

**ST CLEER PARISH COUNCIL**

Principle Guiding Document	Code of Conduct	Standing Orders	Financial Regulations
Legislation	Localism Act Equality Act Employment Legislation	Local Government Act Health and Safety Law Covid Act	LGA; Transparency, Procurement, Criminal and other UK laws EU regulations

Data	Finance and General Purposes	Estates	Community Engagement and Emergency Planning	Planning	Human Resources
TOR Last Review Date	26.2.20	26.2.20	27.3.19 / 24.3.19	28.11.19	27.05.20
TOR Next Review Date	Feb 2021	Feb 2021	September 2020	September 2020	March 2021
Financial Authority	£250	£250	NIL	NIL	NIL
Documents pertaining	Financial Regs Standing Orders Asset Register Cash book Risk Assessments Best Value Statement Transparency Audit Business Plan Publications Statement GDPR / ICO / EIR Co-option Acceptance of Office Register of Interests VAT Internal Controls / Audit S137 Hire rates policy EMR Insurance AGAR	Allotment Contract SLA Football SLA Footpaths Mowing Contract Clinical Waste Recycling Annual inspections DDA / Access Due Diligence re Inspections compliance Health and Safety Asbestos cert Legionella cert / testing Electricity Cert Environmental Policy	Emergency Plan Communication Plan Complaints Policy Social Media Policy	5 Day Protocol	Code of Conduct HR Protocol Discipline Grievance Appraisal Supervision Recruitment Pay Policy Equality Impact Assessments Critical Incident Review Training Anti Bullying and Harassment Lone Working Home Working Clerk Absence Equal Opportunity Capacity Procedure Occupational Health Human Rights Act

**FGPC TOR**

To review and develop the Standing Orders and Financial regulations of the Council, annually in January, ensuring that they reflect good practice and any changes in pertinent legislature  
 Propose the Standing Orders and Financial Regulations at the May meeting for the forthcoming year

Regular oversight (at least quarterly) and responsibility for all of the Council finances including ensuring:

- All expenditure is authorized by Council, Estates or FGPC (See 2 below)
  - All income is notified to Council
  - That expenditure is appropriately allocated to the correct budget head
- \* That an adequate 'cashbook' is maintained
  - \* Bank reconciliation

To review the annual list of pre-authorized expenditure:

- Stationary
- Sanitary and other supplies
- Utilities

- WWW Domains
- HMRC payments
- Salaries

- Nest pension payments
- Playground inspection

To develop an overarching business plan for the Parish, to be presented to Council

In conjunction with Estates, Community Engagement and HR Groups to develop a budget of income and expenditure for the Council year – April to March  
 To ensure that this budget is presented to Council at their November meeting to inform the motion related to the Precept

To review Council's performance against budget, recommending virement and variance management to Council during the fiscal year at least once during the year, usually at the end of Quarter 2  
 To receive the recommendation from Estates in relation to the needs of the Parish to have adequate insurance cover for all liabilities including legal protection  
 To propose to Council the level of insurance cover required and ensure its purchase

Together with the Clerk / RFO ensure that there is an adequate procedure manual which is regularly reviewed and published on the Parish website to include as a minimum policies and procedures related to:

- Employment of staff
- \* Health and Safety
- \* Risk Management

Together with the RFO to review the Financial Comparison and the appropriateness of current budgets.

Audit all expenditure over £5000 to ensure that the financial regulations were complied with, making recommendation for remedial actions or system improvement

To receive all applications for grants under s137 of the LGA 1972 (as amended) and to make recommendation to Council as to their award or disposal

To appoint the internal auditor

To ensure that all policy and practices meet the requirements of the Annual Return

To recommend to Parish at the May meeting the annual return in its entirety so that the timelines can be adhered to for the exercise of public rights

To review the banking needs of the Parish and ensure that the account arrangements effectively underpin the financial and investment management of the Parish

To consult with the Clerk and RFO where appropriate, on areas that have been delegated to the Clerk and RFO within financial regulations, standing orders or any other policies and protocols approved by the Council that impact on this Committees terms of reference

To audit compliance with the following:

- Acceptance of Office \* Compliance with Co-option of Councillors
- Compliance with the Transparency regulations \* Regular update of the register of member's interests
- Member's commitment to the Code of Conduct and Social Media Policy

To incrementally develop towards

- Quality Parish Award \* Certificate of Competence
- A 3-year business plan for the Parish, to be presented to Council \* A medium-term financial strategy (MTFS)

**Estates TOR**

Management of the Council's property and lands including (and as expended from time to time) with due regard to their role as custodian of the assets and monitor of all health and safety considerations:

- The Sports field and all outdoor equipment
- The Pavilion
- The Toilets and Car Park
- The Millennium Garden

- The Horizon Playground
  - The Allotments
  - Land at Trethevy Quoit
  - Bus Shelters
  - Grit bins
  - Community Benches
  - Community Noticeboards
- And Footpaths as agreed with Cornwall Council

Author of a regime of pre-planned annual maintenance programme in line with the Business Plan and Reserves Policy

Monitor and commissioner of all reactionary maintenance including quarterly receipt of the following inspection programmes:

- Legionella \* Skate Park safety \* Horizon Play park safety

To ensure that an adequate risk assessment is updated annually which accurately reflects both the health and safety needs of the Parish as well as the wider risks of operation of a small council.

To conduct an annual appraisal of all health and safety and legislative requirements as they relate to the Estate (best practice guidelines and with due regard to standing orders and financial regulations) and ensure that the Council meets all of its responsibility in this regard

To receive the updated asset, register annually in January and ensure that it reflects the full estate of the Council

The Finance Committee will, on receipt, ensure that the Insurance limits purchased in March, fully reflect the assets of the Council

Responsible for the Compilation of an asset condition report of all fixed assets. This shall be presented to the Council for consideration in July so as to effectively budget for the forthcoming year and ensure that the Precept agreed at Council meets the needs of the Estate plan

To present to the precept meeting of the Finance and General Purposes Committee in September of each year costed financial implications as a result of implementing the points above and for proposed new projects as they pertain to the Estate

To consult with the Clerk and RFO where appropriate on areas that have been delegated to the Clerk and RFO within financial regulations, standing orders or any other policies and protocols approved by the Council

## HR TOR

### RECRUITMENT

The Committee will have delegated responsibility for the selection and recruitment of the Clerk / RFO; bringing a motion to Parish to ratify the appointment

The Clerk / RFO will appoint all other staff as agreed by the HR strategy and modified by Parish from time to time

The committee will work within the NALC / CALC policies or guidelines with delegated authority.

Any amendment or variation to these policies or guidelines will require the full support of Council

Staff are appointed to Salary scales and will be offered pay review in line with the relevant LGA agreement. Should the Committee wish to increase the salary point of any individual, as this will have long term financial implications for Parish, this must be ratified at full Parish Council

All staff will have 2 references checked and retained on file. Certificates referred to in application and proof of entitlement to work within the UK must also be collected and kept on file.

No staff within the Council require DBS as there is no unfettered access to vulnerable adults or children within the remit of the Parish.

Potential Staff that declare a spent conviction will be treated as if this was not in evidence. Staff that declare unspent convictions will be appointed under the delegated authority of the Committee upon the recommendation of the Clerk / RFO; using an appropriate risk assessment

### INDUCTION

The committee is entirely responsible for the induction to the Parish of the Clerk / RFO and will appoint a named individual to this task

The committee is responsible for ensuring that the Clerk / RFO has provided appropriate induction to any new staff and new Councillors

### TRAINING

The Committee will oversee the appropriate policy, training and systems of work for all staff in relation to the work carried out by and for the Council

The Committee will recommend to Parish in November annually the budget required to meet the minimum training required by the staff group and any additional training that they consider desirable.

### DISCIPLINE AND GRIEVANCE

The Council as a whole is the employer of the Clerk / RFO and as a collective effectively operates as the line manager of the post. The Clerk / RFO advises the Parish of their roles, responsibilities and powers or limitations in this respect.

The Committee will delegate 2 or 3 members to manage the grievances of the Clerk / RFO, ensuring that the Code of Conduct is used as appropriate for allegations against Councillor behaviour

The Committee will delegate 2 or 3 members to manage any grievance against the Clerk / RFO

Upon receipt of any complaint by the Parish in relation to the performance of the Clerk the Committee will:

- Appoint 2 or 3 members to assess the complaint and consider whether it is justified. They will have the delegated authority to strike out any vexatious, unlawful or spurious complaint made
- Any complaint they consider legitimate they will investigate and use the CALC / NALC guidelines and assistance of CALC as required. Should an insurance claim be likely or possible they will advise the insurers and access Radar as required. Once legal advice is given it must be followed.
- They will present their findings to the remainder of the committee (minus 2 people) within the agreed timeframes and a motion from the Committee prepared for a Part 2 agenda item of the Parish
- Parish will then agree or not the motion, which the committee will enact – effectively applying sanction or exonerating the Clerk / RFO as appropriate.
- The Clerk / RFO will have a right of appeal to the 2 individuals not involved in the initial motion to Parish.

### TERMS AND CONDITIONS **Pay Policy Statement 2020-2021 (Including terms and conditions)**

Purpose and aim of the policy statement (as appended)

This document fulfils the requirement of the Localism Act 2011 that local authorities prepare and publish a pay policy statement for each financial year. The pay policy statement is intended to provide sufficient information about pay policy to enable local taxpayers to reach an informed view about local decisions on all aspects of remuneration for relevant employees. It also sets the context for the numerical information that is published by the Council under Local Government Transparency Code 2015 and by The Accounts and Audit (England) Regulations 2011.

Where the Pay Policy Statement varies from an individual's contract the individual contract will take precedence.

#### PERFORMANCE MANAGEMENT

The Committee will hold delegated responsibility for the appraisal of the clerk, it will in turn delegate (to no more than 2 members) the duty of conducting at least one (annual) review of the Clerk / RFO. These members will report back to the committee as appropriate and with reference to GDPR. A motion to Parish to approve the appraisal will then be put forward  
Appraisal ought to be conducted at the end of the civic year; should this not be effected due to external pressure than the members working with the Clerk / RFO over the year will continue in this regard and hand over as soon as possible at the beginning of the civic year.

No other staff will be managed, directed or instructed by any Councillor or Committee member in recognition that the Clerk / RFO manages all staff within the Council

The Committee will 'grandparent' all performance appraisals of staff directly managed by the RFO / Clerk.

#### STRATEGY

The committee will be responsible for enabling the Clerk / RFO to create a structure within the Parish staffing and facilities to meet the needs of the parish

Any strategy will at least meet the needs and letter of Employment Law and good practice but will aspire to exceed minimum standards so to be considered an excellent employer.

This matter will form the basis of a motion to parish for ratification as a Part 2 item on the agenda

#### SICKNESS AND ANNUAL LEAVE ARRANGEMENTS

The Chairman or in their absence the Vice Chairman of Council will accept applications for annual leave for the Clerk / RFO and make recommendation under delegated authority to the Committee should a locum be required to enable the smooth running of the council

The Chairman or in their absence the Vice Chairman of Council will be the single point of contact in cases of RFO / Clerk sickness and will sign any medical certificate received. The content of this will be confidential and filed save the dates it serves.

#### WELFARE ARRANGEMENTS

Any member of the Committee may be approached by the Clerk / RFO when it is apparent that a welfare matter has emerged.

That individual will work with the The Chairman or in their absence the Vice Chairman of Council to resolve the matter as expediently as possible.

A spend of up to £500 will be delegated to the The Chairman or in their absence the Vice Chairman of Council should there be a genuine need for spend – this may relate to issues such as special seating or other adaptations to accommodate an individual's personal needs or responses such as the provision of Counselling following issues related to work. The spend will be noted at Parish as 'an Exigent HR matter'

#### RELATIONSHIP BETWEEN THE CLERK / RFO AND THE PARISH CHAIR

It is recognised that the Clerk / RFO and Chair have a 'special' relationship which essentially is one of mutual governance and support

It is further recognised that the Chair appointed by Council may or may not have the experience to manage this relationship and or have this knowledge base and that conflict is frequently noted and to be expected

The Committee will have a role in mitigation in these circumstances and may, as required, quite properly provide a buffer between the two, to the benefit of the smooth working of the Parish

The committee will work with employment law and the code of conduct in this matter

#### AGENDA AND MINUTES

The Agenda will be published as appended and Minutes will reflect common practice with Part 2 items. Being broadly specific and with full regard to data protection

<b>TOR Community Emergency Planning Group</b>	
<b>Aim</b>	<b>Objectives</b>
To form a small working party to develop a first response plan for St Cleer in case of major incident where it is likely that the main responding agencies may not attend St Cleer promptly	<p>This is a very boundaried and time specific Parish supported intervention aimed at:</p> <ul style="list-style-type: none"> <li>• Identification of key people</li> <li>• Key communication methods</li> <li>• Communication Strategy</li> <li>• Initial evacuation sites with suitable accommodations provided</li> <li>• Initial identification of vulnerable people within the village</li> <li>• Identification of resources within the village eg water, power, machinery</li> <li>• Enabling the Police, Ambulance, Fire and other agencies access to the village and assisting with the management of traffic flow to enable this and to protect others</li> <li>• Provision of equipment to be used in extreme circumstances</li> <li>• Provision of information to Gold Command Centre in advance to enable a co-ordinated response to St Cleer as and when needed</li> </ul>
<b>Title</b>	<b>Commentary</b>
<p>Identification of key people</p> <ul style="list-style-type: none"> <li>• Skills * Competence</li> <li>• Equipment * Language</li> </ul>	
<p>Key communication methods</p> <ul style="list-style-type: none"> <li>• Within the village</li> <li>• Without the village</li> </ul>	<p>Lone working policy Social Media</p>
<p>Communication Strategy</p> <ul style="list-style-type: none"> <li>• Within the village</li> <li>• Without the village (eg advising those at work to stay away if the village is cut off)</li> </ul>	<p>Mobiles Short wave radio Ham Radio</p>
Initial reception centre sites with suitable accommodations provided / sustenance	Ensure reception centres can be accessed free of flash flood areas
Initial identification of vulnerable people within the village	GDPR compliant
Support the planning in advance for vulnerable people in case of emergency	Medicines, evacuation, care plan provision Information in advance
Identification of resources within the village eg water, power, machinery, skilled individuals within the community	

Enabling the Police, Ambulance, Fire and other agencies access to the village and assisting with the management of traffic flow to enable this and to protect others	
Provision of equipment to be used in extreme circumstances	Purchase                      Grants                      Location
Provision of information to Command Centre in advance to enable a co-ordinated response to St Cleer as and when needed	Plan passed across GDPR positive documents held securely Publish GDPR Clear document on the web
Identification to threats to the Parish that the Parish can mitigate to prevent loss of life and limb	The Formal appraisal and report to Parish on the following <ul style="list-style-type: none"> <li>• Audit of AED Provision in the Parish</li> <li>• Improvement of road hotspots where flood, speed or similar have or could contribute to impact on life</li> <li>• Provision of services aimed at community inclusion to provide cohesion and enhance community spirit / engagement</li> </ul>
Development of a Business Continuity Plan for the Parish	Back up Cyber safety IT outage Meeting abandonment strategy
Identification of Preventative strategies to mitigate surface water flood risks (outside of planning regulations)	Survey of drains within the villages and referral to Cormac for clearance if required Culvert cleaning, drain chamber cleaning, clearing rubbish, prevention of leaf ingress (where practicable) Cornish Hedge ingress identification and reporting Identification of areas liable to flash flood Provision of warning signs
Identification of training needs and training plan	Red Cross Flood Planning Community Resilience Training

<b>TOR Community Engagement</b>	
<b>Aim</b>	<b>Objectives</b>
<b>Strategy</b> <ul style="list-style-type: none"> <li>• Within the Parish / With other Parishes</li> <li>• With Cornwall Council</li> </ul>	Short medium and long term aim
<b>Public Relations / Media Strategy</b>	Shift from Firefighting to proactive plan
<b>Social Media</b> <ul style="list-style-type: none"> <li>• Facebook /Instagram /Twitter</li> </ul>	Increase Councillor involvement as Admins Increase media presence
<b>Promotion</b> <ul style="list-style-type: none"> <li>• Allotments</li> </ul>	Fill allotments Increase Use of Pavilion
<b>St Cleer Website</b> <ul style="list-style-type: none"> <li>• Links to Cornwall Council</li> </ul>	Tender and revisionl <ul style="list-style-type: none"> <li>• Register of interests * Complaints * Planning portal</li> </ul>
<b>Live Streaming meetings</b>	WWW Tender * CCTV Tender
<b>Noticeboards</b> <ul style="list-style-type: none"> <li>• Agendas and Minutes</li> <li>• Locations</li> </ul>	Agenda and minutes <ul style="list-style-type: none"> <li>• Darite</li> <li>• Crows Nest</li> <li>• Redgate</li> <li>• Tremar</li> <li>• Trecarne</li> </ul> <ul style="list-style-type: none"> <li>• Horizon</li> <li>• Pavilion</li> </ul> Static info <ul style="list-style-type: none"> <li>• Trevethy Quoit</li> <li>• Siblyback</li> </ul>
<b>Publications</b>	<ul style="list-style-type: none"> <li>• Granite Post * St Cleer News</li> </ul>
<b>Publication Policy</b>	Annual Review
<b>Events</b> Carnival / Remembrance / Operation London Bridge	Policy
<b>Volunteers</b>	Link to Emergency Planning
<b>Planning</b>	Proactive publication of Agenda * Link to Cornwall Planning