

**STANDING ORDERS
FOR
ELLESBOROUGH
PARISH COUNCIL**

1. MEETINGS

1.1 The Statutory Annual Meeting in an election year shall be held on the Tuesday following the fourth day after the ordinary day of elections to the Council and in a non-election year shall be held on the third Tuesday in May. Five additional meetings shall be held on the third Tuesday in the months of January, March, July, September and November. Meetings of the Council shall be held at 7.30pm in either Ellesborough Village Hall or Dunsmore Village Hall unless the Council decides otherwise at a previous meeting. An Annual Parish Meeting shall be held on the Tuesday following the meeting in May.

1.2 A minimum of 3 clear days are required for notice of a meeting. Sundays, bank holidays and the day on which the notice was issued are not included in these 3 days. 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. The public will normally be allowed to address the meeting at the start and will then not be allowed to take any part in the meeting's deliberations.

1.3 Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent. 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.

1.4 The minutes of a meeting shall include an accurate record of the following:

1.4.1 The time and place of the meeting.

1.4.2 The names of councillors present and absent.

1.4.3 Interests that have been declared by councillors and non-councillors with voting rights.

1.4.4 Whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered.

1.4.5 If there was a public participation session.

1.4.6 The resolutions made.

1.5 The Clerk should prepare the draft minutes and circulate them to all Councillors within 7 calendar days of the meeting. Councillors then have 7 calendar days to respond to the Clerk and the other Councillors with any changes they wish to be made. Once this has been done, the minutes become the record of the meeting and will be formally approved as such at the next meeting.

2. CHAIRMAN OF MEETING

2.1 The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting. See Annex A - Authority of the Chair.

3. PROPER OFFICER

3.1 Where a statute, regulation or order confers functions or duties on the proper officer of the council, he shall be the Clerk. In any other case the proper officer shall be the person nominated by Council.

4. QUORUM

4.1 Three members shall constitute a quorum.

5. VOTING

5.1 Members shall vote by a show of hands, or if at least two members so request by signed ballot. If requested by any member, the Clerk shall record the names of the members present and how they voted. The Chairman may give an original vote on any matter put to the vote and in the case of an equal vote may give a casting vote even though he gave no original vote.

6. ORDER OF BUSINESS

6.1 At each annual meeting the order of the first business shall be:

- a. To elect a Chairman.
- b. To receive the Chairman's declaration of acceptance of office.
- c. To elect a Deputy-Chairman.
- d. To receive the Deputy Chairman's declaration of acceptance of office.
- e. To elect Council representatives to the following appointments:
 - (1) Planning Comment Co-ordinator.
 - (2) Recreational Facilities (Playground, playing field and allotments).
 - (3) Transport and Road Safety.
 - (4) Village Hall Management Committee.
 - (5) Footpaths and Rights of Way.

6.2 Terms of reference for the member's responsibilities are at Annex B.

6.2 In every year at its first meeting in January, the Council shall review the pay and conditions of service of its employee(s).

6.3 At every meeting the order of business shall be as stated on the agenda. A move to vary the order of business on the grounds of urgency shall be put to the vote without discussion.

7. RESOLUTIONS MOVED ON NOTICE

7.1 The Clerk shall insert in the summons for every meeting an Agenda of the business to be dealt with at that meeting. Except as provided by these Standing Orders, no resolution involving

expenditure may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice of its terms to the Clerk at least 7 days before the meeting. Every resolution or recommendation shall be relevant to the parish and the powers of the Council.

8. RULES OF DEBATE

8.1. In all discussions, members of the Council shall address the chair and no resolution or amendment shall be discussed unless it has been proposed and proper notice given. The ruling of the Chairman on points of order or other procedural business will be final. No Discussion shall take place on the Minutes except on their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman. Before any motion or proposal is voted on, the Chairman should be of the opinion that it has been sufficiently debated.

9. CONDUCT AND ATTENDANCE

9.1 All members of the Council shall behave correctly at all times and not act in any manner which would bring the Council into disrepute. The regulations for Councillor conduct are at Annex C. Councillors are required to tender their apologies to the Clerk before any meeting that they are unable to attend. Councillors who do not attend 3 successive meetings may be removed from the Council by resolution at the next meeting of the Council.

10. PREVIOUS RESOLUTIONS

10.1 A decision of the Council shall not be reversed within 6 months except either by a special resolution whose notice bears the names of at least 4 members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee. Special resolutions preclude the moving of similar resolutions for a period of 6 months.

11. MATTERS AFFECTING EMPLOYEES

11.1 Discussion of any matter affecting employees shall not take place until the Council has decided whether or not to exclude the public.

12. SEALING OF DOCUMENTS

12.1 The sealing of any document required by law to be sealed, must be authorised by resolution and then sealed by any 2 members of the Council.

13. COMMITTEES AND SUB-COMMITTEES

13.1 The Council should, at the Annual Meeting, review any standing committees and at any other time may appoint committees as necessary. Each committee before conducting any business shall elect a chairman who will hold office until the next Annual Meeting or the committee finishes its business whichever is the earlier. Unless stated by the Council, the quorum for all committees or sub-committees shall be the full complement of its members. The rules for the conduct of committees and sub-committees shall be the same as for the full Council.

14. EXPENDITURE, ACCOUNTS AND FINANCIAL REGULATIONS

14.1 All payments are to be authorised by resolution of the Council and must be authorised or signed by 2 members. The Council is to approve all expenditure at its meetings and the minutes are

to record these approvals. All accounts for payment and claims upon the council shall be laid before the Council. Where it is necessary to make a payment before it may be authorised by the Council, the invoice must be checked by the appropriate officer and authorised for payment by the Chairman or Vice-Chairman. All payments made in this manner are to be included separately in the next schedule of payments laid before the Council.

14.2 If considered necessary by the Clerk or any Councillor, expenditure of up to a maximum of £250 may be approved by the Clerk. However, such expenditure must still be authorised and signed by 2 members and the payments included in the next schedule of payments laid before the Council.

14.3 The Financial Regulations for Ellesborough Parish Council are at Annex D.

15. INTERESTS

15.1 If any member has any clear and substantial private or personal pecuniary or other interest, either direct or indirect, within the meaning of the Local Government Act or the National Code of Local Government Conduct in any item before the Council, he shall withdraw from the meeting whilst it is under consideration. Each member shall make a declaration of any pecuniary interests that they may have. The original of these declarations shall be kept by the Clerk and copies passed to Wycombe District Council and the details published on the Parish Web Site.

16. DOCUMENTS

16.1 The Clerk shall maintain and keep all documents which are necessary to record the activities and workings of the Council and its committees. In the course of his duties any member may inspect any document in the possession of the Council and, on request, be supplied with copies. The Communications Policy for the Council is at Annex E. The policy for the use of Social Media is at Annex F

17. UNAUTHORISED ACTIVITIES

17.1. No member of the Council shall act in the name of or on behalf of the Council unless authorised to do so by the Council.

18. ADMISSION OF THE PUBLIC AND PRESS

18.1 The public and press shall be admitted to all meetings of the Council and its committees. However, in the event of business which may be of a special or confidential nature, they may be excluded by the passing of a resolution. Members of the public and press who interrupt the proceedings of the Council, may after a warning from the Chairman be removed from the meeting.

19. CONFIDENTIAL BUSINESS

19.1 Business declared by the Council to be confidential, may not be disclosed to non- members.

20. PLANNING APPLICATIONS

20.1 The Clerk is to maintain a record of all planning applications notified to the Council and to refer them to the Planning Member within 2 working days of the receipt of the notification. Additionally the Clerk is to add the Council's comments on an application, onto the application via the planning pages of the District Council's web site.

21. VARIATION, REVOCATION, SUSPENSION OF STANDING ORDERS

21.1 In relation to any specific item of business, any part of these Standing Orders, except those printed in bold type, may be suspended by resolution. Permanent amendment of Standing Orders proposed and seconded at a meeting shall stand adjourned without discussion until the next ordinary meeting of the Council.

22. STANDING ORDERS DISTRIBUTION

22.1 The Clerk shall give a copy of these Standing Orders to each member of the Council.

ANNEXES:

- A. The Authority of the Chair.
- B. Member's Responsibilities and Terms of Reference.
- C. Councillor code of Conduct.
- D. Financial Regulations.
- E. Communications Policy.
- F. Social Media Policy

A-1. THE AUTHORITY OF THE CHAIR

A-1.1 The office of Chairman of a local authority is created by statute which has conferred upon the occupant of the chair a second or casting vote. However, his authority depends on ancient customs which are perfectly logical and arise from the necessities of the case.

A-1.2 The Chairman's procedural authority is derived from the Council as a whole and his rulings must be obeyed by an individual councillor because they are rulings of the council itself. It follows from this that the Chairman cannot overrule the Council and that a councillor who is dissatisfied by the Chairman's ruling may invite the Council to disagree with it. However, such appeals against the chair should be rare.

A-1.3 The authority of the Chairman as such is limited to matters of procedure and neither increases nor decreases his right (in comparison with other members) to discuss the merits of a particular case. It is one of his most difficult tasks to remember that while the chair gives him authority on matters of procedure it confers no rights (other than the casting vote) on matters of policy which are not held by other members.

B-1. PLANNING COMMENT CO-ORDINATOR

B-1.1 This member will be responsible for presenting the Council's view on all planning applications to the District Council. In all cases the member will nominate at least one other Councillor (normally the one living nearest to the site concerned) to form a quorum of 2, If the application concerns a neighbouring parish, the member is to ensure that their Council are informed of the application.

B-1.2 Should the application be considered to be of major importance or generate considerable interest within the parish, the Chairman is to be consulted to decide whether or not an extra-ordinary meeting of the Council should be called to review and endorse the comments that will be put forward.

B-1.3 The Clerk is responsible for adding the Council's comments onto the application via the planning pages of the District Council's web site.

B-2. RECREATIONAL FACILITIES MEMBER

B-2.1 This member will be responsible for administering the recreational facilities in the parish. These consist of the playground adjacent to the parish hall, the allotments adjacent to Royal Mead and the playing field next to Royal Mead.

B-3. TRANSPORT AND ROAD SAFETY MEMBER

B-3-1 This member will be responsible for the co-ordination of all matters regarding transport and road safety within the parish. He will liaise with the relevant officers from the District and County Councils and attend meetings as necessary.

B-4. PARISH HALL MANAGEMENT COMMITTEE MEMBER

B-4.1 This member will attend the meetings of the Parish Hall Management Committee and maintain a current file of their minutes. The member will present the Council's views at the meetings and report to the Council on the Management Committee's workings.

B-5. FOOTPATHS AND RIGHTS OF WAY MEMBER

B-5.1 This member will deal with all matters concerning footpaths and rights of way which are within the parish boundaries.

Councillor Code of Conduct

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations. Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

All councils are required to have a local Councillor Code of Conduct. Ellesborough Parish Council has adopted the Buckinghamshire Council Code of Conduct.

The Council will undertake an annual review of this Code to ensure it continues to be fit-for purpose, incorporating advances in technology, social media and changes in legislation.

Definitions

For the purposes of this Code of Conduct, a "councillor" means a member of Ellesborough Parish Council or co-opted member of a committee or sub-committee. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint subcommittee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

For the purposes of this Code of Conduct the definition is extended to include those persons who come within a) and b) whether or not they are entitled to vote.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The Council encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

Subject to (a) and (b) below this Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor

(a) If you act as a representative on any other body, you must, when acting for that other body, comply with this Code of Conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

(b) When you act as a representative of the Council on another authority, you must when acting for that authority, comply with that other authority's code of conduct.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

The Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from the Monitoring Officer on any matters that may relate to the Code of Conduct.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and seek guidance from the Council, with a view to reporting the matter to the relevant social media provider or the police where appropriate.

This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Exercising Independent Judgement

As a councillor:

7.1 I exercise my own independent judgement, taking decisions for good and substantial reasons.

When making decisions you are expected to act in the public interest and as part of this to attach appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups.

Good and substantial reasons will include paying due regard to the advice of officers, and in particular to the advice of the statutory officers, namely the Head of Paid Service, the Section 151 Officer and the Monitoring Officer.

As part of your decision making and for full transparency where the reasons for your decision are not otherwise apparent or required to be detailed you will also be expected to state the reasons for your decisions.

8. Use of local authority resources and facilities

As a councillor:

8.1 I do not misuse council resources.

8.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

9. Complying with the Code of Conduct

As a Councillor:

9.1 I undertake Code of Conduct training provided by my local authority.

9.2 I cooperate with any Code of Conduct investigation and/or determination.

9.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

9.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with the Monitoring Officer.

Protecting your reputation and the reputation of the local authority

10. Interests

As a councillor:

10.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about

any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from the Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**

- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least **£50** within 28 days of its receipt.**

- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact the Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B - Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Personal Interests)**.

“**Disclosable Pecuniary Interest**” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of Disclosable Pecuniary Interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest.
Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a Disclosable Pecuniary Interest.
5. Where you have a Disclosable Pecuniary Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Personal Interests

7. Where a matter arises at a meeting which is a Personal Interest as set out in Table 2, you must disclose the interest.
8. Unless your Personal Interest is also a Prejudicial Interest within Table 3, you may still speak on the matter and take part in any discussion or vote on the matter. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest.

Where a matter is a Personal Interest within **Table 2 and also** a Prejudicial Interest under **Table 3** You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

9. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer

Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i)) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Personal Interests

You have a **personal interest** in any business of your authority where:

1. it relates to or is likely to affect any body of which you are a member or in a position of general control or management and:

- a) to which you are nominated or appointed by your authority
or
- b) the body
 - (i) exercises functions of a public nature
 - (ii) is directed to charitable purposes or
 - (iii) one of its principal purposes includes the influence of public opinion or policy (including any political party or trade union)

2. A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected by the decision.

3. A relevant person is –

- i** A member of your family or any person with whom you have a close personal association; or
- ii** Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- iii** Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- iv** Any person or body of a type described in paragraph 1 above

Table 3: Prejudicial Interests

Prejudicial Interest Generally

- 1.1. Subject to Paragraph 1.2, where you have a **personal interest** in any business of the Council you also have a **prejudicial interest** in that business where the interest is one which a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

- 1.2. You do **not** have a **prejudicial interest** in any business of the Council where that business—
 - a. does not affect your financial position or the financial position of a person or body described in Paragraph 3 of **Table 2** above;
 - b. does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in Paragraph 3 of **Table 2** above; or
 - c. relates to the functions of the Council in respect of—
 - i an allowance, payment or indemnity given to councillors;
 - ii any ceremonial honour given to councillors; and
 - iii setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial Interests Arising in Relation to Select Committees

- 1.3. You **will** have a **prejudicial interest** in any business before a Select Committee of the Council (or of a sub-committee of such a committee) where—
 - a. that business relates to a decision made (whether implemented or not) or action taken by the Cabinet or another of the Council’s committees, sub-committees, joint committees or joint sub-committees; and
 - b. at the time the decision was made or action was taken, you were a member of the Cabinet, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

D – 1 FINANCIAL REGULATIONS

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These Financial Regulations were adopted by the council at its meeting held on 20 July 2021

D 1. General

D 1.1. These financial regulations govern the conduct of the financial affairs of the council and may only be amended or varied by resolution of the Council. The Council is responsible in law for ensuring that its financial management is adequate and effective in safeguarding public money.

D 1.2. The Parish Clerk is appointed as the Responsible Financial Officer (RFO). The RFO is to ensure that the Council's financial affairs are managed in accordance with all Acts, Regulations and proper practices. The RFO is to provide financial management information as required by the Council and to ensure the timely update of the Councils accounting system. Additionally, the RFO shall ensure that the Council's Asset register is kept up to date as items are purchased by the Council.

D 2. Audits

D 2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.

D 2.2. Prior to each scheduled Council Meeting a selected Councillor (other than the Chairman) is to review the bank statements, the reconciliation statements, invoices and receipts, the cheque book and the Clerk's Expenses Register for the period from the previous review to ensure that all figures are correct and correspond. At the conclusion of the review, the Councillor is to complete and sign the form at Appendix 1 to Annex D which is then to be attached to the minutes of the meeting.

D 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations. The internal audit required to be carried out during this process is to be completed by a qualified person who is completely independent of the Council.

D 2.4. 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 statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.

D 2.5. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

D 3. Annual estimates (budget) and forward planning

D 3.1. The RFO is to produce a budget for the consideration of the Council at its January meeting, in order that the Council may set its precept for the coming financial year. After the budget has been agreed, the RFO is to copy it to each member of the Council. Once the precept has been set, the Clerk is to issue it, no later than the end of January each year, to the billing authority in the form of an invoice.

D 4. Budgetary control and authority to spend

D 4.1. All expenditure is to be carried out by cheque, or in the case of annual subscriptions, by standing order or direct debit. Cheques are required to be signed by 2 Councillors. When presenting a cheque for signature, the Clerk is to ensure that the invoice, or other document detailing expenditure that is being paid, is available for inspection. Before signing the cheque, Councillors are to ensure that the details on the cheque are correct and match the invoice or document. All expenditure is to be approved at a full council meeting and recorded in the minutes.

D 4.2. Expenditure over £5,000 must be authorised and minuted at a Council meeting. Expenditure below £5000 may be authorised by any 2 Councillors. The Clerk may authorise expenditure up to £250. The RFO is to ensure that sufficient funds are available in the current account to meet any authorised expenditure.

D 4.3. In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.

D 4.4. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available.

PRE-COUNCIL MEETING FINANCIAL REVIEW

I certify that I have carried out a check of the following documents and that all figures correspond and are correct:

1. Cheque Book.
2. Reconciliation statements for the current and savings accounts.
3. Bank statements.
4. Invoices and Remittance notifications.
5. Clerk's expenses register.
6. Asset Register

The bank balances, taking into account any unrepresented cheques, are:

Current Account:

Savings Account:

Signature:

Name:

Date:

Communications Policy

The policy is to be used to develop effective communications with all residents of the Parish and all the Parish Council's partners including the media.

Objectives:

- To inform residents and strategic partners of the priorities, objectives and activities of the Parish Council on an on-going basis.
- To encourage residents in the community to be involved with the work of the Parish Council by volunteering and working together to contribute to making improvements where they are needed and to respond to the changes in our area.
- To use a range of communication methods and channels to ensure that the way in which we communicate is effective across our wide and varied audience. Methods to relay information include: regular email updates by the Parish Clerk, copies of minutes of EPC's meetings are posted on Ellesborough Parish Council website, notices are put on the noticeboard outside the Village Halls at both Ellesborough and Dunsmore, quarterly PC updates appear in the Ellesborough Village Magazine and an Ellesborough Parish Council Facebook page maybe introduced. Two-way communication methods include: via the Parish Clerk, directly with Councillors (see email list found on EPC website) and by attendance at the Parish Council Meetings.
- The Parish Council wants to hear the views of others and elicit constructive feedback.
- To ensure communication takes place promptly, efficiently and positively. This may take place through a single communication or from a pattern of communications.
- To be open and transparent. To comply with The Code of Recommended Practice on Local Authority Publicity.
- Consideration and respect should always be practised between members of the Council and between members and the public.
- Ellesborough Parish Council (EPC) operate in accordance with their Standing Orders (found on the EPC website – under Publications heading).

Points of Contact

- The first point of contact for the Parish Council is the Parish Clerk. The Clerk's duties include the day to day running of events. Please note our Parish Clerk works part time so all emails are dealt with in a timely manner and an initial response should be received within 5 working days.
Contact details: Mr Rex Norris, Three Acres, 86 Chalkshire Road, Butlers Cross, Aylesbury, Bucks HP17 0TJ Telephone: 01296 615821 Email: clerk@ellesborough.org.uk
If the matter is urgent please ring or text 07836 785970.
- A Councillor may be contacted/emailed directly however further correspondence/communication will always be copied to the Clerk, then the parish records will be accurately maintained.
- The majority of the current EPC have full time jobs and have volunteered their services and skill sets to make the best of their resources amongst the community.
- Each member of the EPC has designated roles as listed in the Standing Orders. The powers and duties of EPC are described in Appendix B.
- Allow 5 working days for an initial response from Councillors.
- Depending on the nature of the enquiry this will either be answered or acknowledged by the Clerk, if he is the first point of contact, and the email will be forwarded to the

relevant Councillor(s). The Councillor will respond as soon as practicable and will copy their response to the Clerk. If the Clerk believes that the matter should be referred to the full council, he will advise that this needs to be discussed at the next ensuing Parish Council meeting and placed on the Agenda.

- The Clerk will have discretion on how to deal with correspondence labelled “confidential”.
- In the event of the Clerk being on leave these enquiries will be dealt with upon their return. However, if the matter is urgent he can be contacted on 07836 785970. If unobtainable and a matter of extreme importance then the Chair will be the next point of contact (details found on the website).

Communication by Email

- Councillors and the Clerk must ensure that confidential information is not disclosed so as to place the Council at risk of breach of confidentiality.
- All Council business should be conducted using individual @epcouncil.co.uk emails not personal email addresses.
- Councillors and the Clerk are to have a signature block for their emails so that emails sent on behalf of EPC are identified as such and not as coming from Councillors when they are acting as individuals.
- Councillors must ensure that the principles set out in the Code of Conduct are followed to show respect to others when communicating by email.

Vexatious requests, complaints, unreasonable or repetitious requests for information

Sometimes Councils may find themselves being called upon to respond repeatedly to an individual or group of individuals where the council has already responded to the matter (or something very similar) and has concluded that there is nothing further or useful that can be done. In these cases, the council will review this contact. If the behaviour continues then advice will be taken to try and resolve this matter before restrictions are imposed. Adequate records will be retained by the Clerk of the details of the abusive, vexatious or persistent case and the action(s) that have been taken. See Appendix A – Policy on Habitual & Vexatious Requests.

Dealing with the media

All press enquiries should be referred to the Clerk in the first instance and the Clerk can issue statements of fact. The Parish Council’s standard response to any media enquiry will be “no comment”. A statement will be issued once the matter has been considered. The Clerk shall approve/discuss such statements with the relevant Councillors and Chair. No Councillor will contact the press in respect of any matter without discussing with the Clerk. No interviews will be given. If you have any questions about contact with the media please contact the Parish Clerk.

Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council’s prior written consent. The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting as which they are entitled to be present. (As per EPC’s Standing Orders, Meeting 1.3)

Reports for the Council/Agenda items

Correspondence received prior to the agenda deadline (ten days prior to the Parish Council Meeting) will be catalogued and presented to the Council with the Agenda and paperwork for the meeting if it requires a response by the Council. Any correspondence received after that date, unless of an urgent nature or planning, licensing or tree works, cannot be included on the Agenda and will be considered at the following meeting.

Councillors must make it known to the Clerk or Chairman if they particularly want an item of correspondence that does not demand a response to be discussed on the Agenda prior to the deadline, otherwise it will be at the discretion of the Chair and Vice Chair whether it is included.

Policy on Habitual & Vexatious Requests

Policy on dealing with unreasonable, abusive, persistent or vexatious requests for information, complaints or complainants.

1. Introduction

- 1.1 This policy identified situations where a complainant, either individually or as part of a group, or a group of complainants, might be considered to be habitual or vexatious and ways of responding to these situations.
- 1.2 This policy covers behaviour around repeated and duplicate requests for information and complaints regarded as unreasonable or vexatious. This includes behaviour which causes alarm or harassment to council officers or councillors and/or undermines the ability of the council to provide a fair service to others. Examples of what would be deemed unreasonable are outlined below under Section 3.
- 1.3 In this policy the term habitual means ‘done repeatedly or as a habit’. The term ‘vexatious’ is recognised in law and defined as ‘denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant’. This policy intends to assist in identifying and managing persons who seek to be disruptive to the Council through pursuing an unreasonable course of conduct.
- 1.4 This policy includes requests for information made under the Freedom of Information Act 2000 and the Data Protection Act 1998 and reference to the complaints procedure is, where relevant, to be interpreted as meaning request under those Acts.
- 1.5 Habitual or vexatious complainants can be a problem for the Clerk and Councillors. The difficulty in handling such complainants is that they are time consuming and wasteful of resources. The Council endeavours to respond with patience and professionalism to the needs of all complaints and complainants. However, there are times when there is nothing further which can reasonably be done and the full process has been applied. If the behaviour continues, it will result in a reduced ability to meet the needs of other residents.
- 1.6 Raising of legitimate queries or criticisms of a complaints procedure as it progresses, for example if agreed timescales are not met, should not in itself lead to someone being regarded as a vexatious or an unreasonably persistent complainant. Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, should not necessarily cause him or her to be labelled vexatious or unreasonably persistent.
- 1.7 The aim of this policy is to contribute to the overall aim of dealing with all complainants in ways which are demonstrably consistent, fair and reasonable.

2. Habitual or Vexatious complaints and complainants

- 2.1 For the purpose of this policy the following definition of habitual or vexatious complainants will be

used:

The repeated and/or obsessive pursuit of:

- (1) unreasonable complaints and/or unrealistic outcomes; and or
- (2) reasonable complaints in an unreasonable manner

2.2 Prior to considering its implementation the Council will send a summary of this policy to the complainant to give them prior notification of its possible implementation.

2.3 Where complaints continue and have been identified as habitual or vexatious in accordance with the criteria set out in Section 3, the Clerk and Chairman will seek agreement to treat the complainant as a habitual or vexatious complainant for the appropriate course of action to be taken. Section 4 details the options available for dealing with habitual or vexatious complaints.

2.4 The Clerk on behalf of the Parish Council will notify complainants, in writing, of the reasons why their complaint has been treated as habitual or vexatious and the action that will be taken. The relevant County and District Councillors will also be informed that a constituent has been designated as a habitual or vexatious complainant.

2.5 The status of the complainant will be kept under review. If a complainant subsequently demonstrates a more reasonable approach, then their status will be reviewed.

3. Definitions

3.1 The Parish Council defines unreasonably persistent and vexatious complainants as those complainants who, because of the frequency or nature of their contacts with the council, hinder the Council's consideration of their or other people's complaints or deliver a fair service to others. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.

3.2 Examples include the way or frequency that complainants raise their complaint or how complainants respond when informed of the Council's decision about the complaint.

3.3 Features of an unreasonably persistent and/or vexatious complainant or individual repeatedly or vexatiously requesting information include the following (the list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category):

An unreasonably persistent and/or vexatious contact may:

- Have insufficient or no grounds for their complaint or provides no valid grounds for their complaint to be considered further.
- Be making the complaint only to annoy (or for reasons that he or she does not admit or make obvious), harass or cause distress to officers or members.
- Refuse to specify the grounds of a complaint despite offers of assistance.
- Refuse to co-operate with the complaints investigation process while still wishing their complaint to be resolved.

- Refuse to accept that issues are not within the power of the council to investigate, change or influence.
- Make what appear to be groundless complaints about the staff dealing with the complaints, and seek to have them dismissed or replaced.
- Make an unreasonable number of contacts with the Council, by any means in relation to a specific complaint or complaints.
- Make persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to the complainant (an example of this could be a complainant who insists on immediate responses to numbers, frequent and/or complex letters, telephone calls or emails).
- Harass, verbally abuse or otherwise seek to intimidate staff dealing with their complaint, in relation to their complaint by use of foul or inappropriate language or by the use of offensive and racist language through any channel.
- Raise subsidiary or new issues whilst a complaint is being addressed that were not part of the complaint at the start of the complaint process.
- Introduce trivial or irrelevant new information whilst the complaint is being investigated and expect this to be taken into account and commented on.
- Change the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed.
- Deny statement he or she made at an earlier stage in the complaint process.
- Electronically record meetings and conversations without the prior knowledge and consent of all the other persons involved.
- Adopts an excessive ‘scattergun’ approach, for instance, pursuing a complaint or complaints not only with the Council, but at the same time with a Member of Parliament, other councils, elected councillors of this and other councils, the council’s independent auditor, the Standards Board, the police, solicitors.
- Refuse to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given.
- Make the same complaint repeatedly, perhaps with minor differences, after the complaints procedure has been concluded and insist that the minor differences make these ‘new’ complaints which should be put through the full complaints procedure.
- Persistently approach the council through different routes about the same issue.
- Persist in seeking an outcome which has been explained as unrealistic or impractical for legal reasons.
- Refuse to accept documented evidence as factual.
- Complain about or challenge an issue based on an historic and irreversible decision or incident.
- Misrepresent to others the actions taken by the Council or officers on responses received whether by omission of relevant factual context or editing responses to misinform.
- Submitting repeat requests for information with minor additions/variations or which the requestor has already received or are in the public domain and they have been directed to the information already.
- The request is obsessive in nature e.g. a high volume of requests or lists of multiple items, repeatedly asking for the same information or using requests for information to open matters that have already been dealt with in other ways.
- Combine some or all of these features.

4. Imposing Restrictions

4.1 The Parish Council will ensure that the complaint is being, or has been investigated properly.

4.2 In the first instance the Clerk will consult with the Chairman of the Council, prior to issuing a warning to the complainant. The Clerk will contact the complainant in writing, or by email, to explain why this behaviour is causing concern and ask them to change this behaviour and outline the actions that the council may take if they do not comply.

4.3 If the disruptive behaviour continues, the Clerk will issue a reminder letter to the complainant advising that the way in which they will be allowed to contact the Parish Council in future will be restricted. The Clerk will make this decision in consultation with the Chairman of the Council and inform the complainant in writing of what procedures have been put in place and for what period.

4.4 Any restriction that is imposed on the complainant's contact with the Council will be appropriate and proportionate and the complainant will be advised of the period of time the restriction will be in place. In most cases restrictions will apply for between 3-6 months, but in exceptional cases may be extended. In such cases the restrictions would be reviewed on a quarterly basis.

4.5 Restrictions will be tailored to deal with the individual circumstances of the complainant and may include:

- Banning the complainant from making contact by telephone except through a third party eg. solicitor/councillor/friend acting on their behalf.
- Banning the complainant from sending emails to individuals and/or all council officers and insisting they only correspond by letter.
- Requiring contact to take place with one named member of staff only.
- Restricting telephone calls to specified days/times/duration.
- Requiring any personal contact to take place in the presence of an appropriate witness.
- Letting the complainant know that the Parish Council will not reply to or acknowledge any further contact from them on the specific topic of that complaint (in this case, a designated member of staff should be identified who will read future correspondence).

4.6 When the decision has been taken to apply this policy to a complainant, the Clerk will contact the complainant in writing to explain:-

- Why the decision has been taken.
- What action is being taken.
- The duration of that action.

4.7 The Clerk will enclose a copy of this policy in the letter to the complainant.

4.8 Where a complainant continues to behave in a way which is unacceptable, the Parish Clerk, in consultation with the Chairman of the Council may decide to refuse all contact with the complainant and stop any investigation into his or her complaint.

4.9 Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, other options will be considered eg. the reporting of the matter to the

police or taking legal action. In such cases, the complainant may not be given prior warning of that action.

5. New complaints from complainants who are treated as abusive, vexatious or persistent

5.1 New complaints from people who have come under this policy will be treated on their merits. The Parish Clerk and the Chairman will decide whether any restrictions which have been applied before are still appropriate and necessary in relation to the new complaint. A blanket policy is not supported, of ignoring genuine service requests or complaints where they are founded.

5.2 The fact that a complainant is judged to be unreasonably persistent with their vexatious behaviour resulting in restrictions being imposed with him or her will be recorded and notified to those who need to know within the Council.

6. Review

6.1 The status of a complainant judged to be unreasonably persistent or vexatious will be reviewed by the Parish Clerk and the Chairman after six months and at the end of every subsequent six months within the period during which the policy is to apply.

6.2 The complainant will be informed of the result of this review if the decision to apply this policy has been changed or extended.

7. Record Keeping and review

7.1 Adequate records will be retained by the Parish Clerk of the details of the case and the action that has been taken. Records will be kept of :

- The name and address of each member of the public who is treated as abusive, vexatious or persistent.
- When the restriction came into force and ends.
- What the restrictions are.
- When the person and Council were advised.

7.2 This policy will be reviewed annually.

Powers and Duties of Ellesborough Parish Council

Function	Powers & Duties	Statutory Provision
Allotments 23	Powers to provide allotments	Smallholdings & Allotments Act 1908, s.
Bus shelters 1953, s.4	Power to provide and maintain shelters	Local Government (Misc. Provisions) Act Parish Councils Act 1957, s.1
Bye laws	Power to provide bye laws for: Pleasure grounds	Public Health Act 1875, s.164
Charities	Open spaces and burial grounds Duties regarding parochial charities	Open Spaces Act 1906, s.15 Charities Act 1993 s. 79
Christmas lights	Power to provide to attract visitors	Local Government Act 1972. S. 144
Closed churchyards	Powers to maintain	Local Government Act 1972, s.215
Commons and common pastures	Powers in relation to enclosure, regulation and management, and providing common pasture	Inclosure Act 1845 Local Government Act 1894, s.8(4) Smallholdings and Allotments Act 1908, s.34
Community Centres/ Village Hall	Power to provide and equip community buildings	Local Government Act 1972, s. 133
Crime prevention	Powers to spend money on various crime prevention measures and	Local Government Rating Act 1997, s.31
Drainage	Power to deal with ponds and ditches	Public Health Act 1936, s.260
Entertainment and the arts	Provision of entertainment and support of the arts including festivals and celebrations	Local Government Act 1972, s.145
Gifts	Power to accept	Local Government Act 1972, s.139
Highways	Power to repair and maintain public footpaths and bridle-ways Power to provide roadside seats and shelters Power to complain to district councils	Highways Act 1980, ss.43, 50 Parish Councils Act 1957, s.1 Highways Act

	regarding protection of rights of way and roadside wastes	1980, s.130 (6)
Land	Power to acquire by agreement, to appropriate, to dispose of land	Local Government Act 1972, ss.124, 126, 127
	Power to accept gifts of land	Local Government Act 1972, s.139
Litter	Provision of receptacles	Litter Act 1983, ss.5, 6
Newsletters	Power to provide information relating to matters affecting local government	Local Government Act 1972, s.142
Nuisances	Power to deal with offensive ditches	Public Health Act 1936, s.260 Public Health Act 1875, s.164
Parish property and documents	Powers to direct as to their custody	Local Government Act 1972, s.226
Public buildings and village hall	Power to provide buildings for offices and for public meetings and assemblies	Local Government Act 1972, s.133
Playing fields and playground	Power to acquire land or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them	Public Health Act 1875, s.164 (Local Government Act 1972, Sched.14 para.27) Public Health Acts Amendment Act 1890, s.44 Open Spaces Act 1906, ss.9 and 10
Recreation	Power to provide a wide range of recreational facilities	Local Government (Miscellaneous Provisions) Act 1976, s.19
Town and Country Planning	Right to be notified of planning applications	Town and Country Planning Act 1990, Sched.1, para.8
Traffic calming	Powers to contribute financially to traffic calming schemes	Local Government and Rating Act 1997, s.30
Transport	Powers to spend money on community transport schemes	Local Government and Rating Act 1997, s.26-29
Village signs	Power to use decorative signs to inform visitors	Local Government Act 1972, s.144
War memorials	Power to maintain, repairs, protect and adapt war memorials	War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948, s.133
Water supply	Power to use well, spring or stream and to provide facilities for obtaining water therefrom	Public Health Act 1936, s.125

(List adapted from BMKALC 07 – Powers and Duties)

SOCIAL MEDIA POLICY

CONTENTS

1. Social Media Policy. Ellesborough Parish Council (EPC) realise that social media and networking websites have become a regular part of everyday life and that many people enjoy membership to sites such as Facebook and Twitter. This policy is to provide councillors and staff with guidelines on responsibilities of use.

2. Why is EPC using social media? EPC's aim is to inform members of the community and the wider local area, through as many communication channels as possible, about what is happening within the Parish and local area and share important news and information.

EPC's social media channels supplement the information published on their website and in the newsletter.

- The Parish Council can remind people of important events and alert followers to news.
- The Parish Council can link to interesting and useful information about the Parish and local area published by other people.
- The Parish Council can better communicate with those using mobile devices.

3. Use of Official Accounts. EPC operate a Facebook account for the promotion of activities and events and as a communication and broadcast tool.

Examples of acceptable corporate content are:

- Marketing campaigns
- Consultation documents
- News feed & emergency information
- Event listings
- Key dates
- Short debates & quick comments on hot topics and relevant news (discussion board)
- Polls and information gathering
- Useful links

The following outlines the limits of their use:

- An official account on any social media website may only be set-up with consent from the Parish Council.
- Once approved, each account will be set up by the Parish Clerk or a nominated councillor
- Only authorised staff may use these accounts to post online and access to the account is strictly limited. The Parish Council's social media accounts are managed and monitored by the Parish Clerk. Two councillors will also be nominated to monitor the social media account(s) to ensure frequent monitoring in accordance with this policy and to manage the account when the clerk is on leave.
- Only the Clerk and the two nominated councillors are allowed to post links to the corporate website, partner websites, 'Useful' links for example local transport sites etc, links to other Facebook pages, local media e.g. Bucks Herald, National organisations.
- All information published on the internet must comply with the Parish Council's confidentiality policy and data protection.
- Social media accounts will primarily be used to promote the 'good news' and information, supplementing content already published on the Parish Council's website.
- Any employee, Councillor or member of the public who becomes aware of social networking activity that would be deemed distasteful should make the Parish Clerk aware as soon as possible.

Facebook. The Parish Clerk and two nominated councillors manage the Council's Facebook page. Facebook pages are used to highlight news, make announcements, engage with the community and share information. Comments posted on and messages received on the Facebook page are views of individuals and do not represent the views of the Parish Council. Requests for something to be posted on the Parish Council's Facebook page, should be directed to the Parish Clerk.

Social media moderation policy. The Parish Council Facebook page is reactively moderated. The Council cannot accept responsibility for the content of any comment. The Council reserve the right to remove comments received on Facebook that:

- Contain abusive, obscene, indecent or offensive language, or link to obscene or offensive material
- Contain swear words or other sorts of profanity

- Are completely removed from the topic of conversation, deliberate attempts at spreading misinformation, or are not relevant to the item posted on the wall
- Contain abusive language and/or inappropriate comments directed towards an individual involved in the thread, other organisations or the page administrator
- Constitute spam or promote or advertise products, except where it is for an event, publication or similar item that has direct relevance to the subject of discussion. Information about locating and sharing knowledge and expertise is welcomed, but within the specific discussion
- Are designed to cause nuisance to the page administrator or other users

For serious and/or persistent breaches of the moderation policy, we reserve the right to prevent users from posting further comments.

Use of Photos and Video. Only the Parish Clerk and two nominated councillors have permission to upload photos and videos. The appropriate permissions must be obtained for all imagery

Personal Accounts on Social Media. Staff need to use social networking in a way that does not conflict with the terms of their contract of employment. The absence of, or lack of, explicit reference to a specific website or service does not limit the extent of the application of this policy. Where no policy or guidelines exist, employees should use their professional judgment and take the most prudent action possible. If the Parish Council is referred to in a way that is deemed defamatory or confidential information is disclosed, it reserves the right to report the comment and request that it be removed.

Councillors are at liberty to set up accounts using any of the tools available but should ensure they are clearly identified as personal and do not in any way imply that they reflect the Council's view. Councillors should at all times present a professional image and not disclose anything of a confidential nature. Comments of a derogatory, proprietary or libellous nature should not be made and care should be taken to avoid guesswork, exaggeration and colourful language.

4. Purdah

In the six week run up to an election – local, general or European – councils have to very careful not to do or say anything that could viewed in any way to support any political party or candidate. The period is known as purdah. The Council will continue to publish important service announcements using social media but will monitor and potentially have to remove responses if they are overtly party political.

5. Will the Parish Council respond to direct messages posted on social networking sites? If appropriate, the Clerk, or one of the two nominated councillors will endeavour to respond as quickly as possible to all questions received via social networking sites. All formal requests, comments, enquiries or complaints should be emailed to the Parish Council using the contact form on the website. The Parish Council may monitor forums and blogs to gain indirect feedback. The Parish Council may post replies on forums or blogs to answer queries or address factual corrections, but would generally take a cautious approach before getting involved in contentious issues.

Ellesborough Parish Council reserves the right to take any necessary steps to protect members of the Parish community and will delete any comments referencing the Parish Council, which are deemed abusive or offensive in anyway.