

# BEENHAM PARISH COUNCIL

## Standing Orders Financial regulations and Procedures

Version 6

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## STANDING ORDERS

1. Meetings of the Council shall be held on the first Monday of each Month at 7.00pm, or at such other date or time as is decided by the Council, at the Community Room, Beenham
2. If this location is unavailable meetings shall not take place in premises which, at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.
3. The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
4. Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
5. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.
6. The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
7. In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.
- 8. The Annual Meeting of the Council shall be held -**
  - i. In an election year on the Monday next following the fourth day after the ordinary day of elections to the Council or
  - ii. In a year which is not an election year on the first Monday in May or at such other day in May as is determined by the Council.
  - iii. In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.
  - iv. If no other time is fixed, the annual meeting of the council shall take place at 6pm.
- 9. Chairman of Meeting**
  - i. The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.
  - ii. Subject to standing orders which indicate otherwise, the person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the Meeting.
- 10. Proper Officer**

Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council in the following cases, he/she shall be the Clerk:-

  - i. To receive declarations of acceptance of office
  - ii. To receive and record notices disclosing prejudicial or other interests.

- iii. To receive and retain plans and documents.
- iv. To sign notices or other documents.
- i. To receive copies of byelaws made by other local authorities.
- v. To certify copies of the byelaws made by the Council.
- vi. At least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors a summons, by email, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer.
- vii. Give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);
- ii. Convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;

In any other case the Proper Officer shall be the person nominated by the Council and, in default of nomination, the Clerk.

## **11. Quorum**

Three members shall constitute a quorum. If a quorum is not present when the Council meets or, if during a meeting the number of Councillors present and not debarred by reason of a declared interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting.

## **12. Voting**

- i. Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.
- ii. Members shall vote by show of hands or, if at least two members so request, by signed ballot. If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it.
- iii. Subject to (iv) and (v) below the Chairman may give an original vote on any matter put to the vote and in the case of an equality of votes, may give a casting vote, even though he gave no original vote.
- iv. If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman.
- v. The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

## **13. Disclosable Pecuniary Interests and Voting Dispensation**

- i. A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.
- ii. Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest. He may return to the meeting after it has

considered the matter in which he had the interest.

- iii. Dispensation requests shall be made in writing and submitted to the Proper Officer. A decision as to whether to grant a dispensation shall be made by the Proper Officer OR by a meeting of the council, or committee or sub-committee for which the dispensation is required and that decision is final.
- iv. A dispensation may be granted in accordance with the above if having regard to all relevant circumstances the following applies:
  - without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or
  - granting the dispensation is in the interests of persons living in the council's area or
  - it is otherwise appropriate to grant a dispensation.

#### **14. Order of Business – Annual Meeting of the Council.**

The order of business shall be -

- i. To elect a Chairman
- ii. To receive the Chairman's Declaration of Acceptance of Office
- iii. To elect a Vice-Chairman
- iv. Review and adoption of appropriate standing orders and financial regulations
- v. Declaration of Office and Interests: All Declarations of Acceptance of Office must be made in accordance with the Local Elections (Declarations of Acceptance of Office) Order 2001 – No 3941.

#### **15. Order of Business – Other than Annual meeting of the Council**

The order of business shall be -

- i. To appoint a Chairman if the Chairman or Vice-Chairman be absent
- ii. To take the Open Forum, with a maximum duration of fifteen minutes, when members of the Public may raise any question relation to Beenham Parish
- iii. The acceptance of apologies for absence
- iv. To consider the Minutes of the previous meeting and, if necessary, to note amendments before the Chairman signs and dates them as a true record.
- v. To hear any declarations of interest from councillors relevant to the agenda.
- vi. To deal with business as itemized on the agenda.
- vii. To receive such communications as the Chairman may wish to lay before the Council.
- viii. To receive and consider reports from members and officers of the Council.
- ix. To authorize the sealing of documents.
- x. To authorize the signing of orders for payment.
- xi. A motion to vary the order of business on the ground of urgency or preference may be proposed by the Chairman, put to the vote without being seconded and may be put to the vote without discussion.

#### **16. Order of Business – Other than Annual meeting of the Council**

- i. The Chairman of the Council may convene an extraordinary meeting of the council at any time.
- ii. If the Chairman of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for

such a meeting must be signed by the two councillors.

**17. Resolutions Moved On Notice**

Except as provided in these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk. Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects the Parish.

**18. Resolutions Moved Without Notice**

Resolutions dealing with the following matters may be moved without notice -

- i. To appoint a Chairman of the meeting
- ii. To correct the minutes
- iii. To approve the minutes
- iv. To alter the order of business
- v. To proceed to the next business
- vi. To adopt a report
- vii. To close or adjourn a debate
- viii. To amend a resolution
- ix. To refer a matter to a committee
- x. To appoint a committee of membership
- xi. To extend the time limit for speeches
- xii. To suspend any Standing Order

**19. Questions**

- i. A member may ask the Chairman or the Clerk any question concerning the business of the Council, provided notice of the question has been to the person to whom it is addressed before the meeting begins.
- ii. No question not connected with business under discussion shall be asked except during that part of the meeting set aside for questions.

**20. Rules of Debate**

- i. No discussion shall take place upon the Minutes except upon the accuracy of the minutes. Corrections to the Minutes shall be made by resolution and must be initialed by the Chairman.
- ii. A resolution or amendment shall not be discussed unless it has been proposed (and seconded) and unless proper notice has already been given.
- iii. A member, when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later part of the debate.
- iv. A member shall direct his speech to the question under discussion or to a personal explanation.
- v. No speech by a mover of a resolution shall exceed 5 minutes and no other speech shall exceed 3 minutes, except by consent of the Chairman
- vi. An amendment shall be either:-
- vii. To leave out words or
- viii. To leave out words and insert or add others
- ix. To insert or add words
- x. An amendment shall not have the effect of negating the motion before the Council.

- xi. If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- xii. A further amendment shall not be moved until every previous moved amendment has been cleared.
- xiii. The ruling on a point of order by the Chairman, or on the admissibility of a personal explanation, shall not be discussed.
- xiv. The mover of a resolution or of an amendment shall have a right of reply, not exceeding 3 minutes.

## **21. Financial Matters**

All matters concerning Finance are covered in the Financial Regulations of the Council. The Precept for the following financial year shall be discussed and approved at the January meeting of the Council.

## **22. Disorderly Conduct**

No Member shall at a meeting persistently disregard the ruling of the Chairman, willfully obstruct business, or behave irregularly, offensively, improperly, or in such a manner as to scandalize the Council or bring it into contempt or ridicule. If, in the opinion of the Chairman a Member has broken the above provisions, he shall express that opinion to the Council and any Member may move that the Member named be no longer heard, or that the Member named do leave the meeting and the motion, if seconded, shall be actioned forthwith.

## **23. Planning Applications**

The Clerk shall, as soon as it is received, forward each application to each appointed representative, who in turn will examine the provided information prior to the meeting at which it is to be discussed. The Chairman shall direct the Council to discuss applications at the soonest Parish Council meeting. In exceptional circumstances, the Council may agree to convene a Planning Committee of the Council, who will report to the Council at either -

- i. The next Ordinary meeting of the Council or,
- ii. At a specially convened and properly advertised meeting of the Council.
- iii. Decisions for communication to the District Council on planning matters may only be taken by the Council in public session.

## **24. Variation, Revocation and Suspension of Standing Orders**

- i. To the extent permitted by law any or every part of the Standing Order may be suspended by resolution in relation to any specific item of business.
- ii. A resolution permanently to add, vary, or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next Ordinary meeting of the Council.

## **25. Sealing of Documents**

- i. A document may not be executed as a Deed unless its execution has been authorised by resolution.
- ii. Any two Members of the Council named in a resolution moved under paragraph (i) preceding may sign on behalf of the Council any document required by law to be executed as a Deed.

**26. Committees**

The Council may at its Annual Meeting appoint standing Committees and may at any other time appoint such other Committees as are necessary but subject to any statutory provisions in that regard -

- i. shall not appoint any member on an Committee so as to hold office later than the next Annual Meeting.
- ii. may appoint persons other than members of this council to any Committee
- iii. may at any time dissolve or alter the membership of a Committee and may make such procedural rules and Standing Orders in relation to any such Committee as it thinks fit
- iv. Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.
- v. The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.
- vi. Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

**27. Voting in committee**

- i. Members of Committees entitled to vote shall vote by show of hands, or, if at least two members so request, by signed ballot.
- ii. Chairmen of committees shall in the case of an equality of votes, have a second or casting vote.

**28. The Annual Parish Assembly**

The Annual Parish Assembly shall be held on a date determined by the Council between March 1<sup>st</sup> and May 31<sup>st</sup> each year. Each Annual Parish Assembly shall be presided over by the Chairman of the Parish Council or, in the absence of the Chairman, by another member of the Council.

The order of business shall be -

- i. The receipt of any apologies
- ii. The Chairman's Report
- iii. The Clerk and RFO's Report
- iv. The receipt of reports from local organizations
- v. Open Forum – participation by the public.

## **FINANCIAL REGULATIONS**

### **1. General**

- i. A Responsible Finance Officer (R.F.O.) shall be appointed by the Council under the terms of Section 151 of the Local Government Act 1972.
- ii. These financial regulations shall govern the conduct of the financial transactions of the Council and may only be amended or varied by resolution of the Council.
- iii. The RFO under the policy direction of the Council, shall be responsible for the proper administration of the Council's financial affairs in accordance with his/her duties.

### **2. Duties of the Responsible Finance Officer (RFO)**

- i. To prepare financial reports for the Council, covering budget monitoring, fund balances, receipts to date, payroll summary, payment of accounts and other relevant current matters.
- ii. To prepare draft budget estimates. When approved or amended by the Council these will form the basis for annual monitoring during that financial year.
- iii. To submit the Precept to the District Council and supply any breakdown requested.
- iv. To manage cash flow and bank transfers.
- v. To control payments by cheque.
- vi. To take responsibility for reclaiming VAT and the necessary returns.
- vii. To prepare final accounts in accordance with legal requirements.
- viii. To produce accounts and records for external audit in accordance with legal requirements.
- ix. To manage insurance risk and to ensure that claims are processed as necessary, to report annually to Council on insurance risk covered and to ensure that adequate fidelity guarantee insurance is provided.
- x. To maintain the Council's register of property and assets.
- xi. To obtain adequate quotations or estimates for work being undertaken by outside contractors or suppliers.
- xii. To hold title deeds

### **3. Tendering Process**

- a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items below:
  - i. for the supply of gas, electricity, water, sewerage and telephone services;
  - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
  - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
  - v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the

Chairman and Vice Chairman of council); and

- vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b) When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £200 the Clerk or RFO shall strive to obtain 3 estimates.
- c) A proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tender as summarised in 3d below.
- d) Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
  - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - vi. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- e) Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f) Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the council must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the council must comply with EU procurement rules.

#### **4. Banking Arrangements and Cheques**

- i. The Council's banking arrangements shall be as approved by the Council in the Annual meeting and managed by the RFO during the ensuing year, no changes may be made without the approval of the Council.
- ii. A schedule of payments shall be prepared by the RFO and presented to the Council for approval.

- iii. Cheques shall require any 2 signatures with all Councilors being approved as cheque signatories. A Councillor may not countersign a cheque if they have an interest in the payment.
- iv. No Internet or mobile banking arrangements shall be used.

**5. Payment of salaries and expenses**

- i. Salaries shall be paid monthly by Standing Order, or at an Ordinary Parish Council meeting, in arrears. Expenses may be authorised and paid at an Ordinary Council meeting.
- ii. The relevant payments shall be made to cover National Insurance and Inland Revenue requirements where applicable. Detail of individual payments shall be kept by the RFO with the Council's accounts records.

**6. Accounting and Audit**

All accounting procedures and financial records of the Council shall be determined by the RFO as required by the Accounts and Audit regulation 1996, the Accounts and Audit (Amendment)(England) Regulations 2001 and other applicable legislation.

**7. Internal Audit Arrangements**

The RFO should, at not more than quarterly intervals, present to the Council Bank statements together with the monthly Statement of Receipts and Payments, showing the balance of funds at the Bank. A Councilor should check and sign that the balance of funds at the Bank corresponds with that shown on the Statement of Receipts and Payments as presented.

**8. Budgetary Control**

- i. Expenditure may be incurred up to the amounts included in each approved budget item.
- ii. No expenditure may be incurred for an item shown in the budget if that expenditure would exceed the budgeted amount, unless authorised by the Council and such authorisation noted in the minutes.
- iii. The Council must approve any expenditure in excess of £150. The Chairman and Clerk may approve expenditure of less than £150. The Clerk may authorize expenditure up to £100 without Council approval in cases of extreme risk to service.
- iv. A petty cash float of £100 may be used by the RFO. The expenditure must be accountable against receipts.
- v. No moveable items / assets of value greater than £100 can be acquired or disposed of without Council approval.

**9. Income**

- i. The RFO shall be responsible for the collection of all sums due to the Council with the exception of sums collected for the use of Community facilities where the collection of payments may be managed by a booking clerk.
- ii. Any bad debts shall be reported to the Council.
- iii. The Council shall review all fees and charges annually.

## COMPLAINTS PROCEDURE

1. If a complaint about procedures or administration is notified orally to a Councillor or the Clerk and it is not possible to satisfy the complainant fully forthwith, the complainant shall be asked to put his complaint in writing to the Clerk and be assured that it will be dealt with promptly after receipt.
2. If a complainant indicates that he would prefer not to put the complaint to the Clerk, he shall be advised to put it to the Chairman.
3. On receipt of a written complaint, the Clerk or Chairmen, as the case may be, shall (except where the complaint is about his own actions), try to settle the complaint directly with the complainant but not, in respect of a complaint about the behavior of the Clerk or a Councillor, without notifying the person complained of and giving him an opportunity to comment on the manner in which it is intended to attempt to settle the complaint. Where the Clerk or Chairman receives written complaint about his own actions, he shall forthwith refer the complaint to the Council.
4. The Clerk or Chairman shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
5. The Clerk or Chairman shall bring any written complaint which cannot be settled to the next meeting of the Council, and the Clerk shall notify the complainant on which date the complaint will be considered. The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public, but any decision on a complaint shall be announced at the Council meeting in public.
6. As soon as may be after the decision has been made it and the natures of any action to be taken shall be communicated in writing to the complainant.
7. Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.

## HEALTH AND SAFETY POLICY STATEMENT

### Health And Safety at Work Act 1974

1. Our statement of general policy is:
  - i. To consult with our employees on matters affecting their health and safety.
  - ii. To provide safe plant and equipment and ensure that it is inspected periodically and suitably maintained.
  - iii. To ensure safe handling and use of substances where this is within the Council's control.
  - iv. To provide appropriate information, instruction and supervision for employees.  
To ensure all employees are competent to do their tasks and to give them adequate training where required.
  - v. To use all reasonable endeavors to prevent accidents and cases of work related ill health.
  - vi. To review and revise this policy as necessary at regular intervals.
2. Responsibilities under the Policy
  - i. The overall and final responsibility for Health and Safety is that of the Council.
  - ii. Day to day responsibility for ensuring this policy is put into practice is delegated to the Clerk.
  - iii. All Councillors must be mindful of the need for good safety practices and should advise the Clerk of any observed failures of the above Policy.
  - iv. The Council will ensure that it has appropriate third party liability and employers insurance coverage.
  - v. The Council will ensure that all staff have been provided with appropriate First Aid materials.

## **PUBLICATION SCHEME**

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 below, 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.

### **The scheme commits an authority:**

- 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 below.
- 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 this publication scheme available to the public.

### Classes of Information

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

Organisational information, locations and contacts, constitutional and legal governance.

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

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

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

Strategy and performance information, plans, assessments, inspections and reviews.

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

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

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

Current written protocols for delivering our functions and responsibilities.

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

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

#### **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.

The method by which information published under this scheme will be made available.

The authority 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 public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority 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 an authority 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.

**Charges which may be made for Information published under this scheme**

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 the authority 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.

#### Written Requests

Information held by a public authority 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.

## PUBLICATION SCHEME SCHEDULE

### Information available from Beenham Parish Council

Information to be published	How the information can be obtained	Cost
<b>Class1 - Who we are and what we do</b> This will be current information only.		
Who's who on the Council and its Committees	Website/Email Hard Copy	Free 10p a sheet
Contact details for Clerk and Council members (named contacts where possible with telephone number and email address (if used))	Website/Email Hard Copy	Free 10p a sheet
<b>Class 2 – What we spend and how we spend it</b> Current and previous financial year as a minimum		
Annual return form and report by auditor	Website/Email Hard Copy	Free 10p a sheet
Finalised budget	Website (current) Email (current & previous) Hard Copy (current & previous)	Free Free 10p a sheet
Precept	Email Hard Copy	Free 10p a sheet
Borrowing Approval letter	n/a	
Financial Standing Orders and Regulations	Website/Email Hard Copy	Free 10p a sheet
Grants given and received	Email Hard Copy	Free 10p a sheet
List of current contracts awarded and value of contract	Email Hard Copy	Free 10p a sheet

Members' allowances and expenses	Email Hard Copy	Free 10p a sheet
<b>Class 3 – What our priorities are and how we are doing</b> (Strategies and plans, performance indicators, audits, inspections and reviews)	(hard copy or Website/Email)	
Community Plan (current and previous year as a minimum)	Parish Plan Website/Email Hard Copy	Free 10p a sheet
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	Website/Email Hard Copy	Free 10p a sheet
Quality status	n/a	
Local charters drawn up in accordance with DCLG guidelines	n/a	
<b>Class 4 – How we make decisions</b> (Decision making processes and records of decisions)  Current and previous council year as a minimum	(hard copy or Website/Email)	
Timetable of meetings (Council, any committee/sub-committee meetings and community meetings)	Website (current) Hard Copy (current & previous)	Free 10p a sheet
Agendas of meetings (as above)	Website (current) Email Hard Copy (current & previous)	Free Free 10p a sheet
Minutes of meetings (as above) – nb this will exclude information that is properly regarded as private to the meeting.	Website (previous 6) Email Hard Copy (current & previous)	Free Free 10p a sheet
Reports presented to council meetings - nb this will exclude information that is properly regarded as private to the meeting.	Email Hard Copy	Free 10p a sheet
Responses to consultation papers	Email Hard Copy	Free 10p a sheet

Responses to planning applications	Email Hard Copy	Free 10p a sheet
Bye-laws	Email Hard Copy	Free 10p a sheet
<b>Class 5 – Our policies and procedures</b> (Current written protocols, policies and procedures for delivering our services and responsibilities)  Current information only	(hard copy or Website/Email)	
Policies and procedures for the conduct of council business:  Procedural standing orders Delegated authority in respect of officers Code of Conduct Policy statements	Website/Email Hard Copy	Free 10p a sheet
Policies and procedures for the provision of services and about the employment of staff:  Internal policies relating to the delivery of services Equality and diversity policy Health and safety policy Recruitment policies (including current vacancies) Policies and procedures for handling requests for information Complaints procedures (including those covering requests for information and operating the publication scheme)	Where applicable: Hard Copy	10p a sheet
Information security policy	n/a	
Records management policies (records retention, destruction and archive)	n/a	
Data protection policies	n/a	

Schedule of charges (for the publication of information)	Website/Email Hard Copy	Free 10p a sheet
<b>Class 6 – Lists and Registers</b>	(hard copy or Website/Email; some information may only be available by inspection)	
Currently maintained lists and registers only		
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)	n/a	
Assets Register	Email Hard Copy	Free 10p a sheet
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by community councils)	Email Hard Copy	Free 10p a sheet
Register of members' interests	<a href="http://www.westberks.gov.uk">www.westberks.gov.uk</a>	Free
Register of gifts and hospitality	<a href="http://www.westberks.gov.uk">www.westberks.gov.uk</a>	Free
<b>Class 7 – The services we offer</b>	(hard copy or Website/Email; some information may only be available by inspection)	
(Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)		
Current information only		
Allotments	Email Hard Copy	Free 10p a sheet
Burial grounds and closed churchyards	n/a	
Community centres and village halls	Email Hard Copy	Free 10p a sheet
Parks, playing fields and recreational facilities	Email Hard Copy	Free 10p a sheet
Seating, litter bins, clocks, memorials and lighting	Email Hard Copy	Free 10p a sheet

BEENHAM PARISH COUNCIL – Standing Orders, Financial Regulations & Other Policies

Bus shelters	Email Hard Copy	Free 10p a sheet
Markets	n/a	
Public conveniences	n/a	
Agency agreements	n/a	
A summary of services for which the council is entitled to recover a fee, together with those fees (eg burial fees)	Email Hard Copy	Free 10p a sheet

**Contact details:**

Seif Morbi  
Parish Clerk  
19 Stoneyfield  
Beenham  
RG7 5ND

Email: [theclerk@beenhamonline.org](mailto:theclerk@beenhamonline.org)

**SCHEDULE OF CHARGES**

This describes how the charges have been arrived at and should be published as part of the guide.

<b>TYPE OF CHARGE</b>	<b>DESCRIPTION</b>	<b>BASIS OF CHARGE</b>
<b>Disbursement cost</b>	Photocopying @ 10p per sheet (black & white)	Actual cost *
	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class

\* the actual cost incurred by the public authority

## Risk Management Strategy

<b>Threshold triggers</b>	<b>0-15</b>	<b>No action</b>	
	<b>16-24</b>	<b>Ensure plan in place</b>	
	<b>25-36</b>	<b>Immediate action</b>	

Risk	Severity	Likelihood	Risk score	Status	Control
	A (1-6)	B (1-6)	A x B		
<b>Protection of physical assets</b> Bus shelters, gates and fences, seats, noticeboards and other assets insured					The asset list is reviewed annually and added to as assets are purchased, the list is kept by the Clerk  The insured value of assets is reviewed annually.
Damage through vandalism	4	5	20		Condition of playground assets to be checked on a regular basis by Councillors
Deterioration due to use	3	5	15		Each year an independent inspection by ROSPA is carried out and risks identified are addressed.
Deterioration due to weathering	3	4	12		
<b>Financial</b>					
Bank insolvency	6	1	6		Amounts held fall below amounts guaranteed by HM Government
Loss of access to accounts	6	4	24		All banking controlled by the Clerk as RFO. Mandate information and signatory information kept up to date
Loss of cash through theft or dishonesty	4	2	8		The only cash handled are small sums for Community room hire, which are paid into the bank directly and as soon as possible after receipt.
Challenge to financial arrangements	4	4	16		Monthly reconciliation prepared monthly by the Clerk as RFO and presented to Councillors on a monthly basis. An interim Internal audit is carried out in February and a final internal

BEENHAM PARISH COUNCIL – Standing Orders, Financial Regulations & Other Policies

VAT underpayment/overpayment	3	2	6	audit is completed in May / June. VAT record kept and reclaimed annually
The Council runs out of funds	6	2	12	Councillors receive detailed budgets for consideration in December of each year. Precept decided in January The final budget is approved at the beginning of the accounting year.
Improper behaviour by Councillor/Clerk	5	1	5	All payments are approved by the Council and recorded in the Minutes. Cheques are signed by two Councillors.
<b>Third party risks</b>				
Risk to third party, property and individuals	5	4	20	Fidelity insurance in place for £80,000 Insurance in place. Playground equipment is inspected regularly by Councillors and is inspected by ROSPA each Spring. Other assets are inspected regularly by Councillors.
<b>Legal</b>				
Ensuring activities are within legal powers	5	3	15	The legal position is assessed for any relevant proposal.
Lack of proper and timely reporting via the minutes	5	3	15	Council meets once a month and receives and approves minutes of meetings held. Minutes made available to public and press and meetings, or by request. Approved meeting minutes are displayed monthly on the Parish notice boards.
Challenge to Councils activities	4	4	16	Meeting notes are reported in the Parish magazine monthly and published on the website.
Lack of proper document control	4	4	16	Current legal documents in filing cabinet in Clerks home office, others are stored in the attic above the community room kitchen.
Fire risk assessment for the Community Room	6	3	18	Fire risk assessment in place for the Community Room which is reviewed annually by the Parish Council

BEENHAM PARISH COUNCIL – Standing Orders, Financial Regulations & Other Policies

Receipt of gifts and or hospitality	4	2	8		Register of Members Interests for Councillors is completed and lodged with the West Berkshire Monitoring Officer. Members are requested to review their Register at the Annual Meeting of the Council.
Non-compliance with Employment Law	4	3	12		<p>All staff have a contract of employment which is duly signed                      Other staff are employed on a casual basis.                      A formal risk assessment is prepared for any work undertaken by Councillors in the playground.                      Information lodged with the Pensions Regulator                      Contractors are required to present a formal risk assessment before work on Council assets.                      Pre-qualification of contractors being considered to include DBS clearance.</p>
	4	3	12		
	4	3	12		
	4	3	12		
	5	4	16		
	5	4	16		

Originated AC                      1st November 2016  
 Reviewed                            7th November 2016  
 Ratified                                5th December 2016

## PRIVACY POLICY

The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the “GDPR”) and other local legislation relating to personal data and rights such as the Human Rights Act.

1. This Privacy Policy is provided by Beenham Parish Council which is the data controller for Parish Council data.

2. The personal data collected:

- Contact information (such as email) and other personal information (names and addresses)
- Where activities are paid for, such as use of parish council facilities, financial identifiers such as bank account numbers.

For a full list of data collected, see appendix B for more details

3. The council will comply with data protection law. This says that the personal data held must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained and not used in any way that is incompatible with those purposes.
- Relevant to the purposes specified and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes specified.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

4. Personal data is used for some or all of the following purposes:

- To contact by email (for example, about community activities)
- To maintain Parish Council accounts and records;
- To send communications which parishioners have requested and that may be of interest.
- To process relevant financial transactions including grants and payments for goods and services supplied to the council

5. The legal basis for processing personal data is described in more detail in appendix B.

6. The council will implement appropriate security measures to protect personal data. It is likely that personal data will be shared with some or all of the following (but only where necessary):

We ask a commercial provider to maintain our web site software

7. The Parish Council may need to keep some other records for an extended period of time. For example, it is a legal requirement to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information. Personal data will be deleted as soon as is practically possible. See appendix B for more details

8. Rights affecting personal data include:

- (i) The right to access personal data we hold on you
- (ii) The right to correct and update the personal data we hold on you
- (iii) The right to have your personal data erased
- (iv) The right to object to processing of your personal data or to restrict it to certain purposes only
- (v) The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

9. If we wish to use your personal data for a new purpose, not covered by this Privacy Policy, then we will provide you with a Privacy Notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

10. We keep this Privacy Policy under regular review and we will place any updates on this web page: <http://www.beenhamonline.org/govt.htm>

11. Please contact us if you have any questions about this Privacy Policy or the personal data we hold about you or to exercise all relevant rights, queries or complaints at:  
The Data Controller, Beenham Parish Council, care of the Parish Clerk  
Email: [theclerk@beenhamonline.org](mailto:theclerk@beenhamonline.org)

## **APPENDIX A - Risk Assessment for the Recreation Ground**

In the course of one of the Parish Council's risk assessment exercises, it was decided to consider the erection of a low paling fence to prevent balls/children running onto the road which passes by the side of the recreation ground.

West Berkshire Council was consulted to see whether they had any guidance to offer from their experience. This Appendix distils the results of that consultation and the Parish Council's own subsequent deliberations.

- 1 There is no statutory requirement for a fence between a recreation ground and a road. Nor are there any available guidelines for determining whether a fence should be erected. The matter is therefore entirely for the Parish Council to decide.
- 2 In making its decision the Council evaluated the nature of the hazards, the degree of risk and the effect on that risk of erecting a fence. The Council is not under an obligation to take steps to prevent every possible accident occurring. The Council should apply its common sense and reach a reasonable decision in the light of its assessment.
- 3 A relevant factor is the speed at which traffic passes the recreation ground. Because of the bends in the road and the parking of vehicles on the other side of the road, traffic passes slowly.
- 4 The likelihood of an accident occurring is also affected by the physical layout. Between the area on which children play and the road there is a path, a row of seven large line trees and (for most of its length) wooden barriers to prevent vehicles driving onto the recreation ground. There is also a small drop from the level of the recreation ground to the road. None of these would always prevent a ball from running onto the road, or a child from doing so. However, taken together these physical elements create a dividing line.
- 5 There is no known history of accidents or near accidents by the recreation ground. This can be properly taken into account by Parish Council in its assessment. It supports a conclusion that the risk of an accident occurring is slight.
- 6 It was decided to extend to the south-eastern end of the recreation ground the line of wooden posts designed to prevent vehicles from going onto it. The posts would add slightly to the demarcation between road and play areas. There would be a very slight risk of a child running into or fall over the wooden posts and it is considered that this risk is too small to taken into account.

**APPENDIX B: GDPR – Data held by the Parish Council and GDPR Roles**

This table identifies data held by Beenham Parish Council in April 2018, where the data originates, with whom it is shared, the basis for processing the data and the proposed retention period for the data. It has been compiled as part of the implementation of GDPR

	<b>Data held</b>	<b>Where it came from</b>	<b>Shared with whom</b>	<b>Basis for processing data</b>	<b>Data Retention</b>
1.	Register of Councillors' interests: Councillor contact details, name, address, telephone, mobile, email, personal profile etc. including 'declaration of Interest' form	Application to be a Parish Councillor	Parish Notes (name, tele and address) Parish web site (photo, name, address, brief personal profile, telephone / mobile number) Parish Clerk	Public Interest	While Councillor is in office. To be removed from Parish Notes and web site within 3 months of leaving office; plus held by Parish Clerk for up to 15 months after leaving office.
2.	Email address for information distribution list; first name, surname and email	Application by email address holder	Webmaster only (plus Host for server)	Consent	Individuals can request removal
3.	Correspondence from public; name, address, potentially email address and telephone number	Unsolicited correspondence from members of the public	Parish Councillors and Clerk; minimal data only to be shared, and only if necessary to resolve topic.	Public Interest	No more than 15 months after resolution. Parish Councillors to remove information from personal files as soon as possible.

4.	Staff information: Name, address, DOB, Remuneration, NI, tax code, bank account, sickness, disciplinary, training records etc.	Employees as part of usual employment procedures. Job applicants during recruitment process.	Statutory authorities as legal requirement. Parish Councillors for job recruitment process.	Legal Requirement	Throughout period of employment, as per legal obligations. After employment data will be retained in line with statutory
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					requirements. Non-statutory information from job applicants deleted within 12 months.
5.	Volunteers; name, address, email, telephone number.	Volunteers	N/A	Public Interest	While volunteer is performing the task; deleted within 15 months of leaving role.
6.	Hirers of Community facilities. Name, address, tele, email address.	Information provided by Hirer.	Name shared with cleaner who unlocks the facilities.	Contractual necessity	Deleted within 15 months after contract.
7.	Web site information for Clubs and Societies. Contact name, email, tele for further information	Information provided by contact individual	Publicly available on the Parish web site.	Public Interest	Deleted from web site and processing emails within 3 months when requested by individual.

### Roles

The following list defines roles within the Parish Council which will support the implementation of GDPR. Some of the roles are obligatory:

**Data Controller (Obligatory)** – Full Parish Council, represented by the Chairman. Overall responsible for Data Processing activities and compliance with GDPR

**Data Processors** – Parish Clerk, Booking Clerk, Webmaster. This is any person or organisation which processes personal data on behalf of the Data Controller.

**Data Protection Officer (Recommended for a Parish Council)** – named Parish Councillor; must have appropriate knowledge of GDPR and will advise on internal compliance, particularly when new processes are introduced.

**Data Protection Compliance Officer (day to day central support and guidance in respect of compliance with processes that cover GDPR).** – Parish Clerk