to them controlled.

f. Enborne Parish Council should define how long it needs to keep particular records, should dispose of them when they are no longer needed and should be able to explain why records are no longer held (i.e. if they have been disposed of or transferred to a third party).

g. Records shared with other bodies or held on their behalf by other bodies should be managed in accordance with the FOIA Code of Practice.

h. Enborne Parish Council should monitor compliance with the FOIA Code of Practice and assess the overall effectiveness of the records management policy.

i. The policy should be kept up-to-date so that it reflects the current needs of Enborne Parish Council, by reviewing it at agreed intervals, e.g. every year or after major organisational or technological changes.

j. Enborne Parish Council should publish the policy so that members of the public can see the basis on which it manages its records.
4.3 REQUESTS FOR INFORMATION
Requests for information can be made under the Freedom of Information Act (FOIA) and Environmental Information Regulations (EIR). As a matter of good practice, the Information Commissioner’s Office recommends that any requested information should be kept for at least 6 months after the date of the last communication about the request, to allow for appeals to the Information Commissioner (Source: ICO Practical guidance: Destruction of requested information).

4.4 ANONYMOUS COMMUNICATIONS
Any communication received anonymously will be reported to Enborne Parish Council or a relevant Committee and action taken, if appropriate. Any anonymous letter or e-mail received will then be destroyed.

4.5 DOCUMENT MANAGEMENT
- Any hard copy documentation, whether by received by post or delivered by hand, is to be date stamped.
- All documents received are to be logged in the “post in” book.
- All documentation is to be read by the Clerk.
- The receiving officer is then to decide the appropriate action:
  (a) Action under Clerk’s delegated powers
  (b) Put in Full Council Correspondence Tray to be listed on next Enborne Parish Council Agenda and then taken to next meeting
  (c) Put in appropriate Committee Correspondence Tray to be listed on next Committee Agenda and then taken to next meeting
  (d) Send to the Chairman of the Council for perusal and comment
  (e) Forward to specific named Councillor
- The original document is to be filed in Enborne Parish Council records together with a copy of any reply or a note of the action taken (see Document Retention below).
- Letters to be sent are to be recorded in the “post out” log, weighed, stamped and posted (large items are to be taken to the Post Office for weighing).
- Signed minutes are to be taken to Berkshire Record Office annually after audit.
### 4.6 DOCUMENT RETENTION

**Key:**  
- **P** = Preserve permanently;  
- **R** = Review after Minimum retention Period;  
- **D** = Destroy after Minimum retention Period

<table>
<thead>
<tr>
<th>Record</th>
<th>Action</th>
<th>Minimum Retention Period</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Signed Minutes of Council Meetings</td>
<td>P</td>
<td>Indefinite</td>
<td>Archives</td>
</tr>
<tr>
<td>Reports &amp; other documents circulated with agendas not attached to signed Minutes</td>
<td>R</td>
<td>1 year</td>
<td>Archives</td>
</tr>
<tr>
<td>Agendas (normally)</td>
<td>D</td>
<td>1 year</td>
<td>Reference</td>
</tr>
<tr>
<td>Agendas (if Minutes do not survive)</td>
<td>P</td>
<td>Indefinite</td>
<td>Archives</td>
</tr>
<tr>
<td>Councillors’ Declarations of Office</td>
<td>P</td>
<td>Indefinite</td>
<td>Archives</td>
</tr>
<tr>
<td>Byelaws and Orders</td>
<td>P</td>
<td>Indefinite</td>
<td>Audit, Mngmnt</td>
</tr>
<tr>
<td>Title Deeds, Leases, Agreements, Contracts &amp; Wayleaves</td>
<td>P</td>
<td>Indefinite</td>
<td>Audit, Mngmnt</td>
</tr>
<tr>
<td>Property registers &amp; terriers, including register and plans for allotments</td>
<td>P</td>
<td>Indefinite</td>
<td>Audit, Mngmnt</td>
</tr>
<tr>
<td>Maps, plans &amp; surveys of property owned by Enborne Parish Council</td>
<td>P</td>
<td>Indefinite</td>
<td>Archives</td>
</tr>
<tr>
<td>Correspondence and papers on important local issues or activities</td>
<td>R</td>
<td>5 years</td>
<td>Archives</td>
</tr>
<tr>
<td>Planning applications and related papers for major controversial developments, and also planning appeal decisions</td>
<td>R</td>
<td>5 years</td>
<td>Reference</td>
</tr>
<tr>
<td>Planning Applications &amp; related papers for minor works where permission is granted</td>
<td>D</td>
<td>Retain until notification of Approval by WBC</td>
<td>Reference</td>
</tr>
<tr>
<td>Planning Applications &amp; related papers for minor works where permission is refused</td>
<td>D</td>
<td>Retain until appeal period has expired</td>
<td>Reference</td>
</tr>
<tr>
<td>Successful quotations and tenders for major works</td>
<td>R</td>
<td>12 years</td>
<td>Statute of limitation</td>
</tr>
<tr>
<td>Successful quotations and tenders for minor works</td>
<td>D</td>
<td>12 years</td>
<td>Statute of limitation</td>
</tr>
<tr>
<td>Unsuccessful tenders</td>
<td>D</td>
<td>3 years</td>
<td>Challenge</td>
</tr>
<tr>
<td>Routine correspondence, papers &amp; e-mails</td>
<td>D</td>
<td>Retain as long as useful</td>
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</tr>
<tr>
<td>Record</td>
<td>Action</td>
<td>Minimum Retention Period</td>
<td>Reason</td>
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<tr>
<td>----------------------------------------------------------------------</td>
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<td>----------------------------</td>
</tr>
<tr>
<td>Personnel records</td>
<td>D</td>
<td>Period of employment + 3 years</td>
<td>Limitation period</td>
</tr>
<tr>
<td>Health &amp; Safety records including accident report sheets</td>
<td>D</td>
<td>21 years</td>
<td>Limitation period</td>
</tr>
<tr>
<td>Scale of Fees and Charges</td>
<td>D</td>
<td>5 years</td>
<td>Mngmnt</td>
</tr>
<tr>
<td>Insurance Policies</td>
<td>D</td>
<td>Retain while valid + 1 yr</td>
<td>Audit, Mngmnt</td>
</tr>
<tr>
<td>Employer’s Liability Certificates</td>
<td>P</td>
<td>Retain for 40 years</td>
<td>Mngmnt</td>
</tr>
<tr>
<td><strong>Finance</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Receipts and payments books</td>
<td>P</td>
<td>Indefinite</td>
<td>Archives</td>
</tr>
<tr>
<td>Investments</td>
<td>P</td>
<td>Indefinite</td>
<td>Audit, Mngmnt</td>
</tr>
<tr>
<td>Financial Returns to External Auditor</td>
<td>D</td>
<td>6 years</td>
<td>Audit</td>
</tr>
<tr>
<td>Internal Auditor Reports</td>
<td>D</td>
<td>6 years</td>
<td>Audit</td>
</tr>
<tr>
<td>Bank Statements, including deposit/saving accounts</td>
<td>D</td>
<td>Last completed audit year</td>
<td>Audit</td>
</tr>
<tr>
<td>Bank Paying-in books and cheque book stubs</td>
<td>D</td>
<td>Last completed audit year</td>
<td>Audit</td>
</tr>
<tr>
<td>Paid Invoices</td>
<td>D</td>
<td>6 years</td>
<td>VAT</td>
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<tr>
<td>Paid Cheques</td>
<td>D</td>
<td>6 years</td>
<td>Limitation period</td>
</tr>
<tr>
<td>VAT Records</td>
<td>D</td>
<td>6 years</td>
<td>VAT</td>
</tr>
<tr>
<td>Time Sheets</td>
<td>D</td>
<td>Last completed audit year</td>
<td>Audit</td>
</tr>
<tr>
<td>Salary Records</td>
<td>D</td>
<td>12 years</td>
<td>Limitation period</td>
</tr>
<tr>
<td>Records relating to parish halls, centres and recreation grounds; applications to hire, lettings diaries, copies of bills to hirers and records of payment</td>
<td>D</td>
<td>6 years</td>
<td>VAT</td>
</tr>
<tr>
<td><strong>Miscellaneous</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maps created under provision of the Rights of Way Act 1992</td>
<td>P</td>
<td>Indefinite</td>
<td>Archives</td>
</tr>
<tr>
<td>Community Magazines/News Letters</td>
<td>R</td>
<td>5 years</td>
<td>Archives</td>
</tr>
<tr>
<td>Parish magazines, press cuttings and photographs</td>
<td>P</td>
<td>Indefinite</td>
<td>Archives</td>
</tr>
<tr>
<td>Record</td>
<td>Action</td>
<td>Minimum Retention Period</td>
<td>Reason</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>--------</td>
<td>--------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Any records dating from before 1894 now held by Enborne Parish Council</td>
<td>P</td>
<td>Indefinite</td>
<td>Historical</td>
</tr>
<tr>
<td>Records of other bodies such as burial boards, charities, fire brigades, home guard units, local societies and ad hoc committees</td>
<td>P</td>
<td>See under Admin and Finances</td>
<td></td>
</tr>
<tr>
<td>Reports, Guides, handbooks etc received by Enborne Parish Council from other bodies</td>
<td>R/D</td>
<td>Retain as long as useful</td>
<td></td>
</tr>
</tbody>
</table>
5. **E-MAIL POLICY**

5.1 **INTRODUCTION**

The e-mail system exists to provide Enborne Parish Council and intra-council communication. Limited personal use is permitted, provided it does not interfere with personal or general productivity, and conforms to the Enborne Parish Council’s e-mail policy.

5.2 **PRIVACY AND CONFIDENTIALITY**

E-mail messages have been used as evidence in legal proceedings and it is common business practice to retain backup copies. E-mail should not be assumed private, either internally or, in the event of legal action, externally. In some circumstances, Enborne Parish Council may monitor and block e-mail messages and people other than the author and the recipient may read them. Enborne Parish Council confidential information should not be sent by e-mail, even if intended only for internal receipt.

5.3 **VIRUSES, GAMES AND UNAUTHORISED SOFTWARE**

Viruses can destroy systems, software and data on computers across the network, so computer programs, games, animations, cards or screen savers (all of which are types of computer program) or any unchecked data or unofficial software, must not be loaded on to, downloaded to, or distributed on any of Enborne Parish Council’s PCs, laptops or other computer systems. Wherever possible Enborne Parish Council will seek to identify and block inbound and internal e-mail messages containing attachments, which may be potentially damaging, unauthorised or illegal, and to maintain a high degree of protection (anti-virus).

If an unofficial program or unauthorised software is received - either by e-mail attachment or any other method – it should not be opened, stored or forwarded to other users, either internal or external. Even trusted sources can unwittingly spread a virus. Any e-mails of this type should be deleted. If there is concern that a message or attachment may contain a virus or program, the Clerk should be notified immediately.

The Clerk will either clear it from the computer and ensure it has not infected other PCs etc, or obtain assistance to do so. Chain e-mails should be ignored: many are disguised as ‘warnings’ of computer viruses, or incredible ‘special offers’ and requests to forward the message to others. These e-mails should not be forwarded to anyone else.

5.4 **RETENTION AND PURGING**

E-mail files should be purged every 90 days. Personal e-mail files need to be purged regularly, or the mailbox may overload and reject incoming messages. It is recommended that non-essential messages are not kept for more than 90 days in personal e-mail storage.
5.5 COPYRIGHT AND OWNERSHIP
As is the case with papers or documents received as an employee, e-mail messages and attachments remain the property of Enborne Parish Council. E-mail messages or attachments generated by in the capacity of an employee are both the property and copyright material of Enborne Parish Council. Usage of the e-mail system – including message content – may be monitored to support, among other things, operational, maintenance, auditing, security and investigative activities. Enborne Parish Council may also, from time to time, be called upon to turn over e-mail files to law enforcement agencies, regulatory authorities and private litigants.

5.6 CONTRACTS AND NEGOTIATIONS
E-mail protocols are less formal than normal business ones, but e-mail with trading partners or customers should be treated in the same way as other business correspondence. In contract negotiations, terms set out or implied in an e-mail correspondence may be legally binding on Enborne Parish Council or the recipient. The wording below is appended to all e-mail messages being sent outside Enborne Parish Council.

‘This e-mail is from Enborne Parish Council. This message, its contents and any attachments to it are private and confidential. Any unauthorised disclosure, use or dissemination of the whole or any part of this message (without our prior consent in writing) is prohibited. If you are not the intended recipient of this message please notify us immediately. No contracts or agreements may be concluded on behalf of Enborne Parish Council by means of e-mail.’

5.7 NON-COUNCIL ACTIVITIES
The e-mail system must not be used for soliciting for non-council charitable endeavours, conducting private business activities or other non-council activities, distributing advertising material or other non-business literature to other employees, soliciting their involvement in non-council activities, or for sending chain letters.

5.8 OFFENSIVE MATERIAL
Those using Enborne Parish Council’s e-mail system do so having accepted the risk that inbound e-mails may contain explicit or offensive material that is beyond the control of Enborne Parish Council. Enborne Parish Council appreciates that recipients have little control over the content of incoming e-mail from outside Enborne Parish Council, but employees are strictly prohibited from soliciting, storing or distributing e-mails or attachments containing material which is, or may be interpreted to be, discriminatory, defamatory, abusive or offensive to the recipient or any other individual or organisation.
5.9 INTELLECTUAL PROPERTY
The system may not be used to compose or distribute e-mail messages or attachments which breach copyright, trademark or other intellectual property rights of any other person or organisation.

5.10 INTEGRITY
Users of the e-mail system must draft messages and attachments in accordance with Enborne Parish Council policy and with legislation on discrimination, harassment and defamation.
6 INTERNET POLICY

6.1 VALID USE
Enborne Parish Council has connections to the Internet allowing staff to gather information for Council use and research. In such circumstances, to protect employees and Enborne Parish Council, employees must have the agreement of the Chair or Vice Chair before beginning their research. To ensure employee rights are safeguarded, staff should request that this agreement is given in writing or via e-mail so that a record may be kept. It is, however, recognised that there will be occasions when staff use the Internet for their personal use but these should be kept to a minimum. The Internet should not be used for accessing sites that could be taken to be discriminatory, defamatory, offensive or abusive.

6.2 RECORD OF USE
In order to protect systems integrity and reliability, an electronic record of use of the Internet is maintained. Audits of Internet use may be carried out to help identify any potential abuse.

6.3 REGISTRATION WARNINGS
Many sites on the Internet will prompt users to ‘click to register’ to gain access. Be guarded about the information you provide them. Some of these sites trap your details with the intention of selling it direct to mail companies.

6.4 COMPLIANCE
Failure to comply with the internet policy may result in suspension of these facilities and disciplinary action, which could result in dismissal.
7. EQUAL OPPORTUNITIES POLICY

7.1 LEGAL POSITION
It is unlawful to discriminate against an individual on the following grounds:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Under the Equality Act 2010 these are known as “protected characteristics”.

7.2 PURPOSE
The purpose of this policy is to provide equal opportunities to all employees, irrespective of their characteristics (unless there are genuine occupational qualifications or objectively justified reasons for a different approach to be taken). Enborne Parish Council opposes all forms of unlawful and unfair discrimination whether it be direct or indirect discrimination, victimization or harassment on the grounds of any of the protected characteristics defined in the Equality Act 2010.

7.3 SCOPE
All employees whether full-time, part-time, fixed term contract, agency workers or temporary staff, will be treated fairly and equally. Selection for employment, promotion, training, remuneration or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of Enborne Parish Council.

7.4 COMMITMENT
Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated. This is further defined in the Dignity at Work policy adopted by Enborne Parish Council. The commitment to equal opportunities in the workplace is good management practice and makes sound business sense as it seeks to utilise the talents available from the local community, representing society as a whole.
This policy is fully supported by all Members of Enborne Parish Council and the Parish Council has adopted the model contract of employment as devised by the employee professional body in the local government sector (the Society of Local Council Clerks).

7.5 BREACHES OF THE POLICY
Breaches of Enborne Parish Council’s equal opportunities policy will be regarded as serious misconduct and could lead to disciplinary proceedings. Employees are entitled to complain about discrimination or harassment or victimization through Enborne Parish Council’s Grievance procedure.

7.6 MONITORING
The policy will be monitored and reviewed annually. Other Personnel policies will be reviewed against the values stated in this main Equal Opportunities policy to ensure that Enborne Parish Council strives to remain an Equal Opportunities employer.
8. GRIEVANCE POLICY

8.1 PURPOSE AND SCOPE
It is the policy of Enborne Parish Council to give employees the opportunity to air and seek redress for any individual employment grievance which they may have. Grievances may be any concerns, problems or complaints employees wish to raise with Enborne Parish Council. This document describes the procedure which aims to facilitate a speedy, fair and consistent solution to an individual employee’s employment grievance. This procedure is produced in line with the ACAS Code of Practice as set out in the Employment Act 2008.

8.2 PRINCIPLES
• At every stage in the procedure an employee will be given the opportunity to state his or her case before any decision is made.
• Grievances will be dealt with promptly and consistently
• At all formal stages the employee will have the right to be accompanied by a work colleague or trade union representative during the Grievance Hearing.
• An employee will have the right to appeal against any outcome of a Grievance Hearing.
• At no time will an employee be penalised or victimised for having raised a Grievance against Enborne Parish Council

8.3 PROCEDURE

8.3.1 Wherever possible, any grievance should be raised informally with the employee’s line manager, or if this is inappropriate with the next level of management. In the case of the Clerk to Enborne Parish Council raising a grievance this should be directed to the Chair of Enborne Parish Council unless the complaint is about the Chair in which case another Member can be identified to handle the Clerk’s concerns. The recipient of the grievance from a clerk should share the grievance with the relevant committee established to handle employment matters and the issues should be treated with discretion and confidentiality at all times.

8.3.2 If the employee does not consider it appropriate to raise the grievance informally, or if requested by the person the employee spoke to informally, then the employee should submit a formal grievance in writing (written statement) to their line manager, or if this is inappropriate to the next level of management.

8.3.3 Generally, within a reasonable period of time e.g. five working days of receipt of a written complaint, the line manager or Chair of the appropriately convened committee or hearing panel will arrange a meeting with the employee. The Hearing Manager will endeavour to make the meeting arrangements mutually convenient and will arrange a confidential location, free from interruptions. The manager will investigate
the substance of the complaint and hear submissions from the employee concerned together with such other submissions or evidence as s/he shall consider appropriate and take such steps as s/he shall consider necessary to resolve the issue raised. It may be necessary to adjourn the meeting in order for an investigation to take place. Careful consideration of the evidence and the necessary steps required to resolve the problems will be given to the grievance. The employee may call witnesses by prior arrangement with the panel. There is no right for a Member or employee implicated in an employee’s grievance to cross examine the aggrieved during a grievance hearing but the panel may wish to make its own investigations through interviewing these individuals and/or other witnesses separately. The Panel may ask the employee what he or she would like to happen as a result of raising the grievance and bear this in mind when preparing the response.

**8.3.4** The Hearing Manager will advise the decision to the employee in writing and, where appropriate, include an action plan to assist in the resolution of the problem. Councils which handle internal disputes effectively generally consider the options and costs in a timely fashion, then agree and publicise the workable solutions, monitor, review and learn from the experience. There may be some value in exploring Mediation as a way in which to resolve differences between two parties. The SLCC can advise on approaches and bodies which may be able to assist (nb external organisations may levy a fee for such services)

**8.3.5** If the employee is dissatisfied with the decision of the line manager on his/her complaint, s/he may appeal against the decision to the Chair or other elected Member by written notice within five working days of the decision. An Appeal may be raised if:

- The employee thinks the finding, or action plan, is unfair
- New evidence has come to light
- The employee thinks that the procedure was not applied properly

On receipt of the appeal Enborne Parish Council’s Appeals Panel shall arrange to meet and consult with the employee, the line manager or Members concerned and any other persons, as s/he shall consider appropriate without unreasonable delay. The Appeal Hearing Chair shall consider the issues and shall then take all such steps, as s/he may consider necessary to resolve those issues. Where Enborne Parish Council’s Chair has chaired the initial grievance meeting the Vice Chair or Chair of another committee will hear the appeal as a hearing manager the decision of the Appeal Hearing will be final. Enborne Parish Council will need to ensure that the Members involved in the hearings are able to act impartially and reasonably at all times. The outcome of the appeal should be conveyed to the employee in writing in a timely manner.
8.3.6 If a grievance concerns alleged bullying or harassment the matter should be reported promptly to the employee’s Line Manager, or another manager/Member if more appropriate, with an indication of the required action. The complaint will then be investigated and any action taken and any resolution achieved will be reported back. If the solution is not satisfactory to the complainant, the matter will be discussed further and, if appropriate, an alternative solution agreed. The decision at this stage will generally conclude the enquiry. If a further appeal or review is available the employee will be notified. As a result of an investigation into a claim of harassment disciplinary action may be instigated against any alleged perpetrators of the action or in the case of alleged perpetrators being elected Members a Code of Conduct complaint lodged by Enborne Parish Council through the Standards process/Ombudsman in Wales.

8.3.7 At any formal stage of the procedure an employee may be accompanied by a fellow employee of their choice or their trade union representative or official of a trade union (appropriately accredited) but as this is an internal procedure they will not be entitled to be accompanied by any external supporter e.g. partner, parent, solicitor etc. This right to be accompanied is enshrined in the Employment Relations Act 1999. To exercise this right the employee should make a reasonable request. The companion will be allowed to address the hearing, put and sum up the employee’s case, respond to views expressed at the hearing and to confer with the employee during the hearing (sometimes in an adjournment) but is not allowed to answer questions on the employee’s behalf, address the hearing if the employee does not wish it or prevent the employer from explaining their case.

8.4 HEARING PANELS
The SLCC advise that councils establish hearing panels to hear disciplinary and grievance hearings on an annual basis so that if a dispute does arise in the workplace the elected members involved are already trained and briefed on their duties as a hearing or appeal panel member. In situations where individual members are implicated in the dispute or have undertaken an investigatory role then they will need to be substituted as panel members.

8.5 CONFIDENTIALITY
So far as is reasonably practicable, Enborne Parish Council will keep any grievance or complaint of harassment confidential between the manager or Member investigating the grievance or complaint, the employee and the person about whom the grievance or complaint is made. If it is necessary to investigate the matter with any other employee or person, the employee will be so advised.
8.6 RECORD KEEPING
In all cases, written records of the nature of the grievance raised, the employer’s response, action taken (with reasons), details of any appeal and subsequent developments will be retained and kept in accordance with the Data Protection Act 1998.

8.7 GRIEVANCES RAISED DURING DISCIPLINARIES
In some circumstances when a disciplinary process has commenced an employee chooses to exercise his/her right to raise an internal grievance about the employment relationship with Enborne Parish Council or individual Members. The SLCC recommends, in line with ACAS advice, that disciplinary matters are placed on hold until grievances have been aired and actions towards a resolution have been progressed. In exceptional circumstances it is pragmatic to deal with the two disputes concurrently but SLCC would advise caution and specialist advice should be sought if this arises.

8.8 GETTING IT WRONG
Following the repeal of the 2004 Dispute Resolution regulations employees no longer have to raise a grievance before going to an employment tribunal. However, establishing a mechanism for differences and disputes to be resolved internally can often allow the employment relationship to continue. Failure to follow the ACAS Code of Practice (available at www.acas.org.uk) when dealing with grievances can lead to an Employment Tribunal awarding an uplift of an award against Enborne Parish Council of up to 25%.
9. PRESS AND MEDIA POLICY

9.1 INTRODUCTION
The purpose of this policy is to define the roles and responsibilities within Enborne Parish Council for working with the press and media.

The intention of this policy is to establish a framework for achieving an effective working relationship with the media. Enborne Parish Council is accountable to the local community for its actions. Effective two-way communications with the media (press, radio, TV, internet and notice-boards etc.) convey information to the community.

9.2 THE LEGAL FRAMEWORK
The law governing communications in local authorities can be found in the Local Government Acts 1986 and 1988. Enborne Parish Council must also have regard to the Government’s Code of Recommended Practice on Local Authority Publicity. In particular, Officers and Members should always have due regard for the long-term reputation of Enborne Parish Council in all their dealings with the media. Confidential documents including exempt Minutes, reports, papers and private correspondence should not be leaked to the media.

When the media wish to discuss an issue that is, or is likely to be, subject to legal proceedings, then advice should be taken from Enborne Parish Council’s solicitor before any response is made. There are a number of personal privacy issues for the Clerk and Members that must be handled carefully and sensitively. These issues include the release of personal information, such as home address and telephone number, disciplinary procedures and long-term sickness absences that are affecting service provision. In all these and similar situations, advice must be taken from the Clerk before any response is made to the media.

9.3 CONTACT WITH THE MEDIA
Responses to the press relating to matters discussed by the Parish Council shall be dealt with in the first instance by the Parish Clerk. Enborne Parish Council Chairman is also authorised to give the views of Enborne Parish Council to the press on any non-confidential subject discussed by Enborne Parish Council.

Whenever possible any information given to the press shall be given in writing so as not to leave interpretation open to misunderstanding and misreporting. At no time shall the personal views of either members or officers of Enborne Parish Council be given to the press in a way which could be interpreted as the view of Enborne Parish Council as a whole.

Caution should be exercised when submitting letters to the editor for publication in newspapers. There are occasions when it is appropriate for
Enborne Parish Council to submit a letter, for example, to explain important policies or to correct factual errors in letters submitted by other correspondents. However, such letters should be kept brief and balanced in tone and correspondence should not be drawn out over several weeks.

Letters, social media and any public comments on websites representing the views of Enborne Parish Council should only be submitted by the Chair or the Clerk. If individual members choose to send letters to express their own opinions on Council policies, they are strongly advised to check their facts first with the Clerk. It should always be made absolutely clear whether the views put forward are those of Enborne Parish Council or of an individual Member.

At all times consideration should be given as to how the correspondence may affect the reputation of Enborne Parish Council.

9.4 MEDIA ATTENDANCE AT COUNCIL OR COMMITTEE MEETINGS
The Local Government Act 1972 requires that all agendas, reports and minutes are sent to the media on request, prior to the meeting.

Photographing, recording, broadcasting or transmitting the proceeding of a meeting of Enborne Parish Council by any means is permitted if this does not disrupt the meeting. Members of the public not wishing to be filmed will, on making themselves known to the Chairman, be seated separately as appropriate.

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

9.5 PRESS RELEASES
The purpose of a press release is to make the media aware of a potential story, to provide important public information, to explain Enborne Parish Council’s position on a particular issue or to highlight a meeting or event. It is the responsibility of the Clerk and all Members to look for opportunities where the issuing of a press release may be beneficial.

The Clerk or Members may draft a press release; however, they must all be issued by the Clerk following agreement by the Chair.

9.6 NOTICES
Enborne Parish Council website will be used to convey information on matters of interest and latest news and will be updated regularly by the Chair and/or the Clerk.

Parish noticeboards will be used for the advertising of agendas, minutes and other Parish Council or District Council information.
10 PUBLICATION POLICY

10.1 THE PUBLICATION SCHEME

Under the Freedom of Information Act it is the duty of every public authority to adopt and maintain a publication scheme. Publication schemes facilitate the proactive release of information and play a role in supporting and providing greater openness and transparency across the public sector.

Enborne Parish Council has adopted the Model Publication Scheme approved by the Information Commissioner in 2008.

The publication scheme requires Enborne Parish Council:

• To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
• To specify the information which is held by the authority and falls within the classifications listed in 10.3.
• To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
• To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
• To review and update on a regular basis the information the authority makes available under this scheme.
• To produce a schedule of any fees charged for access to information which is made proactively available.
• To make the publication scheme available to the public.

10.2 MODEL PUBLICATION SCHEME

The model publication scheme may be adopted without modification by any public authority without further approval and will be valid until further notice. This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned in 10.3, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

9.3 CLASSES OF INFORMATION

(a) Who we are and what we do.
Organisational information, locations and contacts, constitutional and legal governance.
(b) What we spend and how we spend it.
Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

(c) What our priorities are and how we are doing.
Strategy and performance information, plans, assessments, inspections and reviews.

(d) How we make decisions.
Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

(e) Our policies and procedures.
Current written protocols for delivering our functions and responsibilities.

(f) Lists and registers.
Information held in registers required by law and other lists and registers relating to the functions of the authority.

(g) The services we offer.
Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:
- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

10.4 MAKING INFORMATION AVAILABLE
Enborne Parish Council will indicate clearly to the public what information is covered by this scheme and how it can be obtained. Where it is within the capability of a Enborne Parish Council, information will be provided on the parish council website. Where it is impracticable to make information available on the website or when an individual does not wish to access the information by the website, Enborne Parish Council will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where Enborne Parish Council is legally required to translate any information, it will do so.
Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

**10.5 FEES AND CHARGES**
The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by Enborne Parish Council for routinely published material will be justified and transparent and kept to a minimum. Material which is published and accessed on a website will be provided free of charge. Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

**10.6 WRITTEN REQUESTS**
Information held by Enborne Parish Council that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

**10.7 PUBLICATION GUIDE**
Information available from Enborne Parish Council under the Freedom of Information Act Model Publication Scheme (December 2008)

Information to be published:

<table>
<thead>
<tr>
<th>Class 1 - Who we are and what we do</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Organisational information, structures, locations and contacts)</td>
</tr>
<tr>
<td>This will be current information only</td>
</tr>
</tbody>
</table>

Who’s who on Enborne Parish Council

Contact details for Parish Clerk and Council members
<table>
<thead>
<tr>
<th>Class 2 – What we spend and how we spend it</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)</td>
</tr>
<tr>
<td>Current and previous financial year as a minimum</td>
</tr>
<tr>
<td>Annual return form and report by auditor</td>
</tr>
<tr>
<td>Finalised budget and precept</td>
</tr>
<tr>
<td>Borrowing Approval letters (if any)</td>
</tr>
<tr>
<td>Financial Procedures</td>
</tr>
<tr>
<td>Grants given and received</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Class 3 – What our priorities are and how we are doing</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Strategies and plans, audits, inspections and reviews)</td>
</tr>
<tr>
<td>Current and previous year as a minimum</td>
</tr>
<tr>
<td>Parish Plan / Statement of Priorities</td>
</tr>
<tr>
<td>Annual Report (contained in minutes of Annual Parish Meeting)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Class 4 – How we make decisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Decision making processes and records of decisions)</td>
</tr>
<tr>
<td>Current and previous council year minutes as a minimum</td>
</tr>
<tr>
<td>Timetable of meetings (Council, Standing Committee meetings and Annual Parish Meetings)</td>
</tr>
<tr>
<td>Agendas of meetings (as above)</td>
</tr>
<tr>
<td>Minutes of meetings (as above) – nb this will exclude information that is properly regarded as private to the meeting.</td>
</tr>
<tr>
<td>Reports presented to council meetings - nb this will exclude information that is properly regarded as private to the meeting.</td>
</tr>
<tr>
<td>Responses to consultation papers</td>
</tr>
<tr>
<td>Responses to planning applications</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Class 5 – Our policies and procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Current written protocols, policies and procedures for delivering our services and responsibilities)</td>
</tr>
<tr>
<td>Current information only</td>
</tr>
<tr>
<td>Policies and procedures for the conduct of council business:</td>
</tr>
<tr>
<td>Procedural Standing Orders</td>
</tr>
<tr>
<td>Committee terms of reference (contained in Standing Orders)</td>
</tr>
<tr>
<td>Code of Conduct</td>
</tr>
<tr>
<td>Policy statements</td>
</tr>
<tr>
<td>Policies and procedures for the provision of services and the employment of staff:</td>
</tr>
<tr>
<td>Internal policies relating to the delivery of services</td>
</tr>
<tr>
<td>Equality and diversity policy</td>
</tr>
<tr>
<td>Health and safety policy</td>
</tr>
<tr>
<td>Recruitment policies (including current vacancies)</td>
</tr>
<tr>
<td>Policies and procedures for handling requests for information</td>
</tr>
<tr>
<td>Complaints procedures (including those covering requests for information and operating the publication scheme)</td>
</tr>
</tbody>
</table>
Information security policy
Records management policies (records retention, destruction and archive)
Data protection policy
Schedule of charges (for the publication of information) – see below

**Class 6 – Lists and Registers**
Currently maintained lists and registers only

- Any publicly available register or list
- Assets Register
- Register of members’ interests
- Register of gifts and hospitality

**Class 7 – The services we offer**
(Information about the services available, including leaflets, guidance and newsletters produced for the public and businesses)
Current information only

- Seating, litter bins and street lighting
- Services for which Enborne Parish Council is entitled to recover a fee, together with those fees

Other information may be available on request

### 10.8 HOW THE INFORMATION CAN BE OBTAINED
All information can be obtained in hardcopy from the Parish Clerk at:
PO Box 6254, Newbury, Berkshire RG14 6AR
Telephone: 07767723372
E-mail: enbornepc@newbury.net

### 10.9 SCHEDULE OF CHARGES

<table>
<thead>
<tr>
<th>Description</th>
<th>Charge</th>
<th>Basis of Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Printing or photocopying (black &amp; white)</td>
<td>10 pence per page</td>
<td>Actual cost based on copying or computer printing including labour</td>
</tr>
<tr>
<td>Handling / packing</td>
<td>£1 per request</td>
<td>Admin charge</td>
</tr>
<tr>
<td>Postage</td>
<td>Royal Mail standard 1&lt;sup&gt;st&lt;/sup&gt; or 2&lt;sup&gt;nd&lt;/sup&gt; class postage</td>
<td>Estimated actual cost of postage</td>
</tr>
</tbody>
</table>

Charges are payable prior to despatch of documents. Charges for requests of five sheets or less may be waived at the discretion of the Parish Clerk.
10. SMALL GRANTS POLICY

11.1 INTRODUCTION
The purpose of this policy is to define the roles and responsibilities within Enborne Parish Council for awarding small grants.

The intention of this policy is to establish a framework for achieving an effective method for supporting voluntary, community and not-for-profit organisations to undertake projects that support people living in Enborne Parish. These may include, for example, community facilities, community activities, crime reduction, support for rural areas.

11.2 THE LEGAL FRAMEWORK
A grant is any payment or gift made by Enborne Parish Council to an organisation for a specific purpose that will benefit Enborne Parish, or residents of Enborne Parish, and which is not directly controlled or administered by Enborne Parish Council. The law requires that Section 137 grants must be “in the interests of or will directly benefit the area or its inhabitants, or of part of it, or some of it” and “the direct benefit should be commensurate with expenditure.”

11.3 APPLICANTS
Applicants should be an organised group with clearly defined aims, objectives and procedures. They should have a bank account and preferably a constitution. The group must be undertaking a project or providing a service which can be demonstrated to be of real benefit to residents of Enborne Parish. Typical examples are voluntary groups and societies, clubs, not-for-profit organisations and charities operating in the Enborne area. Groups from outside of Enborne Parish who can demonstrate direct benefit to the area are eligible to apply. Applications from private individuals and commercial organisations will not be considered.

11.4 TERMS AND CONDITIONS
The organisation must be able to demonstrate a need for financial support. Enborne Parish Council will not normally award a grant if costs can be met from available funds or other sources.

The maximum grant to be awarded by Enborne Parish Council is £1,000 but will normally be considerably lower. Organisations must be able to demonstrate that they are matching the grant from their own funds or other sources. Enborne Parish Council will not award a grant for more than 50% of the total cost of a project.

Enborne Parish Council may award as a grant either the whole or a proportion of any amount that is requested.
Any grant awarded by Enborne Parish Council can only be spent in accordance with the purpose for which it was given.

Enborne Parish Council reserves the right to recover any grant and/or moveable equipment purchased with grant money if the grant is not used for the purpose for which it was given.

Enborne Parish Council may require an applicant to attend a meeting of the Parish Council to explain their application or provide further information.

Copies of paid invoices and the relevant accounts may be required for audit purposes.

Retrospective applications will not be considered where the expenditure has been made, the project has been carried out or the event has taken place.

11.5 SUBMITTING AN APPLICATION
Applications should be made by e-mail to the Enborne Parish Clerk (enbornepc@newbury.net) or by letter, giving full details of:
• The reason for the grant application
• The amount that is being requested
• How the grant will be funded from other sources
• The organisation’s bank account
• The organisation’s constitution where applicable

11.6 DECIDING AN APPLICATION
Enborne Parish Council will vote on an application at the next Parish Council meeting. A majority vote to accept the grant request is required before payment can be considered. Payment will only be made as and when Parish funds become available.
11. RISK MANAGEMENT POLICY

12.1 INTRODUCTION
Enborne Parish Council is committed to identifying and managing risks, using the following procedures, and to ensuring that risks are maintained at an acceptable level. Any action that is felt necessary will be taken by Enborne Parish Council. The Clerk will review risks on a regular basis, including any newly identified risks, and will report to Enborne Parish Council. The review will include identification of any unacceptable levels of risk.

12.2 DEFINITIONS
Risk management is not just about financial management: it is about setting objectives and achieving them in order to deliver high quality public services. This approach places the emphasis on Enborne Parish Council strengthening its own corporate governance arrangements, improving their stewardship of public funds and providing assurance to taxpayers.

12.3 RESPONSIBILITIES
Members are ultimately responsible for risk management because risks threaten the achievement of policy objectives. Members should:
- take steps to identify key risks facing Enborne Parish Council
- evaluate the potential consequences to Enborne Parish Council if an event identified as a risk takes place
- decide upon appropriate measures to avoid, reduce or control the risk or its consequences

12.4 IDENTIFYING RISKS
The risks facing Enborne Parish Council can be identified by grouping the three main types of decisions that have to be taken into the following areas:
- Areas where there may be scope to use insurance to help manage risk
- Areas where there may be scope to work with others to help manage risk
- Areas where there may be need for self-managed risk

12.5 AREAS OF RISK

<table>
<thead>
<tr>
<th>Ref</th>
<th>Risk</th>
<th>Impact</th>
<th>Possibility</th>
<th>Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Damage to physical assets e.g. buildings, furniture, equipment</td>
<td>High</td>
<td>Med</td>
<td>All physical assets are insured with AVIVA Insurance under Policy: RGBDX6962034</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Ref</th>
<th>Risk</th>
<th>Impact</th>
<th>Possibility</th>
<th>Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>b</td>
<td>Risk of damage to third party property or individuals as a result of Enborne Parish Council providing services or amenities to the public</td>
<td>High</td>
<td>Low</td>
<td>Enborne Parish Council has a Public Liability Insurance of £10,000,000. It also has personal accident liability cover for employees, members and volunteers under the above policy</td>
</tr>
<tr>
<td>c</td>
<td>Risk of consequential loss of income or the need to provide essential services following critical damage, loss or non-performance by a third party (consequential loss)</td>
<td>Low</td>
<td>Med</td>
<td>Included in insurance policy cover</td>
</tr>
<tr>
<td>d</td>
<td>Loss of cash through theft or dishonesty (fidelity guarantee)</td>
<td>Medium</td>
<td>Low</td>
<td>Enborne Parish Council has Fidelity Guarantee cover up to £150,000 for both all members and employees. Large unexpected withdrawals invite a telephone check from the bank to the Clerk</td>
</tr>
<tr>
<td>e</td>
<td>Legal liability as a consequence of asset ownership (public liability)</td>
<td>High</td>
<td>Low</td>
<td>See (b)</td>
</tr>
</tbody>
</table>

**Internal Controls**

<table>
<thead>
<tr>
<th>Ref</th>
<th>Description</th>
<th>Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Maintain an up-to-date register of assets and investments</td>
<td>An Asset Register is compiled annually by the Responsible Financial Officer and presented to Council with Annual Accounts each year</td>
</tr>
<tr>
<td>b</td>
<td>Regular maintenance of physical assets</td>
<td>The Clerk undertakes regular inspections of the assets.</td>
</tr>
<tr>
<td>c</td>
<td>Annual review of risk and the adequacy of insurance cover</td>
<td>The Responsible Financial Officer (RFO) reviews the insurance cover annually, makes recommendations to Enborne Parish Council and updates cover as required</td>
</tr>
<tr>
<td>d</td>
<td>Ensuring robustness of insurance providers</td>
<td>There are three main insurers for local councils – Zurich Municipal, AVIVA and AON. EPC uses Aviva and the RFO is confident that Aviva Insurance cover is sufficiently robust.</td>
</tr>
</tbody>
</table>

**Internal Audit Assurance**

<table>
<thead>
<tr>
<th>Ref</th>
<th>Description</th>
<th>Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Review of internal controls and their documentation</td>
<td>Internal controls are reviewed as necessary by the Clerk and Internal Auditor. Recommendations from the Clerk and Internal Auditor are submitted to Council. In addition Enborne Parish Council reviews the effectiveness of the internal audit process annually</td>
</tr>
<tr>
<td>b</td>
<td>Review of management arrangements regarding insurance cover</td>
<td>This forms part of Enborne Parish Council’s review at time of annual renewal</td>
</tr>
</tbody>
</table>
### 12.5.2 Areas Where There May Be Scope to Work with Others to Help Manage Risk

<table>
<thead>
<tr>
<th>Ref</th>
<th>Description</th>
<th>Impact</th>
<th>Possibility</th>
<th>Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Vulnerability of equipment including fire, flooding, theft and vandalism</td>
<td>High</td>
<td>Medium</td>
<td>Crime Reports are obtained for all breaches of security by contacting Thames Valley Police</td>
</tr>
<tr>
<td>b</td>
<td>Ensuring adequate maintenance equipment, including repair of damage</td>
<td>Medium</td>
<td>Low</td>
<td>Contingency budget can be used for emergency measures. In-house maintenance is undertaken where possible and contractors used as needed, with quotations received in advance of all works.</td>
</tr>
<tr>
<td>c</td>
<td>The provision of services being carried out under agency / partnership agreements with principal authority</td>
<td>Low</td>
<td>Low</td>
<td>Currently no services are provided by WBC on behalf of EPC.</td>
</tr>
<tr>
<td>d</td>
<td>Banking services and possibility of fraud</td>
<td>Low</td>
<td>Low</td>
<td>Reviewed annually by Council. Two members to sign all cheques. The Full Council reviews all payments</td>
</tr>
<tr>
<td>e</td>
<td>Professional services, contractors etc.</td>
<td>Medium</td>
<td>Medium</td>
<td>Enborne Parish Council endeavours to ensure that wherever possible it has the opportunity to select, from several, the provider of any professional service it requires. Any professionals whose services it uses are well established and often selected on recommendation. Usually a short-list of three is drawn up</td>
</tr>
</tbody>
</table>

### Internal Controls

<table>
<thead>
<tr>
<th>Ref</th>
<th>Description</th>
<th>Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Regulations dealing with the award of contracts for services or the purchase of capital equipment</td>
<td>Enborne Parish Council has Standing Orders and Financial Regulations that govern the awarding of contracts. The Financial Regulation were last reviewed and adopted in May 2016. Updated Standing Orders will be presented to Council at the May meeting</td>
</tr>
<tr>
<td>b</td>
<td>Regular reporting on performance by contractors / suppliers</td>
<td>Reports are delivered to Enborne Parish Council</td>
</tr>
<tr>
<td>c</td>
<td>Review of contracts</td>
<td>Contracts are reviewed by staff and subsequently by Enborne Parish Council as part of its contract award and monitoring processes</td>
</tr>
<tr>
<td>d</td>
<td>Clear statements of management responsibility for each service</td>
<td>Standing Orders define the responsibilities Committees</td>
</tr>
<tr>
<td>e</td>
<td>Regular scrutiny of performance against targets</td>
<td>See above</td>
</tr>
<tr>
<td>Ref</td>
<td>Description</td>
<td>Implementation</td>
</tr>
<tr>
<td>-----</td>
<td>-------------</td>
<td>----------------</td>
</tr>
<tr>
<td>f</td>
<td>Arrangements to detect and deter fraud and/or corruption</td>
<td>Invoices are subjected to scrutiny by both the RFO and the two cheque signatories, who are councillors. An interim internal audit was carried out in Oct 217.</td>
</tr>
<tr>
<td>g</td>
<td>Regular bank reconciliations, independently reviewed</td>
<td>Bank statements are received monthly and are seen by the Clerk /RFO. A reconciliation is presented at each full Council meeting at which time the bank balances are confirmed</td>
</tr>
</tbody>
</table>

**Internal Audit Assurance**

<table>
<thead>
<tr>
<th>Ref</th>
<th>Description</th>
<th>Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Review of internal controls and their documentation</td>
<td>See above</td>
</tr>
<tr>
<td>b</td>
<td>Review of minutes to ensure legal powers are available and the basis of the powers recorded and correctly applied</td>
<td>The Clerk undertakes to ensure that Enborne Parish Council does not act ‘Ultra Vires’ when a decision is taken. It would be recorded in the minutes if Enborne Parish Council decided against the Clerk’s advice. Where appropriate, legal powers bestowed on Enborne Parish Council will be recorded in the minutes against decisions taken. The minutes of meetings are also reviewed during the audit process</td>
</tr>
<tr>
<td>c</td>
<td>Review and testing of arrangements to prevent and detect fraud and corruption</td>
<td>The use of Standing Orders, internal controls and monitoring by Council are all methods which contribute to prevent and deter fraud and corruption</td>
</tr>
<tr>
<td>d</td>
<td>Review of adequacy of insurance cover provided by suppliers</td>
<td>Any contractors working for EPC are asked for proof of insurance cover</td>
</tr>
</tbody>
</table>

**Areas Where There May Be Need for Self-Managed Risk**

<table>
<thead>
<tr>
<th>Ref</th>
<th>Description</th>
<th>Impact</th>
<th>Possibility</th>
<th>Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Keeping proper financial records in accordance with statutory requirements</td>
<td>High</td>
<td>Low</td>
<td>Financial records kept in accordance with the statutory requirements fall within the responsibility of the Full Council and are reviewed as part of the Audit process</td>
</tr>
<tr>
<td>b</td>
<td>Ensuring all business activities are within legal powers applicable to parish councils</td>
<td>High</td>
<td>Low</td>
<td>See above</td>
</tr>
<tr>
<td>c</td>
<td>Complying with restrictions on borrowing</td>
<td>Low</td>
<td>Low</td>
<td>Enborne Parish Council has no current borrowing arrangements</td>
</tr>
<tr>
<td>d</td>
<td>Ensuring that all requirements are met under employment law and Inland Revenue regulations</td>
<td>Medium</td>
<td>Low</td>
<td>Inland Revenue calculations are made by the RFO and subject to the audit process. Salary forecasts are undertaken as part of the budget setting process and incremental increases are approved by Full Council. All employment issues are reviewed by the Full Council. Independent legal advice is taken as necessary</td>
</tr>
<tr>
<td>Ref</td>
<td>Description</td>
<td>Impact</td>
<td>Possibility</td>
<td>Mitigation</td>
</tr>
<tr>
<td>-----</td>
<td>------------------------------------------------------------------------------</td>
<td>--------</td>
<td>-------------</td>
<td>---------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>e</td>
<td>Ensuring all requirements are met under Customs and Excise regulations (especially VAT)</td>
<td>Medium</td>
<td>Low</td>
<td>All such requirements are met by the Responsible Financial Officer and the Internal Audit process</td>
</tr>
<tr>
<td>f</td>
<td>Ensuring the adequacy of the annual precept within sound budgeting arrangements</td>
<td>High</td>
<td>Low</td>
<td>Committee budgets are reviewed by and approved by, full Council in accordance with Enborne Parish Council’s Budget Setting Procedure</td>
</tr>
<tr>
<td>g</td>
<td>Ensuring the proper use of funds granted to local community bodies under specific powers or Section 137</td>
<td>Medium</td>
<td>Low</td>
<td>Grant applications are considered by the Full Council. Section 137 grants are listed separately in the annual accounts</td>
</tr>
<tr>
<td>h</td>
<td>Ensuring compliance with the General Data Protection Regulation from 25 May 2018</td>
<td>Medium</td>
<td>Low</td>
<td>Policies and procedures are updated by the clerk and approved by full council, who are the Data Controller.</td>
</tr>
<tr>
<td>i</td>
<td>Proper, timely and accurate reporting of Enborne Parish Council business in the minutes</td>
<td>Medium</td>
<td>Low</td>
<td>Council minutes are prepared by the Clerk. They are distributed to members in advance of the subsequent meeting. At that meeting they are amended if necessary, verified as a correct record and signed. Recommendations from committee minutes are considered at the next council meeting and, if agreed, so resolved. Committee minutes are approved and signed as a correct record at the next full council meeting</td>
</tr>
<tr>
<td>j</td>
<td>Meeting the laid down timetables when responding to consultation invitations</td>
<td>Low</td>
<td>Low</td>
<td>Every effort is made to meet specified timetables when responding to consultation invitations</td>
</tr>
<tr>
<td>k</td>
<td>Register of members’ interests and gifts and hospitality in place, complete, accurate and up to date</td>
<td>Low</td>
<td>Low</td>
<td>The members’ register of interests is held by the Clerk and a copy is held by WBC. To the best of the Clerk’s knowledge these are accurate and up-to-date. It is the responsibility of members to notify the Clerk of changes</td>
</tr>
<tr>
<td>l</td>
<td>Health and Safety issues</td>
<td>High</td>
<td>Medium</td>
<td>Health and Safety Risk Assessments carried out regularly (see separate documentation)</td>
</tr>
<tr>
<td>m</td>
<td>Cover for key staff during holidays, absence due to illness, etc.</td>
<td>High</td>
<td>Medium</td>
<td>There is usually no cover for period of Clerk’s leave (Councillors may give unpaid assistance if necessary). In exceptional circumstances the Clerk will make alternative arrangements</td>
</tr>
</tbody>
</table>
## Internal Controls

<table>
<thead>
<tr>
<th>Ref</th>
<th>Description</th>
<th>Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Regular scrutiny of financial records and proper arrangements for the approval of expenditure</td>
<td>Comprehensive measures are in place for the internal and external approval of expenditure</td>
</tr>
<tr>
<td>b</td>
<td>Recording in the minutes the precise powers under which expenditure is being approved</td>
<td>See above</td>
</tr>
<tr>
<td>c</td>
<td>Regular returns to the Inland Revenue; contracts of employment for all staff, annually reviewed by Enborne Parish Council, systems of updating records for any changes in relevant legislation</td>
<td>Inland Revenue returns are duly completed by the RFO on an annual basis. Salaries are calculated by the RFO and checked by the Chairman of Council and during internal audit. Staffing issues are referred to the Staffing Committee</td>
</tr>
<tr>
<td>d</td>
<td>Regular returns of VAT</td>
<td>The RFO is responsible for VAT returns and these are reviewed by Council. Enborne Parish Council checks that the RFO receives adequate training in all financial matters that relate to council business</td>
</tr>
<tr>
<td>e</td>
<td>Staff performance monitoring</td>
<td>Staff appraisals are undertaken annually according to Enborne Parish Council’s HR procedures and reported to Enborne Parish Council</td>
</tr>
<tr>
<td>f</td>
<td>Procedures for dealing with and monitoring loans made or received</td>
<td>There are no outstanding loans made or received at this time</td>
</tr>
<tr>
<td>g</td>
<td>Minutes properly numbered and paginated with a master copy kept in safekeeping</td>
<td>All Council and Committee minutes are correctly numbered and page numbered. These are loose leaf and signed copies are sent to Berkshire Records Office at appropriate intervals. Further copies are retained by the Clerk</td>
</tr>
<tr>
<td>h</td>
<td>Documented procedures to deal with enquiries from the public</td>
<td>Calls and letters are dealt with as soon as practicable unless referred to council or committee. In such cases, acknowledgement of enquiry is made</td>
</tr>
<tr>
<td>i</td>
<td>Documented procedures to deal with responses to consultation requests</td>
<td>Consultation requests are referred to committee. They may be further delegated to a working group. The course of action taken is minuted. Copies of responses are available to all members on request</td>
</tr>
<tr>
<td>j</td>
<td>Documented procedures for document receipt, circulation, response, handling and filing</td>
<td>The Clerk receives and delegates all mail. All relevant mail is listed with council or a committee for consideration or for information. Mail for action by administration staff is dealt with accordingly and filed when actions are completed</td>
</tr>
<tr>
<td>k</td>
<td>Procedures in place for recording and monitoring members’ interest and gifts and hospitality received</td>
<td>See above</td>
</tr>
<tr>
<td>Ref</td>
<td>Description</td>
<td>Implementation</td>
</tr>
<tr>
<td>-----</td>
<td>-------------</td>
<td>----------------</td>
</tr>
<tr>
<td>l</td>
<td>Adoption of Codes of Conduct for members and employees</td>
<td>Enborne Parish Council adopted the West Berkshire Council Code of Conduct. Employees' Code of Conduct is in accordance with their individual contracts of employment. At present there is no other statutory code for employees</td>
</tr>
<tr>
<td>m</td>
<td>Responding to electors wishing to exercise their rights of inspection</td>
<td>The right of inspection by electors is adhered to in accordance with current legislation and the EPC Publication Scheme. In accordance with the Freedom of Information Act, all relevant documents are available on request or by post and meeting schedules are available on Enborne Parish Council’s noticeboards.</td>
</tr>
<tr>
<td>n</td>
<td>Proper document control</td>
<td>Paperwork is retained in accordance with national guidelines and is available for viewing on request. All incoming and outgoing mail is logged</td>
</tr>
<tr>
<td>o</td>
<td>Computer data safety</td>
<td>All necessary procedures and documents are computerised. Relevant areas of the Clerk’s computer is backed up using an external hard drive</td>
</tr>
<tr>
<td>p</td>
<td>Valuable documents</td>
<td>Valuable documents including deeds, leases and past Council minutes are stored at the Berkshire Record Office with copies held by the Clerk.</td>
</tr>
</tbody>
</table>

**Internal Audit Assurance**

<table>
<thead>
<tr>
<th>Ref</th>
<th>Description</th>
<th>Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Review of internal controls and their documentation</td>
<td>See above</td>
</tr>
<tr>
<td>b</td>
<td>Review of minutes to ensure legal powers in place, recorded and correctly applied</td>
<td>See above</td>
</tr>
<tr>
<td>c</td>
<td>Testing of income and expenditure from minutes Excel spreadsheets, from bank statements to Excel, from minutes to statements etc.</td>
<td>The testing of these procedures forms part of the internal controls currently in place. The system is also tested during the audit process</td>
</tr>
<tr>
<td>d</td>
<td>Review and testing of arrangements to prevent and detect fraud and corruption</td>
<td>This is undertaken as part of the Internal Audit process. Reports are presented to Full Council and minuted accordingly</td>
</tr>
<tr>
<td>e</td>
<td>Testing of specific internal controls and reporting findings to management</td>
<td>Where appropriate, the results of such testing as part of the internal controls will be reported to the appropriate committee or council. Similar reporting to Council will be made as part of the internal audit</td>
</tr>
</tbody>
</table>