

# EARLS COLNE PARISH COUNCIL

## ASSET MANAGEMENT POLICY

Version 1 (2026)

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### 1. INTRODUCTION

1.1 Earls Colne Parish Council has a duty to ensure that its investments in assets are properly managed, controlled and recorded. If the assets the Parish Council owns, or for which it is responsible, are not managed effectively, the Council is exposed to risks of financial loss relating to:

- improper asset management – outdated patterns of use may continue unchallenged;
- improper asset usage and maintenance – assets may become unfit for purpose, underused or obsolete; and
- asset ownership – assets may be overlooked, resulting in unmanaged risks.

1.2 Effective asset management significantly reduces these risks and supports compliance with the Council’s Financial Regulations (Section 15: Assets, properties and estates). This policy defines how Earls Colne Parish Council records, values, inspects, maintains, and disposes of its assets.

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### 2. RECORDING OF ASSETS

2.1 The Parish Council shall maintain a register of its fixed assets, long-term investments, and other non-current assets (the Asset Register). Fixed assets include property, plant and equipment used to deliver Council services. A long-term investment is any investment other than a short-term cash investment<sup>1</sup>.

2.2 The Asset Register will be used to:

- ensure assets are tracked and not overlooked or underutilised;
- support informed decision-making regarding maintenance and disposal;
- provide accurate data for insurance and audit, including the Annual Governance and Accountability Return (AGAR); and
- act as a record for insurance purposes.

2.3 The Asset Register will be maintained electronically by the Clerk (RFO) in accordance with Financial Regulations 15 and will include:

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<sup>1</sup> Governance and Accountability for Local Councils: A Practitioner’s Guide (England), 2026 Edition, Joint Panel on Accountability and Governance

- a description of assets with an acquisition value exceeding £100 (except nominal £1 assets), including acquisition date where known;
  - location of the asset;
  - market value (where appropriate);
  - replacement value for insurance purposes;
  - disposal value and use of proceeds (if applicable);
  - method of disposal; and
  - date of disposal.
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### 3. VALUATION

3.1 Assets will be recorded at acquisition cost. Values will not change annually, as depreciation and revaluation are not applicable to parish councils<sup>2</sup>.

3.2 Assets acquired at no cost (e.g. via transfer) will be recorded at a nominal value of £1<sup>3</sup>.

3.3 Community assets (e.g. war memorials, heritage features) with no resale value will also be recorded at £1<sup>4</sup>.

3.4 For insurance purposes, assets will be valued at replacement cost, including installation where applicable.

3.5 Asset valuations for insurance will be reviewed at least every five years to ensure adequate cover.

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### 4. ASSET INSPECTION AND MAINTENANCE

4.1 All assets will be physically verified and inspected at least annually in accordance with Financial Regulation 15.3.

4.2 Assets that cannot be located will be investigated and, if necessary, removed from the Asset Register and recorded in a Disposals Record.

4.3 Assets must be maintained to ensure safety, serviceability, and longevity. Maintenance work requires Council approval unless urgent for safety reasons.

4.4 The Council will set an annual budget to cover expected maintenance costs.

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<sup>2</sup> Governance and Accountability for Local Councils: A Practitioner's Guide (England), 2026 Edition, Joint Panel on Accountability and Governance

<sup>3</sup> Ibid

<sup>4</sup> Ibid

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## 5. REVIEW OF THE ASSET REGISTER

5.1 The Asset Register will be reviewed annually. The Council will identify surplus assets and take appropriate action.

5.2 The Council will consider opportunities to:

- reduce asset-related costs;
- increase income from assets; and
- share resources where lawful and beneficial.

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## 6. DISPOSAL

6.1 Assets no longer required or beyond economic repair will be disposed of appropriately.

6.2 Disposal decisions rest with the Parish Council in accordance with Financial Regulations 15.4 and 15.5. Where possible, assets will be sold and proceeds allocated to the originating cost centre or reserves.

6.3 Where sale is not possible, disposal will be carried out in an environmentally responsible manner.

6.4 Disposal records will be retained for seven years before deletion.

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## 7. LINKS TO FINANCIAL REGULATIONS

7.1 This policy should be read alongside Financial Regulations Section 15 (Assets, properties and estates).

7.2 In particular:

- The Responsible Financial Officer (RFO) is responsible for maintaining the Asset Register (FR 15.2);
  - Title deeds and land records must be securely held (FR 15.1);
  - Assets must be verified annually (FR 15.3);
  - Acquisition and disposal of land requires full Council approval and supporting reports (FR 15.4); and
  - Acquisition and disposal of moveable property must comply with approval thresholds and reporting requirements (FR 15.5).
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Approved at the meeting held on 19<sup>th</sup> May 2026



# EARLS COLNE PARISH COUNCIL

## GRANTS PACK 2026

### 1. Guidance Notes

Please read the following before applying for a grant:

- Projects must benefit Earls Colne residents
- Applications must include clear costings and supporting information
- Retrospective funding is not permitted
- Only one application per organisation per year (unless exceptional)
- The Council may request additional information before determining an application

### 2. Grant Awarding Policy

Earls Colne Parish Council awards grants using its General Power of Competence.

- Applications are assessed on merit, community benefit and value for money
- The Council will ensure fairness and transparency in decision-making
- Grants will not normally be awarded for ongoing operational costs
- Applicants must provide appropriate financial information
- All grant awards are approved by Full Council and recorded in minutes

### 3. Eligibility Criteria

- Projects must directly benefit Earls Colne residents
- Applicants must provide detailed costings
- No retrospective applications will be considered
- Only one application per organisation per financial year
- Applications must not support political or discriminatory activities

### 4. Conditions of Funding

- Funds must be used for the approved purpose only
- Evidence of expenditure (receipts/invoices) must be provided
- A post-award monitoring form must be completed
- The Council must be acknowledged in publicity materials
- Misuse of funds may result in repayment being required



## 5. Grant Application Form

Organisation Name

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Contact Details

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Project Title

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Amount Requested (£)

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Total Project Cost (£)

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Other Funding Sources

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Project Description

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Community Benefit

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Expected Outcomes

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## 6. Post-Award Monitoring Form

Organisation Name

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Grant Amount Received (£)

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How was the grant used?

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What outcomes were achieved?

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Number of beneficiaries

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Evidence provided (photos/receipts)

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# EARLS COLNE PARISH COUNCIL

## COMPLAINTS PROCEDURE (2026)

### 1. Purpose

This procedure sets out how complaints will be handled fairly and promptly.

### 2. Scope

Applies to complaints about administration, services or procedures (not Code of Conduct complaints).

### 3. Principles

- Complaints treated seriously
- Handled fairly and promptly
- Respect for complainants
- Confidentiality maintained

### 4. Informal Stage

Raise with Clerk in first instance.

### 5. Formal Complaint

- Submit in writing
- Acknowledged within 5 working days
- Response within 15 working days where possible

### 6. Escalation

Can be referred to Council if unresolved.

### 7. Final Stage

Council decision is final.

### 8. Unreasonable Complaints

May be managed under vexatious complaints policy.

### 9. Records

Clerk will maintain records.

### 10. Related Policies

- Member/Officer Protocol
- Grievance and Disciplinary Policy
- Vexatious Complaints Policy
- Code of Conduct

### 11. Review

Reviewed periodically.

# EARLS COLNE PARISH COUNCIL

## DATA PROTECTION POLICY (2026)

### 1. Introduction

Earls Colne Parish Council ('the Council') is committed to protecting personal data and ensuring information is handled lawfully, fairly and transparently.

This policy explains how the Council complies with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and Information Commissioner's Office (ICO) guidance.

The Council processes personal data in connection with its statutory functions, services, employment responsibilities and community activities.

### 2. Scope

This policy applies to:

- Councillors
- Employees
- Contractors and consultants acting on behalf of the Council
- Volunteers handling Council information
- Any person processing personal data on behalf of the Council

### 3. Data Protection Principles

The Council will ensure that personal data is:

- Processed lawfully, fairly and transparently
- Collected for specified and legitimate purposes
- Adequate, relevant and limited to what is necessary
- Accurate and kept up to date
- Retained only for as long as necessary
- Processed securely and protected against unauthorised access or disclosure
- Handled in a manner demonstrating accountability

### 4. Individual Rights

- Right to be informed
- Right of access
- Right to rectification
- Right to erasure
- Right to restrict processing
- Right to object
- Rights relating to automated decision making

Requests relating to personal data should be submitted to the Parish Clerk.

## 5. Responsibilities

The Council is the Data Controller for the purposes of data protection legislation.

The Clerk / Responsible Financial Officer is responsible for:

- Day-to-day data protection compliance
- Maintaining privacy notices and procedures
- Managing Subject Access Requests
- Managing data breaches
- Ensuring appropriate security controls are in place

## 6. Information Security

- Password-protected devices and accounts
- Secure cloud-based systems where appropriate
- Restricted access to confidential records
- Secure disposal of confidential waste
- Regular software and security updates
- Use of multi-factor authentication where available

## 7. Communications and Electronic Information

The handling of personal data through email, social media, website content and electronic communications must comply with the Council's Communications Policy and Information Security procedures.

- Council email accounts should be used for Council business
- Personal data must not be disclosed through social media or insecure channels
- Email recipients should be checked carefully before sending information
- Council systems access will be removed promptly when individuals leave office or employment

## 8. Data Retention

Personal data will only be retained for as long as necessary in accordance with the Council's Data Retention Policy and legal requirements.

## 9. Data Breaches

All suspected personal data breaches must be reported immediately to the Parish Clerk.

- Breaches will be investigated promptly
- Appropriate remedial action will be taken
- The ICO will be notified where legally required
- Affected individuals will be informed where necessary

## 10. Freedom of Information

The Council will balance its obligations under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and data protection legislation.

## 11. Related Policies

- Communications Policy
- Data Retention Policy

- Publication Scheme
- Member / Officer Protocol
- Complaints Procedure
- Grievance and Disciplinary Policy
- Financial Regulations
- Risk Management

## **12. Monitoring and Review**

This policy will be reviewed periodically and updated where necessary.

## **13. Contact Details**

Parish Clerk  
Earls Colne Parish Council

Email: [clerk@earlscolne-pc.gov.uk](mailto:clerk@earlscolne-pc.gov.uk)

Telephone: 01787 224370

Website: [www.earlscolne-pc.gov.uk](http://www.earlscolne-pc.gov.uk)

## **Adoption and Review**

Adopted: \_\_\_\_\_

Minute Reference: \_\_\_\_\_

Next Review Date: \_\_\_\_\_



# EARLS COLNE PARISH COUNCIL

## DATA RETENTION POLICY (2026)

The Parish Council recognises that efficient management of records is necessary to comply with legal and regulatory obligations and to support effective administration.

This policy applies to all records created, received or maintained by Earls Colne Parish Council in the course of carrying out its functions. Records may be held electronically or in paper form.

A small percentage of records may be retained permanently as part of the Council's archive and historical record.

### 1. Responsibilities

The Clerk to the Council is responsible for implementing this policy and ensuring records are managed appropriately, securely and in accordance with legal requirements.

### 2. Retention Schedule

Under the Freedom of Information Act 2000, the Council is required to maintain a retention schedule for records created in the course of its business.

Document	Minimum Retention	Reason
Minute Book	Indefinite	Archive
Annual Accounts	Indefinite	Archive
Annual Return / AGAR	Indefinite	Archive
Bank Statements	7 years	Audit / management
Cheque book stubs	Audit + 1 year	Management
Paying in books	Audit + 1 year	Management
Quotations and tenders	7 years	Audit
VAT records	7 years	Audit / VAT
Paid invoices	7 years	Audit / VAT
Salary records	7 years	Audit
Tax and NI records	7 years	Audit
Insurance policies	Whilst valid	Audit



Document	Minimum Retention	Reason
Employers Liability Insurance	40 years	Legal
Public Liability Insurance	40 years	Legal
Asset Register	Indefinite	Audit
Deeds and leases	Indefinite	Legal

### 3. Planning Applications

Planning applications and decision notices are available from Braintree District Council. Parish Council comments and recommendations are retained within Council minutes.

### 4. Disposal Procedures

Sensitive records no longer required will be securely shredded or disposed of using a confidential waste contractor where appropriate.

Councillor email accounts and access to Council systems will be removed promptly upon leaving office.

### 5. Related Policies

- Data Protection Policy
- Publication Scheme
- Freedom of Information Procedures
- Information Security Procedures

### 6. Review

This policy will be reviewed periodically and updated where necessary.

Signed: \_\_\_\_\_

Chairman

Review Date: \_\_\_\_\_

# EARLS COLNE PARISH COUNCIL

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## ENVIRONMENTAL POLICY

Version 1 (2026)

### 1. POLICY STATEMENT

Earls Colne Parish Council aims to carry out its activities with environmental responsibility and efficiency, actively seeking to protect and enhance the local environment and biodiversity, whilst recognising competing land use pressures.

### 2. CONTEXT

The Council recognises the importance of addressing climate change and biodiversity loss and will have regard to the duty to conserve biodiversity under the Natural Environment and Rural Communities Act 2006 (Section 40).

### 3. AIMS

The Council will minimise resource use, support sustainable procurement and encourage local biodiversity and climate initiatives.

### 4. OBJECTIVES

- Comply with environmental legislation
- Reduce waste and promote recycling
- Support biodiversity through land management
- Encourage sustainable transport
- Promote air and water quality
- Engage with developers on biodiversity net gain
- Encourage responsible contractor practices

### 5. BIODIVERSITY DUTY COMPLIANCE

In accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, the Council will:

- Consider biodiversity impacts in all decision-making
- Take proportionate action to conserve and enhance biodiversity
- Review biodiversity actions annually
- Record actions taken to demonstrate compliance

This ensures the Council meets its statutory duty and aligns with best practice guidance.

### 6. LINK TO RISK MANAGEMENT

This policy links directly to the Council's Financial and Operational Risk Matrix.

Environmental risks such as:

- damage to natural assets
- climate-related impacts
- regulatory non-compliance

are identified, scored, and managed through the Risk Matrix. This ensures environmental considerations are integrated into the Council's overall governance, risk management, and reserves planning.

## **7. IMPLEMENTATION**

The Council will integrate environmental considerations into decision-making, procurement, and asset management.

## **8. REVIEW**

This policy will be reviewed annually.

Signed: \_\_\_\_\_

Chairman

Date: \_\_\_\_\_

Review Date: May 2027

# **EARLS COLNE PARISH COUNCIL**

## **EQUALITY AND DIVERSITY POLICY (2026)**

### **1. Introduction**

Earls Colne Parish Council ('the Council') is committed to promoting equality, diversity and inclusion in all aspects of its work and service delivery.

The Council aims to ensure that no individual is treated unfairly, disadvantaged or discriminated against because of a protected characteristic under the Equality Act 2010.

The Council recognises its responsibilities as a public authority and employer and seeks to foster good relations within the community.

### **2. Legal Framework**

- Equality Act 2010
- Public Sector Equality Duty
- Human Rights Act 1998
- Relevant ACAS guidance
- NALC and SLCC best practice guidance

### **3. Protected Characteristics**

The Equality Act 2010 protects individuals from discrimination on the basis of:

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

### **4. Council Commitment**

- Treat all individuals fairly and with respect
- Promote equality of opportunity
- Provide services in an inclusive and accessible manner
- Prevent discrimination, harassment and victimisation
- Promote an inclusive working environment
- Consider equality impacts when making decisions and policies

### **5. Employment and Recruitment**

- Recruitment decisions will be based on merit
- Selection processes will be fair and objective

- Reasonable adjustments will be considered for disabled applicants and employees
- Training opportunities will be offered fairly
- Bullying, harassment and discrimination will not be tolerated

Employment matters will be managed in accordance with the Council's Grievance and Disciplinary Policy.

## **6. Councillors and Conduct**

- Members must comply with the adopted Code of Conduct
- Discriminatory behaviour will not be tolerated
- Councillors should consider equality implications when making decisions
- Members should support an inclusive and respectful culture

## **7. Service Delivery and Accessibility**

- The Council will seek to make meetings and information accessible
- Council communications will aim to be clear and inclusive
- Reasonable adjustments will be considered where appropriate
- The Council will seek to engage with all sections of the community

## **8. Complaints**

Complaints relating to discrimination or unfair treatment will be handled in accordance with the Council's Complaints Procedure or employment procedures where appropriate.

## **9. Monitoring and Review**

This policy will be reviewed periodically to ensure compliance with legislation and best practice.

## **10. Related Policies**

- Code of Conduct
- Member / Officer Protocol
- Complaints Procedure
- Grievance and Disciplinary Policy
- Communications Policy
- Data Protection Policy
- Health and Safety Policy

## **Adoption and Review**

Adopted: \_\_\_\_\_

Minute Reference: \_\_\_\_\_

Next Review Date: \_\_\_\_\_

## EARLS COLNE PARISH COUNCIL

### FINANCIAL INVESTMENT STRATEGY

Version 1 (2026)

#### 1. INTRODUCTION

This Strategy has been prepared in accordance with statutory guidance issued under the Local Government Act 2003.

Earls Colne Parish Council expects its investments to exceed £10,000 but not £500,000 and will have regard to the statutory guidance. The Council will prioritise security and liquidity in managing investments.

#### 2. INVESTMENT OBJECTIVES

The Council's priorities are:

- (1) Security of reserves
- (2) Liquidity of investments
- (3) Return

All investments will be made in sterling.

The Council will not borrow money purely to invest or generate a return.

#### 3. SECURITY AND INVESTMENTS

##### 3.1 Specified Investments

These are low-risk, highly liquid investments (maturing within one year). The Council may use:

- UK banks and building societies
- Local authorities and public bodies
- Approved public sector funds

##### 3.2 Non-Specified Investments

These carry greater risk (e.g. stocks and shares). The Council will not use these.

#### 4. GOVERNANCE AND RISK

The Council will:

- Have regard to FSCS protection limits
- Spread investments to reduce risk
- Ensure the RFO manages investments in consultation with Full Council
- Record all investment decisions in Council minutes

#### 5. REVIEW AND MONITORING

Investments will be reviewed at least every six months by the RFO and reported to Full Council.

This Strategy will be reviewed annually.

#### 6. FREEDOM OF INFORMATION

This document will be published on the Council's website and available from the Clerk.

Signed: \_\_\_\_\_

Chairman

Date: \_\_\_\_\_

Review Date: May 2027



# EARLS COLNE PARISH COUNCIL

## STATEMENT OF INTERNAL CONTROL (2026)

### Introduction

Earls Colne Parish Council ('the Council') is responsible for ensuring that its financial business is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for and used economically, efficiently and effectively.

The Council is also responsible for maintaining a sound system of internal control which supports the effective exercise of its functions and arrangements for the management of risk.

The Council reviews the effectiveness of its systems of internal control annually, informed by the work of the Internal Auditor, the Council as a corporate body, and comments made by internal and external auditors.

### Purpose of the System of Internal Control

The system of internal control is designed to manage risk to a reasonable level rather than eliminate all risk.

The system is designed to:

- Identify and prioritise risks to the achievement of Council objectives
- Evaluate the likelihood and impact of risks
- Manage risks efficiently, effectively and economically

The system of internal control accords with the Joint Panel on Accountability and Governance Practitioners' Guide (2026 edition).

### The Internal Control Environment

The Council:

- Has adopted Standing Orders and Financial Regulations
- Receives budget monitoring reports monthly except during AGAR and budget-setting periods
- Carries out a formal mid-year budget review at the September meeting
- Discusses the following year's budget at the December meeting
- Determines the budget and precept at the January meeting
- Approves a payment list at each ordinary Council meeting
- Maintains and reviews risk assessments and policies regularly
- Receives reports from Internal and External Auditors
- Receives recommendations from the Finance and Internal Controls Committee to support the monitoring and review of financial management, internal controls, budgeting and risk management arrangements

The Clerk / Responsible Financial Officer (RFO):



- Acts as the Council's principal advisor and administrator
- Administers the Council's finances
- Prepares regular financial monitoring information
- Determines and maintains accounting records and control systems
- Ensures compliance with legislation and Financial Regulations

### **Payments and Banking Controls**

- Invoices are uploaded to a secure SharePoint folder for Member review
- Councillor signatories verify invoices before payment
- A payment list is presented to Council monthly for approval
- Following approval, the RFO sets up payments through the banking system
- Two approved bank signatories authorise payments
- Regular payments and direct debits are reviewed periodically

### **Risk Management**

- The Council maintains a Risk Matrix and reviews controls regularly
- Risk assessments are reviewed at least annually
- Appropriate insurance cover is maintained
- Specialist advice is obtained where necessary

### **Internal Audit**

The Council appoints an independent and competent Internal Auditor who reports annually on the adequacy of records, procedures, systems and internal controls.

- Internal audit reports are presented to Council
- Recommendations are monitored and implemented where appropriate
- The effectiveness of internal audit is reviewed annually

### **External Audit**

- The AGAR is considered and approved annually by the Council
- The External Auditor's report is presented to Council
- Recommendations arising from audit are considered and actioned

### **Review of Effectiveness**

The Council reviews the effectiveness of internal control annually. The review is informed by:

- The work of the Council as a corporate body
- The Clerk / Responsible Financial Officer
- The Internal Auditor
- The External Auditor
- Finance and Internal Controls Committee



## **Adoption and Review**

Adopted: \_\_\_\_\_

Minute Reference: \_\_\_\_\_

Next Review Date: \_\_\_\_\_

# EARLS COLNE PARISH COUNCIL

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## GRIEVANCE AND DISCIPLINARY POLICY (ACAS ALIGNED)

Version 1 (2026)

### 1. Policy Statement

Earls Colne Parish Council is committed to fair, consistent and lawful treatment of employees. This policy follows the ACAS Code of Practice and is designed to be proportionate to a small council workforce.

### 2. Scope

This policy applies to all employees including office staff and grounds staff.

### 3. Key Principles

- Matters dealt with promptly and confidentially
- Right to be accompanied at formal meetings
- Fair and reasonable decisions based on evidence
- Right of appeal
- No dismissal for a first offence except gross misconduct

### 4. Grievance Procedure

#### 4.1 Informal Stage

Employees should raise concerns informally with the Clerk where possible.

#### 4.2 Formal Stage

- Grievance submitted in writing
- Meeting held without unreasonable delay (normally within 10 working days)
- Employee may be accompanied
- Written outcome provided

#### 4.3 Appeal

- Appeal submitted within 5 working days
- Appeal heard by different councillors
- Final decision confirmed in writing

### 5. Disciplinary Procedure

#### 5.1 Investigation

- Proportionate investigation undertaken

- Employee informed of allegations
- Evidence gathered before any hearing

## 5.2 Disciplinary Hearing

- Written notice of hearing
- Right to be accompanied
- Opportunity to respond to evidence
- Decision issued in writing

## 5.3 Sanctions

- First written warning (typically 6 months)
- Final written warning (typically 12 months)
- Dismissal
- Alternative sanctions where appropriate

## 5.4 Gross Misconduct

- Theft, fraud or dishonesty
- Violence or threatening behaviour
- Serious breach of health and safety
- Serious insubordination
- Serious misuse of council property or data

## 5.5 Suspension

Suspension may be used where necessary during investigation. It is a neutral act and not a disciplinary sanction.

## 6. Appeals

- Appeals must be submitted in writing
- Heard by councillors not previously involved
- Final decision issued in writing

## 7. Roles and Responsibilities

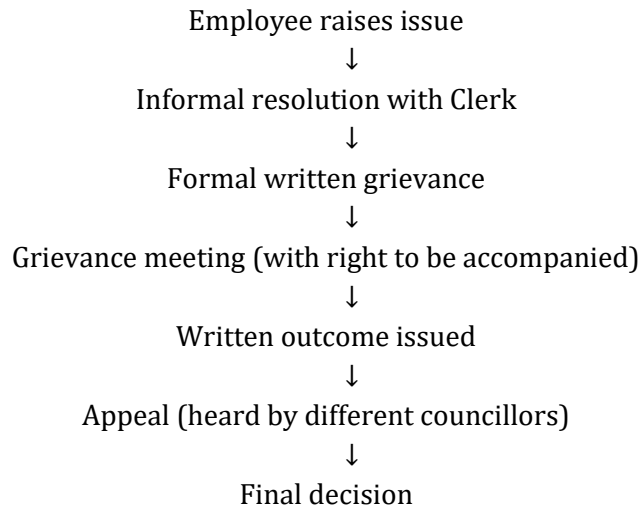
- Clerk manages staff and investigations
- Personnel Committee conducts hearings
- Separate councillors from the Personnel Committee hear appeals

## 8. Review

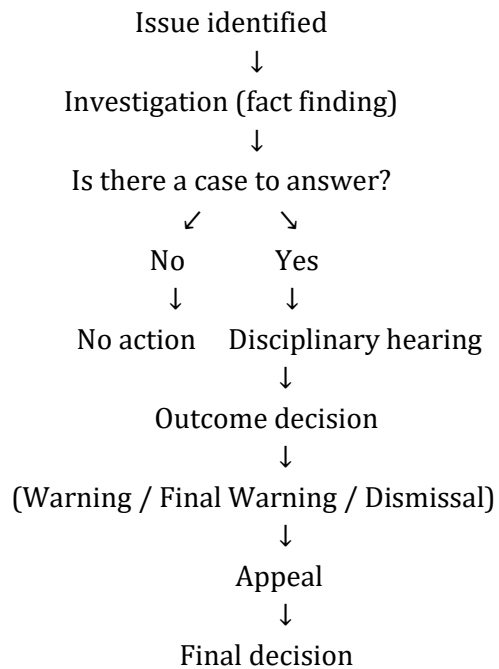
This policy will be reviewed annually.

## Appendix A – Process Flowchart (Quick Guide for Councillors)

### GRIEVANCE PROCESS



### DISCIPLINARY PROCESS



## **Earls Colne Parish Council**

### **Communications Policy v1.0**

This Communications Policy was last reviewed & approved at the Meeting of the Council on the 18<sup>th</sup> September 2025

#### **1. Aim**

- 1.1. The aim of this Policy is to state the requirements of, and provide guidance for, all Earls Colne Parish Council (“the Council”) internal and external communications. This includes, but is not limited to, communication between Councillors, the Clerk, employees, suppliers, contractors, external organisations, the Press and public.

#### **2. Parish Council Correspondence**

- 2.1. The point of contact for the Council is the Clerk, and it is to the Clerk that all written correspondence for the parish council should be addressed. With respect to emails Councillors individual ECPC gov.uk email addresses should be used.
- 2.2. The Clerk should deal with all correspondence following a meeting.
- 2.3. All official correspondence should be sent by the Clerk in the name of the council using council letter headed paper,
- 2.4. Where correspondence from the Clerk to a Councillor is copied to another person, the addressee should be made aware that a copy is being forwarded to that other person.
- 2.5. No individual Councillor or Officer should be the sole custodian of any correspondence or information in the name of the parish council, a committee, sub-committee or working party.
- 2.6. Councillors and Officers do not have a right to obtain confidential information/documentation unless they can demonstrate a ‘need to know’.

#### **3. Communications with the Press and Public**

- 3.1. The Clerk will clear all press reports, or comments to the press, with the Chair of the council or relevant committee.
- 3.2. Press reports from the council, its committees or working parties should be from the Clerk or an officer, or via the reporter’s own attendance at a meeting.
- 3.3. Unless a Councillor has been authorised by the council to speak to the press on a particular issue, Councillors who are asked for comment by the press should make it clear that it is a personal view and ask that it be clearly reported as their personal view.

- 3.4. Unless a Councillor is absolutely certain that he/she is reporting the view of the council, they must make it clear to members of the public that they are expressing a personal view.
- 3.5. For more details on communicating and maintaining relations with the Press, refer to Annex A of this Policy.
- 3.6. Any complaints from the press or a member of public, this should be dealt with under the Council's adopted complaints procedure, or via a council agenda item.

#### **4. Communication with the Parish**

- 4.1. The Council will keep residents informed of its activities, projects, forthcoming events and public information, including County and District Council activities through the Website, Noticeboards, Minutes, Social Media, the Parish magazine & other local locations. Content and locations are to be agreed with the Clerk using approved ECPC layouts, formats & branding.
- 4.2. The Parish will also be informed through the Public Forum which precedes a Council Meeting.

#### **5. Councillor Correspondence to external parties**

- 5.1. Wherever possible, the Clerk should send all council correspondence.
- 5.2. Councillors should recognise that the views they express must be those of the Council and not their own.
- 5.3. If a Councillor is required to correspond with external parties, he/she must:
  - 5.3.1. Make clear that it is written in their official capacity;
  - 5.3.2. Express the views of the Council
  - 5.3.3. Be authorised or delegated to do so by the parish council.
- 5.4. If not, the Councillor must state that the views expressed are their own personal views and not those of the Council.
- 5.5. A copy of all outgoing correspondence relating to the Council or a Councillor's role within it, should be sent to the Clerk and noted accordingly on the correspondence (e.g. "copy to the Clerk"), so that the recipient is aware that the Clerk has been advised.
- 5.6. The Clerk will keep a copy of all letters. Letters will be scanned and stored electronically where possible.

#### **6. Communications with Parish Council Members, Employees or Contractors**

- 6.1. No individual Council Member, regardless of whether or not they are the Chair of the council, the Chair of a committee or other meeting, may give instructions to the Clerk or to another employee or contractor which are inconsistent or conflict with council decisions or arrangements for delegated power.

- 6.2. Council Members must not give instructions to any employee or contractor, unless authorised to do so and with appropriate delegated powers from the council.
- 6.3. Telephone calls should be appropriate to the work of the Council. The date, time and details of the conversation should be recorded if the topic is specifically related to a decision or contract.
- 6.4. All Council Members will ensure that they follow the ECPC members code of conduct when communicating with other Council Members, Officers, ECPC Staff, and members of the public.

## **7. Electronic communications**

- 7.1. Electronic communications, such as e-mails, are subject to the same requirements as a letter or telephone call.
- 7.2. It is the Clerk's responsibility to keep councillors without internet access informed of the Council's business.
- 7.3. Instant replies should not be expected from the Clerk. Reasons for urgency should be stated.
- 7.4. Information to Councillors should normally be directed via the Clerk.
- 7.5. E-mails from Councillors to external parties should be copied to the Clerk.
- 7.6. Councillors should acknowledge their e-mails when requested to do so.

## **8. Social Media**

8.1. 'Social media' is the term commonly given to websites and online tools which allow users to interact with each other in some way by sharing information, opinions, knowledge and interests. Examples of social media websites include:

- 8.1.1. Social networking ([e.g. www.facebook.com](http://www.facebook.com))
- 8.1.2. Video sharing ([e.g. www.youtube.com](http://www.youtube.com))
- 8.1.3. Micro-blogging (e.g. X.COM)
- 8.1.4 WhatsApp and other similar messaging systems

8.2. The Parish Council does have a designated Social Media account on Facebook. The key aim and use of the Council Facebook page is to supplement the Council's physical notice boards within the Parish, and aid communication to the widest audience of council events and other key Council information.

8.3. Councillors may share key information about Parish Council Activities on the Earls Colne Parish Council Facebook page for the sole purpose of publishing information about the work of the Parish Council to a wider audience subject to the following conditions:

- 8.3.1. Prior approval must be granted by a Council resolution. Urgent information can be published by the Clerk in accordance with 3.1 above.

- 8.3.2. Social Media must NOT be used in the recruitment process for employees or new councillors, other than for the sole purpose of placing vacancy advertisements.
- 8.3.3. Councillors should be familiar with the terms of use and adhere to these at all times.
- 8.3.4. No information should be published that is not already known to be in the public domain i.e. available on the Council's website, contained in minutes of meetings, stated in publicised policies and procedures.
- 8.3.5. Information that is published should be factual, fair, thorough and transparent.
- 8.3.6. Everyone must be mindful that information published in this way may stay in the public domain indefinitely, without the opportunity for retrieval/deletion.
- 8.3.7. Copyright laws must be respected.
- 8.3.8. Conversations or reports that are meant to be private or internal must not be published without permission.
- 8.3.9. Other organisations should not be referenced without their approval.
- 8.3.10. Do not publish anything that would be regarded in the workplace as unacceptable.

## **9. Meetings**

- 9.1. Councillors are summoned to attend Public Meetings by the Clerk. Only exceptional reasons for non-attendance will be accepted by the Council.
- 9.2. The Clerk will notify councillors of the Agenda, date, time and location of the Meeting.
- 9.3. The Public are invited to attend all Meetings.
- 9.4. The Press are welcome to attend Council Meetings.
- 9.5. Any request for recording or filming of the proceedings must be submitted in advance to the Clerk, and the Chairman notified prior to the meeting.
- 9.6. The Council must meet all reasonable requests to accommodate the press and respect the privacy of any attending public.
- 9.7. In the situation where Council business is discussed in closed session, the Council may be approached for comment on items discussed, with due respect to the confidentiality issues.
- 9.8. The requirements and procedures of a Meeting are detailed in the Council's Standing Orders.
- 9.9. Outside of the Meetings, any informal or progress meeting with councillors, the Clerk or other officers should be:
  - 9.9.1. By appointment wherever possible;
  - 9.9.2. Relevant to the work of that particular officer;
  - 9.9.3. Made clear that the matter is legitimate council business and not matters driven by personal or political agendas.

**10. Agenda Items for Council, Committees, Sub-Committees and Working Parties**

- 10.1. An Agenda should be clear and concise and contain sufficient information to enable Councillors to make an informed decision.
- 10.2. The public should be able to understand what matters are being considered and what decisions are to be taken at a meeting.
- 10.3. Items for information should be kept to a minimum on an agenda.
- 10.4. Where the Clerk or a Councillor wishes fellow Councillors to receive matters for “information only”, this information will be circulated via the Clerk. Examples being agenda requests, minutes and reports. .

## **Annex A to Communication Policy**

### **Guidance on Press Relations**

#### **Aim**

1. The Aim of Press Relations is to:
  - a. Develop a relationship of trust and mutual understanding between the Council and the press.
  - b. Explain the Council's policies to the local community.
  - c. Communicate important public information messages.
  - d. Provide transparency of the Council's actions and enable the public to take part in the Council's work.
2. It is the responsibility of all Members and Officers to ensure that effective Press Relations are maintained.

#### **Requirements**

3. Officers and Members should have due regard for the long-term reputation of the Council in any dealings with the press.
4. Confidential documents, reports and private correspondence should not be disclosed to the press without prior Council approval.
5. The Council's Publication Scheme specifies the information that it publishes or intends to publish, as required by the Freedom of Information Act 2000.
6. The Council reserves the right to withhold certain sensitive information as guided by Schedule 12A of the Local Government Act 1972, the Data Protection Act 2018 and exemptions under the Freedom of Information Act 2000.
7. Professional guidance should be taken before any response is made to the press concerning personal privacy information relating to Members and Officers.
8. Any publicity describing the Council's policies and aims should be as objective as possible, concentrating on facts or explanation, or both.

9. Publicity touching on issues that are controversial, or on which there are arguments for and against the views or policies of the Council should be handled with particular care.
10. Issues must be presented clearly, fairly and as simply as possible, although should not oversimplify facts, issues or arguments.
11. Publicity should not attach nor appear to undermine generally accepted moral standards.
12. Press comments must accurately reflect the Council's position on the topic as adopted in Minutes or Policies.
13. All decisions of the Council made in an Open Meeting can be quoted and made available to the press.
14. Councillors should not make personal comments which could damage the reputation of the Council or negatively affect the credibility of the Council or other members.
15. Professional advice should be taken on matters which are or are likely to be subject to legal proceedings.
16. Councillors wishing to make a "Personal Statement" must clearly inform the press that:
  - a. "their comments are made as an individual and are not necessarily the view of the Council"
  - b. "Other Councillors may hold a different view"
  - c. "The matter is still being discussed or resolved by the Council"

### **Responding to Press Approaches**

17. All press, radio or TV approaches should be directed in the first instance to the Clerk who will discuss the nature of the story and if appropriate direct the enquiry to the Chairman or other Councillor.
18. All requests for feature articles or broadcast interview or debates should be made through the Clerk.

### **Proactive Publicity**

19. The Council also has a duty to inform the public how their Council Tax is spent.
20. The Council presents its Draft Budget at an annual Meeting, reports its budget monitoring at Meetings at least quarterly and publicises its Annual Statement of Accounts.

21. The local press may receive copies of agendas for full Council Meetings and will be sent Press Releases regarding specific projects and initiatives.
22. Any Officer or Councillor appointed as Spokesperson for the Council must be fully briefed on any issues that are likely to be complex or contentious before communicating with the press.
23. Press Releases must be issued via the Clerk or appointed Councillor to ensure that the principles outlined above are adhered to, to provide a consistency of style and to enable use of the Press Release to be monitored.
24. Written communication should be:
  - a. Authoritative, but not authoritarian
  - b. Communicative, but not irresponsible
  - c. Approachable, without being over-familiar
  - d. Accurate in terms of grammar, spelling and phraseology, but not old-fashioned
  - e. Concise, but not economical with the truth
  - f. Considered, but not withholding essential information.
  - g. Friendly, but not casual.
25. The Protocol for issuing a Press News Release is:
  - a. Identify potential news story
  - b. Preliminary discussion with relevant Officer or Member, if appropriate
  - c. Draft text in house style
  - d. Distribute the Press Release, with a copy to relevant Members and Officers
  - e. Post Press Release on Council website

### **Advice & Training**

26. The Clerk will maintain a list of any Press contacts. All Members and Officers who are expected to deal with the Press will be trained to the appropriate level and the Clerk will arrange training courses.



# **Earls Colne Parish Council**

## **Standing Orders**

Based on the NALC 2025 Model

Adopted at a Parish Council meeting on 17 July 2025

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## INTRODUCTION

### HOW TO USE MODEL STANDING ORDERS

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

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

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

**Model financial regulations are available to councils in membership of NALC.**

### DRAFTING NOTES

Model standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

For convenience, the word "councillor" is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights. Model standing orders use gender-neutral language (e.g. "Chair").

## **1. RULE OF DEBATE AT MEETINGS**

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chair of the meeting, is expressed in writing to the chair.
- h A councillor may move an amendment to their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair of the meeting.
- j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chair of the meeting.
- k One or more amendments may be discussed together if the chair of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.

- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chair of the meeting, a councillor may only speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the motion has been amended since they last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which they considers has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
- q A point of order shall be decided by the chair of the meeting and their decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;

viii. to adjourn the meeting; or

ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.

s Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.

t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chair of the meeting.

## **2. DISORDERLY CONDUCT AT MEETINGS**

a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.

b If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

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

## **3. MEETINGS GENERALLY**

a Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.

b The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.

- c 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.
- d Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of any business of the Council.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 15 minutes unless directed by the chair of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.
- i A person shall raise their hand when requesting to speak and wait to be invited to speak by the Chair.
- j A person who speaks at a meeting shall direct their comments to the chair of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.
- l Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.
- m A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- n The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.

- o Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Vice-Chair of the Council (if there is one).
- p The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.
- q Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.
- r The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.

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

- s Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- t The minutes of a meeting shall include an accurate record of the following:
  - i. the time and place of the meeting;
  - ii. the names of councillors who are present and the names of councillors who are absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
  - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;

vi. if there was a public participation session; and

vii. the resolutions made.

u A councillor 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 their right to participate and vote on that matter.

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

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

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

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

- y In preparation for a meeting of the council, any required reports (that should be in writing) should be prepared by each nominated PC and emailed to all PC's and the Parish Clerk by the end of the Friday before the meeting. Reports which are not provided by this time may only be accepted for discussion at the Council meeting with the direct permission of the Chair.

#### **4. COMMITTEES AND SUB-COMMITTEES**

- a Unless the Council determines otherwise, a committee may appoint a sub- committee whose terms of reference and members shall be determined by the committee.
- b The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.
- c Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.
- d The Council may appoint standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference.
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
  - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer (3) days before the meeting that they are unable to attend;
  - vi. shall, after it has appointed the members of a standing committee, appoint the Chair of the standing committee;

- vii. shall permit a committee other than a standing committee, to appoint its own chair at the first meeting of the committee;
- viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
- ix. shall determine if the public may participate at a meeting of a committee;
- x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee or a sub-committee.

## **5. ORDINARY COUNCIL MEETINGS**

- a In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.
- b In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.
- c If no other time is fixed, the annual meeting of the Council shall take place at 6pm.
- d In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.
- e The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.
- f The Chair of the Council, unless they has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.
- g The Vice-Chair of the Council, if there is one, unless they resign or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.

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

arrangements for reporting back;

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

## **6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES**

- a The Chair of the Council may convene an extraordinary meeting of the Council at any time.
- b If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.
- c The chair of a committee may convene an extraordinary meeting of the committee at any time.

- d If the chair of a committee or a sub-committee does not call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the committee, any 2 members of the committee or the sub-committee may convene an extraordinary meeting of the committee.

## **7. PREVIOUS RESOLUTIONS**

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

## **8. VOTING ON APPOINTMENTS**

- a Voting on appointments shall be undertaken in accordance with the Council's Co-Option Policy.

## **9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER**

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 10 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 8 clear days before the meeting.

- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

#### **10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE**

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
  - i. to correct an inaccuracy in the draft minutes of a meeting;
  - ii. to move to a vote;
  - iii. to defer consideration of a motion;
  - iv. to refer a motion to a particular committee or sub-committee;
  - v. to appoint a person to preside at a meeting;
  - vi. to change the order of business on the agenda;
  - vii. to proceed to the next business on the agenda;
  - viii. to require a written report;
  - ix. to appoint a committee or sub-committee and their members;
  - x. to extend the time limits for speaking;
  - xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
  - xii. to not hear further from a councillor or a member of the public;

- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

## **11. MANAGEMENT OF INFORMATION**

*See also standing order 20.*

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

## **12. DRAFT MINUTES**

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).

- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:  
  

“The chair of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but this view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.
- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

### **13. CODE OF CONDUCT AND DISPENSATIONS**

*See also standing order 3(u).*

- a All councillors shall observe the code of conduct adopted by the Council.
- b Unless they have been granted a dispensation, a councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- c Unless they have been granted a dispensation, a councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the Council’s code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.
- d Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

- e A decision as to whether to grant a dispensation shall be by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
- f A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required.
- h A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:
  - i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;
  - ii. granting the dispensation is in the interests of persons living in the Council's area; or
  - iii. it is otherwise appropriate to grant a dispensation.

**14. CODE OF CONDUCT COMPLAINTS**

- a Upon notification by the Principal Council that a councillor has breached the Council's code of conduct, the Council shall consider what, if any, action to take against them.

**15. PROPER OFFICER**

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s)

nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.

b The Proper Officer shall:

- i. at least three clear days before a meeting of the council, a committee or a sub-committee,
  - serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and
  - Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).

*See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;*

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 7 days before the meeting confirming their withdrawal of it;
- iii. convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;
- iv. facilitate inspection of the minute book by local government electors;
- v. receive and retain copies of byelaws made by other local authorities;
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);

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

## **16. RESPONSIBLE FINANCIAL OFFICER**

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

## **17. ACCOUNTS AND ACCOUNTING STATEMENTS**

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial

regulations.

c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:

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

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

d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:

- i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
- ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.

e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

## **18. FINANCIAL CONTROLS AND PROCUREMENT**

a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

- i. the keeping of accounting records and systems of internal controls;

- ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
  - v. whether contracts with an estimated value below £ 60,000 due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. 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. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - iv. 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;
  - v. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- d. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

- e. Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with procurement rules. NALC's procurement guidance contains further details.

## **19. HANDLING STAFF MATTERS**

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

- h For the purposes of the council, the Chair and Vice-Chair (if any) are deemed to be the chair and vice-chair of the personnel committee.

## **20. RESPONSIBILITIES TO PROVIDE INFORMATION**

*See also standing order 21.*

- a In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.
- b. If gross annual income or expenditure (whichever is the higher) exceeds £200,000 The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.

## **21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

(Below is not an exclusive list).

*See also standing order 11.*

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

## **22. RELATIONS WITH THE PRESS/MEDIA**

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

and/or other media.

## **23. EXECUTION AND SEALING OF LEGAL DEEDS**

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

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b Subject to standing order 23(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.

*The above is applicable to a Council with a common seal.*

## **24. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS**

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council OR Unitary Council representing the area of the Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the District and County Council OR Unitary Council shall be sent to the ward councillor(s) representing the area of the Council.

## **25. RESTRICTIONS ON COUNCILLOR ACTIVITIES**

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

## **26. STANDING ORDERS GENERALLY**

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal

requirements, shall be proposed by a special motion, the written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order 9.

- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.



# **EARLS COLNE PARISH COUNCIL**

## **MEMBER / OFFICER PROTOCOL (2026)**

### **1. Purpose**

This protocol sets out how councillors (Members) and officers (staff) will work together to ensure effective governance, mutual respect and clear roles within Earls Colne Parish Council.

### **2. Roles and Responsibilities**

Members are responsible for:

- Setting the strategic direction and policies of the Council
- Making decisions collectively at Council meetings
- Representing the interests of the community
- Complying with the adopted Code of Conduct

Officers are responsible for:

- Providing professional and impartial advice
- Implementing Council decisions
- Managing day-to-day operations
- Ensuring compliance with legal and financial requirements

### **3. Working Relationships**

- Relationships must be based on mutual trust and respect
- Members must not seek to direct staff outside formal decisions or Standing Orders
- Officers must remain politically neutral
- All communications should be courteous and professional

### **4. Communication**

- Routine matters should be directed through the Clerk
- Members must not bypass the Clerk to instruct other staff
- Requests for information should be reasonable and proportionate
- Officers will provide information in line with Council policies and workload priorities

### **5. Decision Making and Governance**

- Decisions are made collectively in accordance with Standing Orders
- The Clerk implements decisions in accordance with Council resolutions and Financial Regulations

### **6. Confidentiality**

- Members and officers must respect confidential information
- Information must not be disclosed without proper authority



- Confidential items must be handled in accordance with Council procedures

## **7. Conduct and Standards**

- Members must comply with the Code of Conduct at all times
- Officers must comply with employment policies including the Grievance and Disciplinary Policy
- Bullying, harassment or intimidation will not be tolerated
- Concerns about behaviour should be addressed promptly

## **8. Disputes and Complaints**

Issues between Members and officers should be raised informally in the first instance. If unresolved, matters may be referred to the Chairman or Personnel Committee. Where appropriate, the Council's Grievance and Disciplinary Policy or Complaints Procedure will apply.

## **9. Related Documents**

- Standing Orders
- Financial Regulations
- Code of Conduct
- Grievance and Disciplinary Policy
- Complaints Procedure

## **10. Review**

This protocol will be reviewed periodically to ensure it remains effective.

# EARLS COLNE PARISH COUNCIL

## PRIVACY NOTICE (2026)

### 1. Introduction

Earls Colne Parish Council ('the Council') is committed to protecting and respecting your privacy.

This Privacy Notice explains how the Council collects, uses, stores and protects personal data in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and Information Commissioner's Office (ICO) guidance.

The Council acts as a Data Controller for the personal information it processes.

### 2. Data Controller

Earls Colne Parish Council

c/o Parish Clerk

Village Hall, York Road, Earls Colne, CO6 2RN

Email: [clerk@earlscolne-pc.gov.uk](mailto:clerk@earlscolne-pc.gov.uk)

Telephone: 01787 224370

Website: [www.earlscolne-pc.gov.uk](http://www.earlscolne-pc.gov.uk)

### 3. Information We Collect

The Council may collect and process personal information including:

- Names and contact details
- Addresses and postcode information
- Email addresses and telephone numbers
- Financial information where necessary for payments or grants
- Employment and recruitment information
- Correspondence and complaint details
- Allotment or hall user records
- Photographs, recordings or CCTV images where applicable

### 4. How Information is Collected

- Directly from individuals
- Council forms and applications
- Emails, letters and telephone calls
- Council meetings and consultations
- Website enquiries and online submissions
- Other public authorities or agencies where lawful

### 5. Why We Use Personal Data

The Council processes personal data in order to:

- Carry out statutory duties and public tasks

- Deliver Council services and facilities
- Manage allotments and community assets
- Administer grants and community support
- Manage employment and recruitment
- Respond to enquiries, complaints and correspondence
- Maintain financial and administrative records
- Meet legal and regulatory obligations

## 6. Lawful Basis for Processing

The Council processes personal data under one or more lawful bases under UK GDPR, including:

- Public task
- Legal obligation
- Contract
- Consent where appropriate
- Legitimate interests where applicable

Most Council processing activities are carried out under public task or legal obligation.

## 7. Sharing Information

The Council may share information where lawful and necessary with:

- Government departments and agencies
- Auditors and professional advisors
- HM Revenue and Customs
- Braintree District Council and Essex County Council
- Contractors or service providers acting on behalf of the Council
- Law enforcement agencies where required

The Council will not sell personal data to third parties.

## 8. Retention of Information

Personal data will only be retained for as long as necessary in accordance with the Council's Data Retention Policy and legal obligations.

## 9. Information Security

The Council takes appropriate technical and organisational measures to protect personal information, including:

- Password-protected systems and devices
- Secure cloud-based storage where appropriate
- Restricted access to confidential information
- Secure disposal of confidential waste
- Regular system and software updates

## 10. Your Rights

Under data protection legislation individuals have rights including:

- Right to be informed
- Right of access
- Right to rectification
- Right to erasure
- Right to restrict processing
- Right to object
- Right to complain to the Information Commissioner's Office

Requests relating to personal data should be directed to the Parish Clerk.

## **11. Website and Electronic Communications**

The Council website may collect limited technical information such as cookies or website usage data. Electronic communications will be handled in accordance with the Council's Communications Policy and Data Protection Policy.

## **12. Related Policies**

- Data Protection Policy
- Communications Policy
- Data Retention Policy
- Publication Scheme
- Complaints Procedure

## **13. Information Commissioner's Office**

If you are dissatisfied with how your information has been handled, you may contact the Information Commissioner's Office (ICO).

ICO Website: <https://www.ico.org.uk>

## **14. Review**

This Privacy Notice will be reviewed periodically and updated where necessary.

## **Adoption and Review**

Approved: \_\_\_\_\_

Minute Reference: \_\_\_\_\_

Review Date: \_\_\_\_\_

# EARLS COLNE PARISH COUNCIL

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## PUBLICATION SCHEME (2026)

### Class 1 – Who we are and what we do

Information to be published	Where available	Cost
Councillors and committees	Website / noticeboards	Free
Contact details for Clerk and members	Website	Free
Council office location	Website	Free

### Class 2 – What we spend and how we spend it

Information to be published	Where available	Cost
AGAR and audit reports	Website	Free
Budget and precept	Website	Free
Financial Regulations	Website	Free
Grants awarded	Website	Free

### Class 3 – What our priorities are

Information to be published	Where available	Cost
Annual Report	Website	Free

### Class 4 – How we make decisions

Information to be published	Where available	Cost
Meeting timetable	Website / noticeboards	Free
Agendas	Website / noticeboards	Free
Minutes	Website	Free
Reports to Council	Website	Free

### **Class 5 – Policies and procedures**

Information to be published	Where available	Cost
Standing Orders	Website	Free
Code of Conduct	Website	Free
Complaints procedures	Website	Free
Data protection policies	Website	Free
Financial Regulations	Website	Free
All other policies	Website	Free

### **Class 6 – Lists and Registers**

Information to be published	Where available	Cost
Asset Register	Website	Free
Members' Interests	Website / BDC link	Free

### **Class 7 – Services we offer**

Information to be published	Where available	Cost
Parks and open spaces	Website	Free
Street furniture	Website	Free

### **Charging Schedule**

Printed copies: 30p per sheet

Postage: at cost

Electronic copies: Free

### **Contact Details**

Parish Clerk

Earls Colne Parish Council

Village Hall, York Road, Earls Colne CO6 2RN

Telephone: 01787 224370

Email: [clerk@earlscolne-pc.gov.uk](mailto:clerk@earlscolne-pc.gov.uk)

# EARLS COLNE PARISH COUNCIL

## RESERVES POLICY

Version 1 (2026)

### 1. INTRODUCTION

Earls Colne Parish Council is required to maintain adequate financial reserves to meet its operational and future needs.

This policy sets out how the Council determines and reviews the level of reserves in accordance with:

- Local Government Finance Act 1992
- Governance and Accountability for Local Councils: A Practitioner's Guide (England), 2026 Edition

### 2. TYPES OF RESERVES

Reserves fall into two categories:

- General Reserves
- Earmarked Reserves (EMRs)

### 3. GENERAL RESERVES

General Reserves are unrestricted funds used to:

- manage cash flow
- respond to unexpected events
- support financial stability

The generally accepted level of General Reserves is between three and twelve months of Net Revenue Expenditure (NRE).

In accordance with the 2026 Practitioner's Guide, authorities with annual income or expenditure in excess of £200,000 should plan towards the lower end of this range, typically around three months of NRE.

The Council will adopt a risk-based approach in determining the appropriate level of reserves, taking into account its financial risk assessment, income stability and future liabilities.

Where General Reserves fall below or exceed the recommended range, the Council will provide a clear explanation within its budget reports and Annual Governance and Accountability Return (AGAR).

The level of General Reserves will be reviewed annually during the budget setting process.

#### 4. EARMARKED RESERVES

Earmarked Reserves are held for specific purposes, including:

- asset replacement and maintenance
- committed projects
- insurance excesses
- capital schemes
- known or predicted liabilities

Earmarked Reserves:

- must be approved by Full Council
- must be held for a defined purpose
- cannot be used for ongoing expenditure
- must be reviewed annually

#### 5. USE OF RESERVES

Reserves may be used to:

- support one-off expenditure
- smooth the impact of large costs
- address short-term funding gaps

Where reserves are used for temporary funding, they should normally be replenished in the following financial year.

#### 6. RISK-BASED RESERVES CALCULATION

The Council will determine the appropriate level of General Reserves using a risk-based approach.

This will include consideration of:

- the Council's financial risk assessment
- level of annual precept and expenditure
- cash flow requirements
- level of earmarked reserves
- asset maintenance and replacement risks
- inflation and economic uncertainty

The RFO will present an annual assessment to Council alongside the budget, demonstrating:

- the recommended level of General Reserves
- justification based on identified risks
- comparison to prior years and NRE benchmarks

This approach ensures reserves are proportionate, justified, and aligned with the Council's risk profile.

## 7. REVIEW AND GOVERNANCE

The Responsible Financial Officer (RFO) will:

- advise the Council on appropriate reserve levels
- monitor reserves throughout the year
- report to Full Council

The level of all reserves will be approved annually during the budget-setting process.

## 8. TRANSPARENCY

The Council will publish details of reserves, including levels and purpose, in line with transparency requirements.

This policy will be reviewed annually.

Signed: \_\_\_\_\_

Chairman

Date: \_\_\_\_\_

Review Date: May 2027

# Earls Colne Parish Council



## Financial Regulations

Based on the NALC 2024 Model

Adopted at a Parish Council meeting on 18/09/25

(Minute reference 25/40(b))

### EARLS COLNE PARISH COUNCIL FINANCIAL REGULATIONS

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## 1. General

- 1.1. These Financial Regulations govern the financial management of the council and may only be amended or varied by resolution of the council. They are one of the council's governing documents and shall be observed in conjunction with the council's Standing Orders.
- 1.2. Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of councillor into disrepute.
- 1.3. Wilful breach of these regulations by an employee may result in disciplinary proceedings.
- 1.4. In these Financial Regulations:
  - 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
  - "Approve" refers to an online action, allowing an electronic transaction to take place.
  - "Authorise" refers to a decision by the council, or a committee or an officer, to allow something to happen.
  - 'Proper practices' means those set out in *The Practitioners' Guide*
  - *Practitioners' Guide* refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council Clerks in Wales.
  - 'Must' and **bold text** refer to a statutory obligation the council cannot change.
  - 'Shall' refers to a non-statutory instruction by the council to its members and staff.
- 1.5. The Responsible Financial Officer (RFO) holds a statutory office, appointed by the council. The Clerk has been appointed as RFO and these regulations apply accordingly. The RFO;
  - acts under the policy direction of the council;
  - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
  - determines on behalf of the council its accounting records and control systems;
  - ensures the accounting control systems are observed;
  - ensures the accounting records are kept up to date;
  - seeks economy, efficiency and effectiveness in the use of council resources; and
  - produces financial management information as required by the council.
- 1.6. **The council must not delegate any decision regarding:**
  - **setting the final budget or the precept (council tax requirement);**
  - **the outcome of a review of the effectiveness of its internal controls**
  - **approving accounting statements;**
  - **approving an annual governance statement;**

- **borrowing;**
- **declaring eligibility for the General Power of Competence; and**
- **addressing recommendations from the internal or external auditors**

1.7. In addition, the council shall:

- determine and regularly review the bank mandate for all council bank accounts;
- authorise any grant of up to £1,000 or single commitment in excess of £5,000;

## **2. Risk management and internal control**

2.1. **The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.**

2.2. The RFO shall prepare, for approval by the council, a risk management policy covering all activities of the council. This policy and consequential risk management arrangements shall be reviewed by the council at least annually.

2.3. When considering any new activity, the RFO shall prepare a draft risk assessment including risk management proposals for consideration by the council.

2.4. **At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**

2.5. **The accounting control systems determined by the RFO must include measures to:**

- **ensure that risk is appropriately managed;**
- **ensure the prompt, accurate recording of financial transactions;**
- **prevent and detect inaccuracy or fraud; and**
- **allow the reconstitution of any lost records;**
- **identify the duties of officers dealing with transactions and**
- **ensure division of responsibilities.**

2.6. At least once in each quarter, and at each financial year end, a member other than the Chairman or bank signatory shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign and date the reconciliations and the original bank statements (or similar document) as evidence of this. This activity, including any exceptions, shall be reported to and noted by the council/Finance Committee.

2.7. Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.

## **3. Accounts and audit**

- 3.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.
- 3.2. **The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:**
  - **day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;**
  - **a record of the assets and liabilities of the council;**
- 3.3. The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual Governance and Accountability Return.
- 3.4. The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual Governance and Accountability Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the council, within the timescales required by the Accounts and Audit Regulations.
- 3.5. **The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**
- 3.6. **Any officer or member of the council must make available such documents and records as the internal or external auditor consider necessary for the purpose of the audit** and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary.
- 3.7. The internal auditor shall be appointed by the council and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.
- 3.8. The council shall ensure that the internal auditor:
  - is competent and independent of the financial operations of the council;
  - reports to council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
  - can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
  - has no involvement in the management or control of the council
- 3.9. Internal or external auditors may not under any circumstances:
  - perform any operational duties for the council;
  - initiate or approve accounting transactions;
  - provide financial, legal or other advice including in relation to any future transactions;or

- direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 3.10. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.
- 3.11. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.
- 3.12. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

#### **4. Budget and precept**

- 4.1. **Before setting a precept, the council must calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.**
- 4.2. Budgets for salaries and wages, including employer contributions shall be reviewed by the council/Finance Committee at least annually in October for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the RFO and the Chairman of the Council/Finance Committee.
- 4.3. No later than November each year, the RFO shall prepare a draft budget with detailed estimates of all receipts and payments/income and expenditure for the following financial year, taking account of the lifespan of assets and cost implications of repair or replacement.
- 4.4. Unspent budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds for partially completed projects may only be carried forward (by placing them in an earmarked reserve) with the formal approval of the full council.
- 4.5. Each committee shall review its draft budget and submit any proposed amendments to the Council/Finance Committee not later than the end of November each year.
- 4.6. The draft budget, including any recommendations for the use or accumulation of reserves, shall be considered by the Finance Committee and a recommendation made to the Council.
- 4.7. Having considered the proposed budget, the council shall determine its requirement by setting a budget. The council shall set a precept for this amount no later than the end of January for the ensuing financial year.
- 4.8. **Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must disclose at the start of the meeting that Section 106 applies to them.**
- 4.9. The RFO shall **issue the precept to the billing authority no later than the end of February** and supply each member with a copy of the agreed annual budget.

- 4.10. The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.
- 4.11. Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the Council/Finance Committee.

## 5. Procurement

- 5.1. **Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.
- 5.2. The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.
- 5.3. Every contract shall comply with the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.
- 5.4. **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Procurement Act 2023 and The Procurement Regulations 2024 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award and notification of that contract.**
- 5.5. Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:
- 5.6. For contracts estimated to exceed £30,000 including VAT, the Clerk shall advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation. Tenders shall be invited in accordance with Appendix 1.
- 5.7. **For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation regarding the publication of invitations and notices.**
- 5.8. For contracts greater than £3,000 including VAT the Clerk or RFO shall seek at least 3 fixed-price quotes
- 5.9. where the value is between £500 and £3,000 including VAT, the Clerk or RFO shall try to obtain 3 estimates which might include evidence of online prices, or recent prices from regular suppliers.
- 5.10. For smaller purchases, RFO shall seek to achieve value for money.
- 5.11. **Contracts must not be split to avoid compliance with these rules.**
- 5.12. The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:
- i. specialist services, such as legal professionals acting in disputes;
  - ii. repairs to, or parts for, existing machinery or equipment;
  - iii. works, goods or services that constitute an extension of an existing contract;

iv. goods or services that are only available from one supplier or are sold at a fixed price.

5.13. When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the council. Avoidance of competition is not a valid reason.

5.14. The council shall not be obliged to accept the lowest or any tender, quote or estimate.

5.15. Individual purchases within an agreed budget for that type of expenditure may be authorised by:

- the RFO, under delegated authority, for any items below £500 excluding VAT
- the RFO, in consultation with the Chairman of the Council or appropriate Committee for any items below £2,000 excluding VAT
- the council for all items over £2,000
- a fully delegated committee of the council for all items of expenditure within their delegated budgets for items under £5,000 excluding VAT.

Such authorisation must be supported by a minute in the case of council decisions or other auditable evidence trail.

5.16. No individual member, or informal group of members may issue an official order or make any contract on behalf of the council.

5.17. No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the council or a duly delegated committee acting within its Terms of Reference except in an emergency.

5.18. In cases of serious risk to the delivery of council services or to public safety on council premises, the RFO may authorise expenditure of up to £5,000 inc VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The RFO shall report such action to the Chair as soon as possible and to the council as soon as practicable thereafter. If greater than £5,000 inc vat, and emergency meeting of full council will be called.

5.19. No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless the council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.

5.20. An official order or letter shall be issued for all work, goods and services above £2,000 excluding VAT unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.

5.21. Any ordering system can be misused and access to them shall be controlled by the RFO.

## **6. Banking and payments**

6.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the council; banking arrangements shall not be delegated to a

committee. The council has resolved to bank with the Co-Operative Bank, Lloyds Bank and Unity Trust bank. The arrangements shall be reviewed annually for security and efficiency.

- 6.2. The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.
- 6.3. All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the council before being certified by the RFO.
- 6.4. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.
- 6.5. All payments shall be made by online banking, in accordance with a resolution of the council or a duly delegated committee, unless the council resolves to use a different payment method.
- 6.6. For each financial year the RFO may draw up a schedule of regular payments due in relation to a continuing contract or obligation (such as Salaries, PAYE, National Insurance, pension contributions, rent, rates, regular maintenance contracts and similar items), which the council may authorise in advance for the year.
- 6.7. A copy of this schedule of regular payments shall be signed by two members on each and every occasion when payment is made to reduce the risk of duplicate payments.
- 6.8. A list of such payments shall be reported to the next appropriate meeting of the council for information only.
- 6.9. The RFO shall have delegated authority to authorise payments only in the following circumstances:
  - i. any payments of up to £500 excluding VAT, within an agreed budget.
  - ii. payments of up to £2,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.
  - iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 or to comply with contractual terms, where the due date for payment is before the next scheduled meeting of the council, where the RFO certifies that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council.
- 6.10. Fund transfers within the councils banking arrangements up to the sum of £20,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council.

6.11. The RFO shall present a schedule of payments requiring authorisation, forming part of the agenda for the meeting, together with the relevant invoices, to the council. The council shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution. The authorised schedule shall be initialled immediately below the last item by the person chairing the meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting.

## **7. Electronic payments**

- 7.1. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The bank mandate agreed by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts and a minimum of two people will be involved in any online approval process. The RFO may be an authorised signatory, but no signatory should be involved in approving any payment to themselves.
- 7.2. All authorised signatories shall have access to view the council's bank accounts online.
- 7.3. No employee or councillor shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.
- 7.4. The Service Administrator shall set up all items due for payment online. A list of payments for approval, together with copies of the relevant invoices, shall be sent by email to two authorised signatories.
- 7.5. In the prolonged absence of the Service Administrator an authorised signatory shall set up any payments due before the return of the Service Administrator.
- 7.6. Two councillors who are authorised signatories shall check the payment details against the invoices before approving each payment using the online banking system.
- 7.7. Evidence shall be retained showing which members approved the payment online.
- 7.8. A full list of all payments made in a month shall be provided to the next council meeting and appended to the minutes.
- 7.9. With the approval of the council in each case, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are approved online by two authorised members. The approval of the use of each variable direct debit shall be reviewed by the council at least every two years.
- 7.10. Payment may be made by BACS or CHAPS by resolution of the council provided that each payment is approved online by two authorised bank signatories, evidence is retained and any payments are reported to the council at the next meeting. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
- 7.11. If thought appropriate by the council, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed or approved online by two members, evidence of this is retained and any payments are reported to council when

made. The approval of the use of a banker's standing order shall be reviewed by the council at least every two years.

7.12. Account details for suppliers may only be changed upon written notification by the supplier verified the RFO and a member. This is a potential area for fraud and the individuals involved should ensure that any change is genuine. Data held should be checked with suppliers every two years.

7.13. Members and officers shall ensure that any computer used for the council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.

7.14. Remembered password facilities other than secure password stores requiring separate identity verification should not be used on any computer used for council banking.

## **8. Payment cards**

8.1. Any Debit Card issued for use will be specifically restricted to Clerk/RFO and will also be restricted to a single transaction maximum value of £500 unless authorised by the council in writing before any order is placed.

8.2. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the council. Transactions and purchases made will be reported to the council and authority for topping-up shall be at the discretion of the RFO.

8.3. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk/RFO and any balance shall be paid in full each month.

8.4. Personal credit or debit cards of members or staff shall not be used under any circumstances.

## **9. Petty Cash**

9.1. The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the Clerk or RFO (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

## **10. Payment of salaries and allowances**

10.1. **As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.**

10.2. **Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**

10.3. Salary rates shall be agreed by the council, or a duly delegated committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the council or duly delegated committee.

10.4. Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.

10.5. Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.

- 10.6. Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record, with the total of such payments each calendar month reported in the cashbook. Payroll reports will be reviewed to ensure that the correct payments have been made.
- 10.7. Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council.
- 10.8. Before employing interim staff, the council must consider a full business case.

## **11. Loans and investments**

- 11.1. Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.
- 11.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the full council, following a written report on the value for money of the proposed transaction.
- 11.3. The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 11.4. All investment of money under the control of the council shall be in the name of the council.
- 11.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 11.6. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

## **12. Income**

- 12.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 12.2. The council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process, following a report of the Clerk. The RFO shall be responsible for the collection of all amounts due to the council.
- 12.3. Any sums found to be irrecoverable and any bad debts shall be reported to the council by the RFO and shall be written off in the year. The council's approval shall be shown in the accounting records.
- 12.4. All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.

- 12.5. Personal cheques shall not be cashed out of money held on behalf of the council.
- 12.6. The RFO shall ensure that VAT is correctly recorded in the council's accounting software and that any VAT Return required is submitted from the software by the due date.
- 12.7. Where significant sums of cash are regularly received by the council, the RFO shall ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control record such as ticket issues, and that appropriate care is taken for the security and safety of individuals banking such cash.
- 12.8. Any income that is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting.

### **13. Payments under contracts for building or other construction works**

- 13.1. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.
- 13.2. Any variation of, addition to or omission from a contract must be authorised by the RFO to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

### **14. Stores and equipment**

- 14.1. The RFO shall be responsible for the care and custody of stores and equipment.
- 14.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 14.3. Stocks shall be kept at the minimum levels consistent with operational requirements.
- 14.4. The RFO shall be responsible for periodic checks of stocks and stores, at least annually.

### **15. Assets, properties and estates**

- 15.1. The RFO shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.
- 15.2. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held, in accordance with Accounts and Audit Regulations.
- 15.3. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.
- 15.4. No interest in land shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a written report shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning

permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate where required by law).

- 15.5. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, except where the estimated value of any one item does not exceed £500. In each case a written report shall be provided to council with a full business case.

## **16. Insurance**

- 16.1. The RFO shall keep a record of all insurances effected by the council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the council's review of risk management.
- 16.2. The RFO shall give prompt notification to the council of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 16.3. The RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to the council at the next available meeting. The RFO shall negotiate all claims on the council's insurers.
- 16.4. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or duly delegated committee.

## **17. Charities**

- 17.1. Where the council is sole managing trustee of a charitable body the RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.]

## **18. Suspension and revision of Financial Regulations**

- 18.1. The council shall review these Financial Regulations annually and following any change of clerk or RFO. The RFO shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.
- 18.2. The council may, by resolution duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations, provided that reasons for the suspension are recorded and that an assessment of the risks arising has been presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.
- 18.3. The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

## **Appendix 1 - Tender process**

- 1) Any invitation to tender shall state the general nature of the intended contract and the RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases.
- 2) The invitation shall in addition state that tenders must be addressed to the RFO in the ordinary course of post, unless an electronic tendering process has been agreed by the council.
- 3) Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- 4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- 5) Any invitation to tender issued under this regulation shall be subject to Standing Order 18 and shall refer to the terms of the Bribery Act 2010.
- 6) Where the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

## EARLS COLNE PARISH COUNCIL

### Operational & Financial Risk Register and Risk Matrix 2026/27

This Operational and Financial Risk Register has been prepared to support the Council's governance, internal control and audit arrangements in accordance with the Accounts and Audit Regulations 2015, Governance and Accountability for Smaller Authorities in England, Financial Regulations and Standing Orders.

#### 1. Risk Scoring Methodology

Score	Likelihood	Impact	Colour Rating
1	Rare	Insignificant	Green
2	Unlikely	Minor	Green
3	Possible	Moderate	Amber
4	Likely	Major	Red
5	Almost Certain	Severe	Red

#### 2. Risk Matrix

Impact \ Likelihood	1	2	3	4	5
1	Low	Low	Low	Medium	Medium
2	Low	Low	Medium	Medium	High
3	Low	Medium	Medium	High	High
4	Medium	Medium	High	High	Extreme
5	Medium	High	High	Extreme	Extreme

#### 3. Detailed Operational and Financial Risk Register

Ref	Service Area	Risk	Existing Controls	Likelihood	Impact	Initial Score	Further Mitigation / Actions	Residual Score	Responsible Officer / Body	Review
1	Insurance	Public liability claims arising from Council land or activities	£10m Public Liability Insurance maintained	2	4	8 (Medium)	Annual review of insurance adequacy	4 (Low)	Council / Clerk	Annual
2	Insurance	Injury to employees whilst undertaking Council duties	£10m Employer Liability Insurance and personal	2	4	8 (Medium)	Maintain H&S risk assessments and training	4 (Low)	Clerk	Annual

			accident cover maintained							
3	Insurance	Damage to property, equipment or assets	Comprehensive insurance cover maintained	3	3	9 (Medium)	Annual review of asset register	6 (Low)	Clerk / Council	Annual
4	Insurance	Business interruption or loss of revenue	Business interruption insurance in place	2	3	6 (Low)	Review adequacy of cover annually	4 (Low)	Council	Annual
5	Governance	Fraud or misconduct by officers or members	Officials Indemnity and Officers Liability Insurance maintained	2	5	10 (High)	Segregation of duties and regular oversight	6 (Medium)	Council	Ongoing
6	Data Protection	GDPR breach or cyber incident	Password controls, restricted access, insurance cover	3	4	12 (High)	Annual GDPR policy review and awareness training	6 (Medium)	Clerk	Annual
7	Financial Records	Loss or corruption of financial records or electronic data	Regular backups and Edge IT support agreement	2	4	8 (Medium)	Periodic recovery testing	4 (Low)	RFO	Quarterly
8	Staffing	Loss of Clerk or key officers	Locum arrangements available; password continuity procedures	3	4	12 (High)	Maintain business continuity arrangements	6 (Medium)	Council	Ongoing
9	Administration	Fraudulent payments or misappropriation of funds	Dual payment authorisation and Council approval process	2	5	10 (High)	Continue internal checks and member scrutiny	5 (Medium)	RFO / Council	Monthly
10	Administration	Banking or reconciliation errors	Monthly reconciliations and councillor	2	4	8 (Medium)	Continue independent	4 (Low)	RFO	Monthly

			review quarterly				review arrangements			
11	Governance	Incorrect procedural or legal advice	Membership of support services and Clerk membership of SLCC; legal advice obtained where necessary	2	3	6 (Low)	Continue staff and councillor training	3 (Low)	Clerk	Annual
12	Parks	Unsafe or damaged play equipment	Annual inspections and RoSPA guidance followed; visual inspections	3	5	15 (High)	Maintain inspection and maintenance records	8 (Medium)	Clerk / Council	Monthly (visual) and annual (full)
13	Precept & Budget	Precept not based on adequate budget planning	Formal budget setting process and mid-year reviews	2	4	8 (Medium)	Continue budget monitoring and reserve analysis	4 (Low)	Council / RFO	Annual
14	Financial Monitoring	Poor monitoring of income and expenditure	Monthly budget monitoring reports to Council	2	4	8 (Medium)	Maintain financial reporting arrangements	4 (Low)	RFO	Monthly
15	Legal Powers	Unlawful expenditure	Expenditure checked against statutory powers	2	5	10 (High)	Continue officer and member training	5 (Medium)	Clerk / Council	Ongoing
16	Accounting	Non-compliant accounting records	Statutory records maintained	2	4	8 (Medium)	Continue internal checks	4 (Low)	RFO	Ongoing
17	Accounting	Failure to meet statutory deadlines	Compliance timetable maintained	2	4	8 (Medium)	Annual review of statutory deadlines	4 (Low)	RFO	Annual

18	Internal Audit	Failure to comply with audit requirements	Internal auditor appointed annually	2	3	6 (Low)	Annual review of audit scope	3 (Low)	Council	Annual
19	Contracts	Failure to obtain value for money	Financial Regulations and procurement rules followed	3	4	12 (High)	Maintain contracts register and tender timetable	6 (Medium)	Council	Annual
20	Contracts	Loss of critical contractor	Alternative procurement arrangements available	3	3	9 (Medium)	Maintain supplier records	6 (Low)	Council	Ongoing
21	Governance & Legislation	Changes to local government structure or parish boundaries	Monitoring of local government reorganisation and governance reviews	2	4	8 (Medium)	Continue strategic monitoring	4 (Low)	Clerk / Council	Ongoing
22	Governance & Legislation	Failure to comply with new legislation or regulations	Monitoring through support provider, SLCC and government guidance	3	4	12 (High)	Annual policy review programme	6 (Medium)	Clerk / Council	Annual

#### 4. Key Financial and Governance Controls

- Monthly bank reconciliations completed by the RFO
- Quarterly member review of reconciliations
- Dual authorisation of payments
- Council approval of payments
- Annual internal audit
- External audit and AGAR submission
- Asset register maintained and reviewed
- Insurance reviewed annually
- Budget monitoring reports presented to Council meetings
- Compliance with Financial Regulations and Standing Orders

**5. Review and Approval**

Approved by Full Council: \_\_\_\_\_

Approval Date: \_\_\_\_\_

Next Review Date: \_\_\_\_\_