

## WHIMPLE PARISH COUNCIL PLAY EQUIPMENT PROJECT REPORT

### Introduction

At the Whimple Parish Council meeting on 17 March 2025, Councillors asked the Clerk to:

- Put together the options for the Parish Field and Town Lane site to share with members of the public.
- Obtain quotes for the following works in Town Lane:
  - Removal of the old equipment on the left hand side of the site
  - Removal of the old bench along the top border of the site
  - Removal of the old picnic bench along the bottom border of the site
  - Dismantle and remove the shelter along the bottom border of the site
  - Pruning and cutting back of the overgrown trees
- Post on Facebook to see if any local suppliers are interested in quoting for the above listed works
- Contact the play area suppliers to ask them to quote for the removal of the equipment in the Parish Field and installation of a new Play Area there focused on older children
- Set up a working group to consider the information coming forward from the suppliers. Newly co-opted councillors Angela Trimblett and Lynda Patrick put themselves forward to work with the Clerk on the project.

The purpose of this report is to provide an update, including the feedback from members of the public on whether the play equipment project should focus on the Town Lane Site or Parish Field.

### Public feedback

The following information was posted on the Parish Council Facebook page and also the Whimple What's On Facebook page:

#### ***Play Area in Town Lane or the Parish Field?***

*The Council has been working on a project to deliver a children's play area for younger children in Town Lane. Recently there have been problems with the play equipment in the Parish Field and this also needs to be replaced.*

*The Parish Council doesn't have enough funding to install a new play area in Town Lane and also replace the play equipment in the Parish Field. So, a decision has to be made, which we would like public feedback on please.*

*The options are:*

1. *The council replaces the play equipment in the Parish Field and turns the Town Lane site into a community/mindfulness garden with benches, picnic tables, flowers and trees.*
2. *The Council continues with the play area for younger children at the Town Lane site and removed the play equipment from the Parish Field (leaving the Pump Track only).*

*Something else to consider is that East Devon District Council are upgrading the Slewton Crescent Play Area this year which is aimed at younger children.*

Lots of members of the public responded and the results are, as follows:

- Option 1 = 35 votes
- Option 2 = 0 votes

So, 100% of the people that provided feedback confirmed that they wanted option 1, i.e. the play equipment going in the Parish Field and the Town Lane site becoming a community/mindfulness garden.

Comments provided included:

- Having equipment spread across the village is not very accessible.
- It would be much easier for parents with more than one child to have the play equipment in the Parish Field next to the cycle track
- That the Town Lane site is not the right area for a play park
- Option 1 providing that the refurbishment of the Slewton Crescent site is done well
- Option 1 providing East Devon go ahead with the Slewton Crescent upgrade for younger children
- Option 1 as long as East Devon District Council confirm that the S106 funding can be spent on play equipment in the Parish Field
- Option 1 as little ones can be entertained while older ones use the pump track. Also it's a nice sunny site
- The Parish Field is a lovely big open space and it would be a good idea to get upgraded equipment. I also like the idea of a community garden
- Open Parish Field better for the kids to go and play on. Town Lane would be perfect as a flat easy to reach meeting area for older people
- What about a basketball court for the kids to go and play on – could Town Lane be tarmacked and a couple of basketball rings put up?
- Please consult on the type of equipment for the Parish Field
- Completely agree that the basketball court is a great idea
- Really like the idea of a basketball court for the older children
- Town Lane was never a good site. As a child I never played there, so in my view not worth equipping it with stuff that may not get played with. Either turn it into allotment or community park space with picnic benches.
- Just my personal opinion but I think keeping play equipment in the parish field and also improving the play area in Slewton crescent would be a priority (maybe even extending it). I don't think option 2: removing play equipment in the parish field in lieu of the town lane area isn't a good idea. Many more people use the parish field as a larger space, and entirely removing play equipment there would take this resource away - unless the adjacent Slewton Crescent park is significantly improved/extended.
- re town lane - i like your idea of creating a nicer, safer space through planting, benches and trees etc. Have you considered the inclusion of a concrete table tennis table as well as a community garden?
- I would like to express my support for Option 1, replacing the play equipment in the Parish Field and transforming the Town Lane site into a

community/mindfulness garden. The Parish Field is a well-established recreational space, and ensuring it remains a vibrant area with safe and modern play equipment is essential for the community. Given that East Devon District Council is already upgrading the Slewton Crescent Play Area for younger children, focusing resources on enhancing the Parish Field makes strategic sense. Additionally, the creation of a community/mindfulness garden at Town Lane would provide a valuable space for people of all ages to relax, socialise, and connect with nature. Benches, picnic tables, flowers, and trees would foster a welcoming environment for families, older residents, and those looking for a peaceful retreat. This would ensure the site remains an asset to the village while complementing other recreational areas. Thank you for seeking community input on this decision. I appreciate the effort being made to enhance public spaces and look forward to seeing the final plans.

- Option 1 – The Council replaces the play equipment in the Parish Field and turns the Town Lane site into a community/mindfulness garden with benches, picnic tables, flowers and trees. I'd also like to raise serious concerns about the development of the Town Lane site as a playground for younger children (i.e. Option 2). My training for the role of Welfare/ Safeguarding Officer for a sport club makes me concerned about the use of this site due as it is too secluded. The other sites - Slewton and the Parish Field - are very open and it's easy to see at a distance who is there and to see anyone behaving inappropriately. In contrast, the Town Lane site is isolated and even when you are next to it, you can't view it completely. Whilst we like to think that we live in a nice, safe village, unfortunately, the statistics suggest that there are people in our vicinity who may, if given the opportunity, put a child at risk. In my opinion, this site is simply not suitable for a playground of any type and a mindfulness garden is a much better use of the space - and a great idea that I would love to see. So please, do not develop this as a site for children to use. Thank you in advance for taking account of my concerns.
- When we moved into the village in 1993 there was a lovely wooden play area structure in the Town Lane park, and benches etc. Visually it all looked great, but the area was very hidden away, so it was not a safe area to let children play alone. We had a young family at the time, so had it been safe there that would have been a great attraction. Sadly the equipment was slowly vandalised - the vandals benefitting from the fact that the area is hidden away from public view. Eventually, the structure was removed, with just a few wooden jump things left behind. It's not possible to change the dynamic of this hidden away area, that just has an occasional pedestrian walking through it. I think we should learn from history and not repeat mistakes. The Town Lane site is too hidden from view to make it safe for children to play in and attracts the wrong kind of attention from people wanting to gather there and get up to mischief where they can't be seen. Please don't invest money there for something for kids - it's not safe for them. It's great that the Parish Field has some play equipment now - please don't remove it, but rather improve it further. This is a nice open area where the equipment is in full view - and great to have the pump track as well. Can't we add more equipment there with the funding - and also improve the poorly equipped Slewton play area (Bovis did the least possible when charged with a kids play area at the time and got away with it).

As a result of the overwhelming feedback from members of the public for option 1, it is recommended that:

1. The Play equipment project focuses on replacing the play equipment in the Parish Field only.
2. The Town Lane site is made into a community/mindfulness garden

### Section 106 funding

The Parish Clerk contacted the Section 106 Team at East Devon District Council (EDDC) to ask them to clarify that the S106 monies could be spent on replacing the play equipment in the Parish Field.

The EDDC S106 Officer wrote to the Parish Clerk on 3 April 2025, confirming the following:

I can confirm that it is fine to spend the monies for play equipment in the Parish Field. I've taken out the Slewton Crescent contribution money (£516) so you have £17,944 available to spend.

### Play Equipment funding

In terms of funding the play equipment project, the Council has set aside funding of £35,549.08.

When the S106 money is added to this, the total is £53,493.08 – but this needs to include any play equipment, appropriate flooring/matting and other costs listed by the selected play equipment supplier.

The Council would also have to pay VAT on any invoice, which can be claimed back, but not until the end of the 2025/26 financial year.

In a later report, it is recommended that a separate earmarked reserve is set up for the Town Lane site (if the Council resolve to move forward with a community or mindfulness garden, or something else on this site) and that £7,000 is moved from general reserves to fund this project.

### Play Equipment suppliers

The Parish Clerk has been liaising with the play equipment suppliers to get an initial proposal for the play equipment. The Parish Clerk has had to go back to the suppliers that originally quoted for Town Lane to get an updated proposal for the Parish Field.

At the 17 March 2025 meeting it was agreed that a working group of the Council is set up to consider all proposals that come forward from the play equipment suppliers.

It is anticipated that the first meeting be set up in early May to start considering the options.

### Quotes for works at Town Lane site

The Parish Clerk posted information on Facebook asking any local contractors to provide quotes for any or all of the following work:

- Removal of the old equipment on the left hand side of the site
- Removal of the old bench along the top border of the site
- Removal of the old picnic bench along the bottom border of the site
- Dismantle and remove the shelter along the bottom border of the site
- Pruning and cutting back of the overgrown trees

There has been a lot of interest, so the Clerk has been drafting a specification for the task and is liaising with the suppliers to obtain quotes.

### Recommendations

It is recommended that Whimple Parish Council **RESOLVES**:

1. To locate the play equipment in the Parish Field rather than at the Town Lane site.
2. The Town Lane site is turned into a community/mindfulness garden
3. To set up a working group of the Council to work with the Parish Clerk and to focus on:
  - a. Replacing the Play Equipment in the Parish Field.
  - b. Considering the proposals put forward by the play equipment suppliers and considering the type of equipment to install in the Parish Field
  - c. Turning the Town Lane site into a community/mindfulness garden
  - d. Put together a plan for the Town Lane site
  - e. Consider any quotes for the Town Lane site
  - f. Pull all of the work into a report including recommendation to be considered by the Council
4. That Cllrs Trimblett and Patrick are members of the working group.

# WHIMPLE PARISH COUNCIL ASSET REGISTER AS AT 31 MARCH 2025

The purpose of this report is for the Council to review and approve the asset register as at the 31 March 2025.

The total figure on the asset register will then be added to the Annual Governance and Accountability Return for the 2024/25 financial year.

## Office Equipment section

It is recommended that the following lines are removed from the asset register as the items were scrapped some years ago.

Work centre	22/01/1997	0.00	scrapped 1/10/20 - no scrap value
Computer printer	01/03/2000	0.00	scrapped replaced by new printer in 2017

It is recommended that the following lines are listed as a zero value, as the items have been scrapped during 2024/2025 with no scrap value.

All-in one Printer scanner	02/08/2017	66.66	Scrapped during 2024/25 - no scrap value
Computer back up Hard drive	01/04/2020	94.09	Scrapped during 2024/25 - no scrap value
Bt duo telephone handset/answer machine	08/09/2020	66.66	Scrapped during 2024/25 - no scrap value

This removes £227.41 from the asset register balance.

During 2024/2025 a new portable hard drive was purchased so this item needs to be added to the asset register. Therefore, it is proposed that the following entry is added to the asset register.

Computer back up hard drive	09/10/2024	33.24	New for 2024/25 - add to the register
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## Parish Assets

It is recommended that the listing for 3 seats is changed to 2 seats, due to the fact that the bench in The Square was removed during 2024/25 and replaced with a privately funded memorial bench.

As there is no detailed information as to the cost of the individual seats, the suggested amendment is  $\text{£}389.50 \times 2/3 = 259.67$ .

It is recommended that the entry is amended to 2 seats at a value of £259.67.

This removes £129.83 from the asset register.

### Safety equipment and clothing

It is recommended that the following items are scrapped due to age and removed from the asset register. Any accident reports can now be reported online and electronic copies saved.

HSE First Aid Kit 10	05/12/2018	13.14	Scrapped in 2024/25 due to the age of the first aid kit
Accident Report Book Product	05/12/2018	5.94	Remove from asset register - report any accidents online from now on

This would remove £19.08 from the asset register.

### Summary

By agreeing to the recommendations set out above, this removes a total of £343.08 from the asset register, leaving an overall balance of £124,397.22.

It is recommended that the asset register total for box 9 in the Accounting Statements 2024/25 is £124,397.22

# ASSET REGISTER 31/03/2025

Description	Date acquired	Purchase Price	
<b>Office Equipment</b>			
3-Drawer filing cabinet	22/07/1985	49.74	
4-Drawer filing cabinet	21/07/1988	65.00	
Work centre	22/01/1997	0.00	scrapped 1/10/20 - no scrap value (remove line from asset register)
Computer printer	01/03/2000	0.00	scrapped replaced by new printer in 2017 (remove line from asset register)
Computer	30.12.2019	874.92	net of vat
Computer Rucksack	13/01/2020	66.61	net of vat
Projector	27/05/2016	329.99	
Presenter	27/05/2016	24.99	
All-in one Printer scanner	02/08/2017	66.66	Scrapped during 2024/25 - no scrap value (change to zero balance) net of VAT
Computer back up Hard drive	01/04/2020	94.09	Scrapped during 2024/25 - no scrap value (change to zero balance) net of VAT
Bt duo telephone handset/answer machine	08/09/2020	66.66	Scrapped during 2024/25 - no scrap value (change to zero balance) net of VAT
Computer back up hard drive	09/10/2024	33.24	New for 2024/25 - add to the register net of VAT
			1,671.90
<b>Parish Assets</b>			
Almet park seat	25/11/1974	41.48	
2 x Bus shelters	28/02/1981	899.20	
Children's playground	22/04/1985	500.00	
Notice case	13/03/1986	95.45	
Fencing children's playground	02/02/1987	2,500.79	
Whimble Parish Field	30/02/1989	3,250.00	
2 x Picnic tables	10/03/1990	504.85	
3 x seats	29/03/1990	389.50	The Square, Perriton Cross, Plumtree Lane (amend to two seats i.e. £389.50 x 2/3 = £259.67)
Footbridge	11/07/1992	3,501.50	
Footpath	27/03/1993	834.88	FP12 through Town Lane playground
Car Park	15/01/1996	8,225.00	
Taylor Made play equipment	01/03/2002	2,167.50	
5 x Dog waste bins	01/10/2003	1,133.74	
Litter bin	02/03/2006	347.99	
Youth shelter	10/03/2007	2,800.00	
Village signs x 3	18/06/2012	800.00	
Allotments (Heb Close)	24/06/2016	1.00	Nominal fee
Defibrillator	06/02/2017	1,831.14	
5 x grit bins (incl vat)	21/01/2019	1,129.02	
Noticeboard	04/04/2022	854.00	
			31,807.04
<b>Assets in Parish Field</b>			
Picnic table (wheelchair)	02/06/2009	614.30	
Picnic table	02/06/2009	429.30	
Adventure trail play equipment	27/05/2009	16,762.40	
Cycle track	30/05/2009	27,754.67	
BMX bumps	30/05/2009	1,840.00	



Sign at entrance	10/06/2009	200.00		
Metal Shed	01/05/2011	573.25	Do we own the shed or is it Whimble Fest?	
Bin (replacement)	07/11/2014	342.70		
Benches x 2 (replacement)	07/11/2014	770.56		
Dog waste and general bin	17.11.2020	538.49		net of VAT
Pump Track	15.11.22	39,654.41		inc VAT
				89,480.08
<u>Safety Equipment &amp; Clothing ( all incl VAT)</u>				
HSE First Aid Kit 10	05/12/2018	13.14	Scrapped in 2024/25 due to the age of the first aid kit	
Accident Report Book Product	05/12/2018	5.94	Remove from asset register - report any accidents online from now on	
High Visibility Waistcoat x 10	05/12/2018	35.40		
High Visibility 2-Tone Site Jacket x10	05/12/2018	239.40		
Black Contactor Wellington x10	05/12/2018	179.40		
High Visibility Stormbreaker Trouser x10	05/12/2018	119.40		
Canadian Rigger Gloves Product x10	05/12/2018	23.40		
Red PVC Knit Wrist Glove waterproof for stream cleaning x 10	05/12/2018	14.40		
750mm Road Cone x 12	05/12/2018	71.28		
Directional Arrow Right	05/12/2018	17.94		
Directional Arrow Left	05/12/2018	17.94		
Road Narrows Nearside	05/12/2018	15.54		
Road Narrows Offside	05/12/2018	15.54		
Roadworks Ahead x 2	05/12/2018	31.08		
Road Ahead Closed x2	05/12/2018	69.48		
Titan Barrier 2m x 2	05/12/2018	83.88		
Unipart Dorman UniLamp Flashing x6	05/12/2018	42.84		
Lamp Battery 6v x 6	05/12/2018	14.04		
Rock Salt Spreader x 2	05/12/2018	311.88		
Plastic Snow Pusher Product x 12	05/12/2018	172.08		
Plastic snow shovel x 12	05/12/2018	287.28		
				1,781.28
				<u>124,740.30</u>

## WHIMPLE PARISH COUNCIL RESERVES POLICY

The purpose of this report is for the Council to:

- Consider and approve the Reserves Policy which is attached as Appendix A
- Review the existing earmarked reserves
- Consider adding money to existing earmarked reserves
- Consider setting up new earmarked reserves

A breakdown of the General Reserves and Earmarked reserves can be found in Appendix B. This gives an analysis of the reserves balances as at 31 March 2025 as well detailing the proposals set out in this report.

### **Breakdown of reserves as at 31 March 2025**

As at 31 March 2025, the total reserves balance is £74,695.51. This is split between:

- Current Account = £39,146.43
- Savings Account = £35,549.08 (for playground project)

**Total = £74,695.51** (matches box 8 on 2024/25 AGAR Return)

£500 needs to be deducted from this balance as the Council agreed to use this amount from general reserves to cover setting a balanced budget for 2025/2026.

**Total available reserves as at 31 March 2025 = £74,195.51**

The reserves are currently split between general reserves and earmarked reserves as follows:

- Earmarked reserves = £7,493.60
- General reserves = £66,701.91

### **Current balances in Earmarked reserves (EMR)**

As at 31 March 2025, the current amounts are in earmarked reserves:

- P3 (footpaths) = £351.10
- Neighbourhood Plan = £198.50
- Elections = £1,100
- Lomas Seat = £1,000
- Community Infrastructure Levy (CIL) = £4,844

**Total EMR = £7,493.60**

## **Analysis of the reserves**

### **General Reserves**

£66,701.91 is a lot of money to hold in general reserves, especially given that the Council is looking to complete a number of projects with this money.

Therefore, it is recommended that money is moved from the general reserve and into earmarked reserves for specific projects.

The report will now analyse each of the existing earmarked reserves and:

- Review if they are still appropriate;
- Consider whether any new earmarked reserves should be set up; and
- Consider whether any money from general reserves should be added to the existing or new earmarked reserves

### **Earmarked reserves (EMR)**

#### **P3 EMR**

Money has been sat in the P3 EMR for at least two years, without being spent. The purpose of this money is to assist with the costs of maintenance of these areas. It is recommended that the name of this EMR is changed to Village Maintenance.

It is also recommended that £4,648.90 is moved into this EMR from general reserves, to make a total of £5,000.

The village maintenance works are those which sit outside of the grounds maintenance contract (the costs of which are included in the budget).

#### **Neighbourhood Plan EMR**

The current balance of the Neighbourhood Plan EMR is £198.50.

The Council approved that additional works be completed in order to make the Whimple Neighbourhood Plan more robust before going through the approvals process.

Applications have been submitted to cover the costs of the additional work but to date, no response has been received as to whether the applications have been successful.

Therefore, it is recommended that £7,301.50 is moved into this EMR from general reserves, to make a total of £7,500.

#### **Elections EMR**

In terms of the EMR for elections, it is recommended that this is kept as it is. The sum is set aside for costs resulting from a Parish Council by-election before the next round of Town and Parish Council elections, which take place in May 2027. It is also suggested that this amount is topped up (when funds are available) over the next two years, as the cost of the election is anticipated to exceed £1,100. This is to be revisited in April 2026 at the end of the 2025/2026 financial year.

### **Lomas Seat EMR**

The Lomas Seat project is nearing conclusion. Currently, it is anticipated that the costs of the repairs will total to £500. Once the final costs have been confirmed, it is recommended that any money left in the EMR is moved into general reserves.

### **CIL EMR**

Money has been set aside in the Council's savings account for the play area project, however only £4,844 has been allocated to an EMR. It is recommended that the name of this EMR is changed to Play Area Project. It is recommended that this EMR is topped up to match the balance in the savings account.

It is also recommended that £30,705.08 is moved into this EMR from general reserves, to make a total of £35,549.08 (which matches the amount in the savings account).

East Devon District Council (EDDC) have confirmed that they are holding £17,944.00 of Section 106 monies which the Parish Council must use for the Play Area Project. This then gives a total of £53,493.08 for this project. This money will cover the play equipment and any other costs coming forward from the play equipment suppliers, plus the large amount of VAT that will be incurred (and won't be reclaimed until the end of the financial year).

### **Locality Budget EMR**

Devon County Councillor Iain Chubb allocated the Council £500 from his locality budget to be spent on removing the weeds from the river in the Square. It is recommended that a new EMR is set up called Locality Budget and that £500 is moved from general reserves into this EMR.

### **Town Lane Project**

Following public feedback that the best location for the play area is in the Parish Field rather than at the Town Lane site, it is recommended that a new EMR is set up for the Town Lane project. There is overwhelming support from members of the public to turn this space into a community/mindfulness garden. It is recommended that £7,000 is moved from general reserves into this new EMR.

EDDC have confirmed that Whimble Parish Council will receive £886.08 of CIL monies on 28 April 2025. It is recommended that this amount is added to the Town Lane Project EMR when it is received making the total £7,886.08.

### **New split of Reserves (if all recommendations are adopted)**

The total split of reserves, if the recommendations in this report are adopted, would be:

General Reserves = £16,546.43  
Earmarked Reserves = £57,649.08  
**Total reserves = £74,195.51**

The earmarked Reserves would be as follows:

Village maintenance = £5,000.00

Neighbourhood Plan = £7,500.00

Elections = £1,100

Lomas Seat = £1,000

Play Area Project = £35,549.08

Locality Budget = £500.00

Town Lane Project = £7,000.00

**Total in EMR's = £57,649.08**

### **Recommendations:**

It is **RECOMMENDED** that Whimple Parish Council:

1. Approve the Reserves Policy attached as Appendix A
2. Change the name of the P3 EMR to Village Maintenance EMR
3. Move £4,648.90 from general reserves into the Village Maintenance EMR, making it £5,000 in total.
4. Move £7,301.50 from general reserves into the Neighbourhood Plan EMR to cover the additional work on the Plan.
5. Keep the Elections EMR at the level of £1,100
6. Keep the Lomas Seat EMR at the level of £1,000, with the caveat that this is to cover the repair works currently in progress and that any money left will be moved back into the general reserve.
7. Change the name of the CIL EMR to Play Area Project EMR
8. Move £30,705.08 from general reserves into the Play Area Project EMR, making it £35,549.08 in total.
9. Set up a new EMR called Locality Budget.
10. Move £500 from general reserves into the Locality Budget EMR.
11. Set up a new EMR called Town Lane Project.
12. Move £7,000 from general reserves into the new Town Lane Project EMR.
13. Approve that the £886.08 CIL received from EDDC on 28 April 2025 is added to the Town Lane Project EMR.

## WHIMPLE PARISH COUNCIL RESERVES POLICY

### Introduction

Whimple Parish Council is required to maintain an adequate level of financial reserves to:

- Protect against risk
- Ensure contingencies are in place
- Accumulate funds for known or planned policy initiatives or projects

The Local Government Finance Act 1992 requires local authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement.

The 2025 Smaller Authorities Proper Practices Panel (SAPPP) Practitioners' Guide section 1.13 states '*The authority needs to have regard to the need to put in place a General Reserve Policy and have reviewed the level and purpose of all Earmarked Reserves*'.

The 2025 Good Councillors Guide to Finance states '*Local councils need to hold an amount in reserves to meet unexpected expenditure, otherwise they could run out of money before the end of the year*'.

### Policy Purpose

The purpose of this policy is to set out how Whimple Parish Council will determine and review the level of reserves, and how they will be used.

### Types of Reserve

Reserves can be categorised as earmarked (held for a specific purpose), general (held to cushion the impact of uneven cash flows or unexpected events), or ringfenced (held for one purpose only and cannot be transferred).

### **Earmarked Reserves**

Earmarked reserves are a means of building up funds over several years to deliver a defined project, predicted liabilities or for known significant expenditure.

An earmarked reserve must be for a genuine purpose and be separately identifiable.

Amounts in earmarked reserves are set by the Parish Council as part of the annual budget process.

If a specific earmarked reserve is no longer considered necessary, or the project has been completed and there is a surplus in the earmarked reserve the Parish Council will decide how the balance in the earmarked reserve will be allocated. Any changes to the proposed use of earmarked reserves must be approved by Council.

Earmarked reserves will increase through decisions of the Parish Council and will decrease as they are spent on their specific purpose.

## **General Reserves**

General Reserves are funds which do not have any restrictions to their use.

The purpose of general reserves is:

- To provide contingency to minimise the possible financial impacts to the authority from situations such as emergencies, unforeseen events, and adhoc emerging issues.
- To operate as a working balance to manage the impact of uneven cash flows.

The 2025 SAPPP Practitioners' Guide sections 5.34 and 5.35 state '*The generally accepted recommendation with regard to the appropriate minimum level of a smaller authority's general reserve is that this should be maintained at between three and twelve months of net revenue expenditure*' and '*The smaller the authority, the closer the figure may be to 12 months expenditure, the larger the authority, the nearer to 3 months*'.

Whimpe Parish Council considers a prudent level of reserves to be the equivalent level of 6 months' annual expenditure.

Balancing the budget by drawing on reserves must be viewed as a legitimate short term option only.

If, in extreme circumstances general reserves were exhausted due to major unforeseen spending pressures within a particular financial year, the Parish Council would be able to draw down from its earmarked reserves to provide short term resources.

Even at times when extreme pressure is put on the Parish Council finances, the Council must keep a minimum balance in its general reserves sufficient to pay three months' salary to staff.

Approval from Council is required to move funds from earmarked reserves into the general reserve, and to move funds from the general reserves.

## **Ringfenced Reserves**

Ringfenced reserves are grants allocated for a specific purpose/project only. This money must not be used for any other purpose.

**Whimble Parish Council**  
**Appendix B - Reserves breakdown**

total reserves at 31/03/25	£74,695.51
less £500 to set balanced budget for 2025/26	£500.00
<b>Total available reserves</b>	<b>£74,195.51</b>

Currently split between:	
Earmarked reserves	<b>£7,493.60</b>
General reserves	<b>£66,701.91</b>

Earmarked Reserves	Balance as at 31/03/25	Add from GR	Total	Notes
P3	£351.10	£4,648.90	£5,000.00	Rename as Village Maintenance
Neighbourhood Plan	£198.50	£7,301.50	£7,500.00	
Elections	£1,100.00	£0.00	£1,100.00	
Lomas Seat	£1,000.00	£0.00	£1,000.00	When works complete transfer remaining monies to general reserves
Community Infrastructure Levy	£4,844.00	£30,705.08	£35,549.08	Rename as Play Area Project. Plus S106 held by EDDC £17,944. Total = £53,493.08
Locality Budget	£0.00	£500.00	£500.00	
Town Lane Project	£0.00	£7,000.00	£7,000.00	Add £886.08 CIL when received on 28/04/25
<b>Total</b>	<b>£7,493.60</b>	<b>£50,155.48</b>	<b>£57,649.08</b>	

<b>Leaves General Reserve</b>	<b>£16,546.43</b>
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Proposed new split reserves:	
Earmarked reserves	£57,649.08
General reserves	£16,546.43
<b>Total</b>	<b>£74,195.51</b>



**WHIMPLE PARISH COUNCIL  
PRACTITIONERS' GUIDE 2025/26 UPDATE AND ANNUAL GOVERNANCE AND  
ACCOUNTABILITY RETURN 2024/25 TIMETABLE**

The purpose of this report is to advise councillors of:

- The changes that are coming into effect in the Smaller Authorities Proper Practices Panel (SAPPP) Practitioners' Guide for the 2025/26 financial year; and
- The timetable for the Annual Governance and Accountability Return (AGAR) for the 2024/25 financial year.

Practitioners' Guide 2025/26 Update

From the 2025/26 financial year, the Annual Governance and Accountability Return will include an additional assertion relating to Digital and Data Compliance, and be able to demonstrate the following actions:

- Email management - every authority must have a generic email account hosted on an authority owned domain, for example clerk@abcparishcouncil.gov.uk or clerk@abcparishcouncil.org.uk rather than abcparishclerk@gmail.com or abcparishclerk@outlook.com.
- All smaller authorities (excluding parish meetings) must meet legal requirements for all existing websites regardless of what domain is being used.
- All websites must meet the Web Content Accessibility Guidelines 2.2 AA and the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018.
- All websites must include published documentation as specified in the Freedom of information Act 2000 and the Transparency code for smaller authorities (where applicable).
- All smaller authorities, including parish meetings, must follow both the General Data Protection Regulation (GDPR) 2016 and the Data Protection Act (DPA) 2018.
- All smaller authorities, including parish meetings, must process personal data with care and in line with the principles of data protection.
- The DPA 2018 supplements the GDPR and classifies a parish council as both a Data Controller and a Data Processor.
- All smaller authorities (excluding parish meetings) must also have an IT policy. This explains how everyone - clerks, members and other staff - should conduct authority business in a secure and legal way when using IT equipment and software. This relates to the use of authority-owned and personal equipment.

Whimble Parish Council has already made good progress in putting controls in place in order to meet this assertion in the 2025/26 AGAR Return, by doing the following:

- Moving across to a gov.uk website domain name, which is [www.whimbleparishcouncil.gov.uk](http://www.whimbleparishcouncil.gov.uk)
- Each councillor and the Clerk having an official Whimble Parish Council email address which has the gov.uk domain name
- Meeting the majority of the requirements set out in the Local Government Transparency Code:
  - Publishing all items of expenditure over £100
  - Publishing the end of year accounts (section 2 of the AGAR return)
  - Publishing the Annual Governance Statement (Section 1 of the AGAR return)
  - Publishing the Internal Audit Report
  - Publishing the minutes, agendas and papers of all formal council meetings
  - Listing on the website which Councillors are the Chair and Vice Chair of the Council
- Being registered as a data controller and data processor with the Information Commissioner's Office
- Having a Data Protection Policy in place which was approved in October 2023 and is scheduled to be reviewed and updated every two years (i.e. October 2025).
- Having a Freedom of Information Policy in place which was approved in October 2023 and is scheduled to be reviewed and updated every two years (i.e. October 2025).
- Having Privacy Statements in place for General, Allotment Holders and Staff and Councillors, which were approved in October 2023 and are scheduled to be reviewed and updated every two years (i.e. October 2025).

There are some additional actions, which it is recommended that the Council undertake to further strengthen the arrangements, which are:

- Publish a list of Councillor responsibilities on the website
- Publish a list detailing the location of public land and building assets. The Asset Register as at 31 March 2025 will be added to the website after being signed off at the meeting on Tuesday 22 April 2025.
- Draft and approve an IT Policy

### Recommendations

As a result of these changes, the following recommendations are made:

That Whimble Parish Council:

1. Adds information to the website (following the AGM in May 2025) listing the responsibilities of each councillor
2. Uploads the Asset Register to the website following approval at the meeting on Tuesday 22 April 2025.
3. Drafts an IT Policy which is brought to a future meeting for approval.

## Annual Governance and Accountability Return (AGAR) 2024/25 timetable

PKF Littlejohn have confirmed that the deadline for the submission of the AGAR paperwork for limited assurance review is **30 June 2025**.

As a result of this the timetable for the 2024/25 AGAR Return is, as follows:

Action	Deadline
Complete draft AGAR return	<b>Completed</b>
Send draft AGAR to Internal Auditor	By 23 April 25
Internal Audit Review	Completed between 23 April and 12 May 2025
Unaudited AGAR Report to Full Council	Agenda published on 13 May 2025 for 19 May 2025 meeting
Annual Governance Statement (section 1 of AGAR) considered and approved by Council	Monday 19 May 2025
Accounting Statements (section 2 of AGAR) considered and approved by Council	Monday 19 May 2025
Annual Internal Audit Report considered by Council	Monday 19 May 2025
Publish notice period for exercise of public rights of unaudited AGAR for 23/24	By Monday 2 June 2025
Submit AGAR to PKF Littlejohn (external auditors)	By Monday 30 June 2025
Publish approved and signed section 1 of the AGAR (Annual Governance Return) on the Council website	By Tuesday 1 July 2025
Publish approved and signed section 2 of the AGAR (Accounting Statements) on the Council website	By Tuesday 1 July 2025
Publish Internal Auditor's report on the Council website	By Tuesday 1 July 2025
Publish Notice of conclusion of audit	By Tuesday 30 September 2025
Publish Section 3 of the AGAR – external auditors report and certificate	By Tuesday 30 September 2025
Publish Sections 1 and 2 of AGAR including any amendments as a result of the limited assurance review	By Tuesday 30 September 2025

## WHIMPLE PARISH COUNCIL APPOINTMENT OF INTERNAL AUDITOR

### Background

Internal audit for local councils is a statutory requirement by virtue of the Accounts and Audit Regulations 2015 (Part 2, Regulation 5), which states:

*“A relevant authority must undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance”*

The Smaller Authorities Proper Practices Panel (SAPPP) produced the Practitioners' Guide for 2025. Section 1.34 states:

*“The authority needs to appoint an independent and competent person to undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes considering internal auditing guidance for smaller authorities.”*

### What happens if the Council doesn't appoint an internal auditor

There are a number of risks if the Council doesn't appoint an internal auditor, which are:

- Acting unlawfully and contrary to the Accounts and Audit Regulations 2015
- Section 1 of the Annual Governance and Accountability Return (AGAR) cannot be completed
- This means that the AGAR itself cannot be completed
- The external auditor is likely to issue a Public Interest Report

### Recruiting an internal auditor

As with the procurement of goods and services, the Parish Clerk is responsible for obtaining a number of quotes and providing the Council with options, in order for them to make a decision.

The internal auditor should have the equivalent of a CV (or letter of terms of engagement) to submit to the Council.

The Council must legally appoint the Internal auditor by reviewing the quotes and a resolution of Council. This will be formally recorded in the meeting minutes.

### Letter of Engagement

Once the decision has been made, the Parish Clerk and Chair of the Council must both sign the Letter of Engagement.

The letter of engagement sets out the primary objectives of internal audit, which are:

- To review, appraise and report upon the adequacy of the council's governance and internal control systems
- To carry out an annual inspection of the council's books and records

Aside from the primary objectives of audit, some of the things you'd expect to find set out in the letter include:

- the scope of work;
- timescales; and
- the responsibilities of the auditor / council.

### Internal Audit Quotes

The Parish Clerk contacted a number of Internal Audit firms which were found on the Internal Audit Forum website, the Society of Local Council Clerks website and also contacted the current Internal Auditor.

In the interest of commercial sensitivity – each of the quotes will be detailed by a reference number, rather than the report being considered as a confidential item.

Quote from Supplier 1:  
Flat fee of £125

Quote from Supplier 2:  
Flat fee of £165

Quote from Supplier 3:  
Not taking on any new clients so declined to quote

### Recommendation

It is recommended that Whimple Parish Council appoint Mr Tom Hobson (Supplier 1) to carry out the Council's Internal Audit for the 2024/2025 financial year.

## **WHIMPLE PARISH COUNCIL VOLUNTEER POLICY**

### **Introduction**

Whimple Parish Council ("the Council") recognises the value that volunteers can make through their contribution to the Council's work in the community and understands the importance of volunteers feeling that the time they give freely is appreciated. A committed group of volunteers is a valuable asset to the village.

### **Policy Statement**

This policy applies to individuals undertaking work or duties on behalf of the Council in a voluntary capacity. It does not apply to councillors, officers or those who have a contractual relationship with the Council. The relationship with volunteers is non-contractual and no working relationship is created or implied at any time, however, the Council recognises the importance of having clear guidelines in place to manage expectations of both the Council and volunteers.

The aim of this policy is to ensure that all volunteers remain safe and feel valued when volunteering on Council-led projects. It provides a framework within which the Council will manage volunteers and what volunteers may expect in return, from the Council.

Whilst officers and councillors may identify volunteering opportunities, these must be approved by the Council.

### **Principles**

The Council appreciates that volunteers contribute their time, skills and knowledge freely for many reasons and will support personal aspirations and professional ambitions wherever it is reasonably practicable and appropriate to do so.

The Council values volunteers and recognise that they should be provided with satisfying roles and the opportunity for personal development as well as the support, training and equipment to undertake these tasks effectively and safely. A volunteer coordinator will be appointed for each volunteering activity and will have primary responsibility for volunteers involved in that activity.

### **Who can volunteer**

The Council will not discriminate on the basis of any protected characteristics such as age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation and is committed to providing equal opportunities to all volunteers from all backgrounds and recognises that having a broad, diverse group of volunteers brings a variety of knowledge, skills, creativity and experience and promotes social and community cohesion.

If a volunteering opportunity arises where, for example, reasons of health and safety or safeguarding issues, a volunteer may not be suitable, the Council will make reasonable adjustments, insofar as is practicable. Where it is not possible to place a volunteer in their requested role, efforts will be made to find a suitable alternative.

Having a criminal record will not necessarily preclude anyone from volunteering with the Council however this will depend on the nature of the volunteer role and the nature and circumstances of the offence.

The majority of volunteer roles will not require a Disclosure and Barring Service (DBS) check. However, should this be a requirement of the volunteer role, the Council will confirm this at the outset.

### **Recruitment and Induction**

The Council may recruit volunteers using a range of methods such as word of mouth, advertising, talking with other organisations. It may also directly approach those who have previously assisted the Council with its work.

All volunteers will be required to:

- Sign a volunteer agreement, attached as (Appendix A)
- Ensure that any changes to their contact details are communicated to either the activity supervisor or the Parish Clerk in a timely manner

All volunteers will receive an appropriate induction prior to commencing the role assigned to them which will include:

- A brief overview of the work and policies of the Council
- A discussion on volunteer code of conduct and confidentiality
- Guidance on health and safety measures and risk assessments associated with their role
- Any task related training that is required to enable them to fulfil their role

### **Volunteer Support**

All volunteers will have a named person as their point of contact.

The Council will invite volunteers to provide feedback on the activity they are engaged in, including evaluation of events and projects and will encourage volunteers to proactively make suggestions for how things might be improved in the future.

Where appropriate, or where required for health and safety purposes or compliance with any other statutory requirement, the Council may offer training to assist volunteers.

Where volunteers are under the age of 18, additional support will be provided and checks undertaken, as necessary.

### **Health and Safety**

The Council has a duty of care to all volunteers and each activity supervisor will complete and share a comprehensive risk assessment.

Volunteers have a responsibility to themselves and others who might be affected by their actions and must always follow the Council's Health and Safety policies and procedures.

Volunteers must disclose to either the Parish Clerk or the activity supervisor, details of any medical conditions that may affect their ability to undertake certain activities.

The Council will always inform volunteers of any specific health and safety measures that must be undertaken during a volunteer activity and, if required, will provide volunteers with the necessary personal protective equipment ('PPE').

Volunteers must report any accidents or incidents to the activity supervisor as soon as practicable.

### **Insurance**

Volunteers are covered by the Council's insurance policy whilst undertaking official duties on behalf of the Council. Insurance cover is not provided for unauthorised actions or any actions undertaken outside of the volunteer agreement. Volunteers should be aware that the Council's insurance does not cover them for loss of earnings should they sustain an injury.

### **Data Protection**

Personal information recorded about volunteers (via the volunteer agreement) is stored and maintained in accordance with the Data Protection Act 2018, the Council's Data Protection Policy and General Privacy Notice (both of which are available on the website).

The Parish Clerk will contact individuals that have not carried out any voluntary work in a 6 month period to ascertain if they wish to have their volunteer agreement and personal information removed from the Council's records and securely destroyed.

When an individual notifies the Council that they no longer wish to volunteer, their volunteer agreement and personal information will be removed from the Council's records and securely destroyed.

All volunteers agree to allow their photographs, videos, and voice media taken during the volunteer activity to be used in Whimple Parish Council publications, Whimple News and digital media (such as the Council website and Facebook Page), unless the Council is otherwise notified in advance.

### **Time Commitment**

The Parish Council recognises that the amount of time an individual may be able to commit to volunteering will vary. Volunteers may only undertake tasks by prior arrangement and wherever possible the arrangements should be made between the volunteer and their point of contact at least 48 hours in advance.

### **Expenses**

Volunteers will be reimbursed for any out-of-pocket expenses incurred on behalf of the Council where this has been approved in advance. Receipts must always be provided.

Any allowance for mileage will be paid at the appropriate HMRC approved rate.



## **Volunteer Conduct**

Volunteers represent the Council and must comply with the following:

- Undertake volunteering duties to the best of their abilities
- Treat other volunteers, members of the public and anyone else they encounter in the course of volunteering, fairly and courteously
- Adhere to decisions taken by the Council or its officers and follow all reasonable instructions
- Comply with all health and safety procedures and wear and PPE provided
- Wear appropriate clothing, including footwear, provide identification if required and take necessary steps to protect themselves in the environment they are working in. For example, through the use of sunscreen and a hat
- Not behave in a way that could bring the Council into disrepute, this includes behaving in an appropriate manner online and when using social media.
- Return any equipment / clothing supplied at the end of their volunteer activity

Volunteers may, from time to time, have access to personal data or sensitive information about the work of the Council, its volunteers and staff and other organisations. Volunteers will only be given access to personal or sensitive information if it is required to fulfil the specific activity for which they are volunteering and any such disclosure will be approved, in advance, by the Parish Clerk. It is an absolute requirement, both during and after volunteering, that confidentiality is maintained and that no information is passed to another individual or third party, unless required to do so by law.

In the event of a serious complaint or inappropriate or dangerous behaviour, the nominated activity supervisor will discuss this directly with the Parish Clerk, who will advise on an appropriate course of action.

The Council reserves the right not to assign further activities to a volunteer if, in the absolute discretion of the Parish Clerk, it is considered in the best interests of the volunteer, the Council or the wider public. The Council will always act transparently and fairly.

## **Right to Leave**

Volunteers are not contracted and are under no obligation to give notice if they no longer wish to give their time. However, it is greatly appreciated if volunteers can provide advance notice if they are unable to undertake their volunteer role or wish to end their volunteer agreement with the Council. This not only means the Council is able to reallocate the task but also provides the Council with the opportunity to thank the individual for their volunteer contributions.

## VOLUNTEER CONSENT FORM

Contact details:

**Name:** .....

**Address:** .....

.....

**Telephone Number:** .....

**Email Address:** .....

**Date of Birth:** .....

.....

Consent:

By signing this form you consent to participate in any of the volunteer activities authorised in the Whimble Parish Council Volunteer Policy.

You further agree to abide by the terms of the Volunteer Policy and follow any instructions and safety briefings provided by the activity leader(s).

You further agree to seek any medical advice before undertaking any activities you feel will be physically demanding for you. In return, we will provide necessary protective clothing, first aid kits, guidance, manual tools and insurance.

Please tick this box to confirm you have read and understood these requirements.

☐

Your information:

Whimble Parish Council will store the information you have provided in order for you to carry out your role as a volunteer. All data will be securely stored and only shared with other organisations with your permission, or as necessary (e.g. with the Council's insurance company or organisations organising volunteer activities).

You have the right to view the data we hold about you, or request that some or all of your data is deleted at any time. Copies of the Council's Data Protection Policy and General Privacy Notice are available on the website if you require further clarification.

If you are happy for Whimble Parish Council to keep a record of your information and contact details, please tick the box to give consent.

☐

You can withdraw your consent at any time by emailing  
[clerk@whimpleparishcouncil.gov.uk](mailto:clerk@whimpleparishcouncil.gov.uk)

Volunteers Name: .....

Volunteers Signature: .....

Date: .....

## Volunteer Activities – Example Risk Assessment

Activity undertaken: .....

.....

Conducted by: .....

Date: .....

<b>Risk</b>	<b>What could happen?</b>	<b>Who could be hurt or impacted?</b>	<b>Action needed</b>
Slips, Trips, falls	An individual could slip, trip or fall during activities causing injury	Volunteers, councillors, council employees	Safe working briefings before activity commences. Sensible clothing, boots, shoes. Site assessment – avoidance of dangerous sites. Working in pairs or a small group. First aid kit. Emergency numbers and procedure.
Strains and muscular injury	An individual could suffer strains and muscular injury while undertaking tasks	Volunteers, councillors, council employees	Safe working briefings before activity commences. Volunteer fitness declaration. First aid kit. Emergency numbers and procedure
Cuts and bruises	An individual could suffer cuts and bruises while undertaking tasks	Volunteers, councillors, council employees	Safe working briefings before activity commences. First aid kit. Emergency numbers and procedure
Serious injury caused by unsafe operation of machinery	An individual could suffer serious injury.	Volunteers, councillors, council employees	Safe working briefings before activity commences. Annual machinery inspection and maintenance. Machinery operated by approved individuals. Licenses, certification and training for operatives. Supervision during operation – exclusion zones, etc. First aid kit. Emergency numbers and procedure

<b>Risk</b>	<b>What could happen?</b>	<b>Who could be hurt or impacted?</b>	<b>Action needed</b>
Contact with hazardous materials	An individual might be affected by hazardous materials, chemicals or bio-hazards (viral and bacterial)	Volunteers, councillors, council employees	Safe working briefings before activity commences. Protective clothing – gloves, masks, litter pickers and bags. Site assessment – avoidance of dangerous sites. Volunteer briefing. Working in pairs or small groups. First aid kit. Emergency numbers and procedure
Loss of property	An individual could lose property or items may be stolen	Volunteers, councillors, council employees	Safe working briefings before activity. Safe storage of valuables
Road accidents	An individual may be involved in a collision with a vehicle	Volunteers, councillors, council employees	Safe working briefings before activity. No working alongside A and B roads without necessary road signage and barriers approved by the Highways Authority or Police.
Damage to third party property	Accidental damage to property	Third party property owners	Safe working briefings before activity. Site assessments and third-party property identification
Violence and intimidation	Volunteers subjected to intimidation and violence	Volunteers, councillors, council employees	Safe working briefings before activity. Emergency numbers and procedure
Victimisation or harassment	Volunteers subjected to abuse relating to a protected characteristic	Volunteers, councillors, council employees	Safe working briefings before activity. Activity supervision by leads. Reporting procedure to Parish Clerk. Equality statement.
Safeguarding	Vulnerable volunteers subject to physical or psychological abuse	Volunteers, councillors, council employees	Safe working briefings before activity. DBS process and checks, if role appropriate. Reporting procedure to the Parish Clerk. No under 16s to be involved other than when supervised by a parent, guardian or sponsor organisation.

Risk	What could happen?	Who could be hurt or impacted?	Action needed
Working near water	Volunteers could fall into the water and drown	Volunteers, councillors, council employees	Safe working briefings before activity commences. First aid kit. Emergency numbers and procedure
Medical emergency	Volunteers could have a medical emergency	Volunteers, councillors, council employees	Safe working briefings before activity commences. Leader to know where the defibrillator is. Leader to carry a mobile phone Emergency numbers and procedure

**WHIMPLE PARISH COUNCIL  
CIVILITY AND RESPECT (DIGNITY AT WORK) POLICY**

**Whimple Parish Council ('the Council') believes that civility and respect are important in the working environment, and expect all councillors, officers and the public to be polite and courteous when working for and communicating with the council.**

**1. Purpose**

- 1.1 Whimple Parish Council is committed to creating a working environment where all council employees, councillors, volunteers, contractors and others who come into contact with us in the course of our work, are treated with dignity, respect and courtesy. We aim to create a workplace where there is zero tolerance for harassment and bullying.
- 1.2 In support of this objective, the Council signs up to the Civility and Respect Pledge (Attached as Appendix A), as a commitment to civility and respect in our work, and politeness and courtesy in behaviour, speech, and in the written word. Further information about the Civility and Respect Pledge is available from the National Association of Local Councils (NALC) and the Society of Local Council Clerks (SLCC).
- 1.3 We recognise that there is a continuum where unaddressed issues have the potential to escalate and become larger, more complex issues and this policy sets out how concerns will be managed however the emphasis of this policy is on resolution and mediation where appropriate, rather than an adversarial process.
- 1.4 This document:
  - explains how we will respond to complaints of bullying or harassment;
  - ensures that we respond sensitively and promptly; and,
  - supports our employees in ensuring their behaviour does not amount to bullying and/or harassment by giving examples.

**2. Scope**

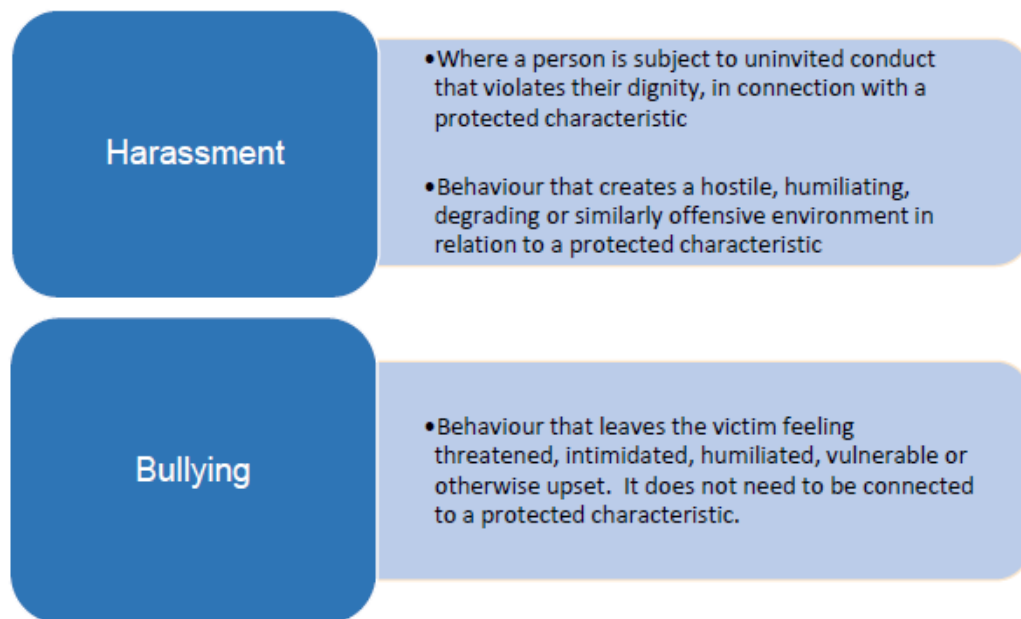
- 2.1 This policy covers bullying and harassment of and by employees engaged to work at Whimple Parish Council. Should agency staff, volunteers or contractors have a complaint connected to their engagement with the Council this should be raised to their nominated contact, or the Chair of the Council, in the first instance. Should the complaint be about the Chair of the council the complaint should be raised to the Vice Chair of the Council.
- 2.2 Agency staff, volunteers or contractors are equally expected to treat council colleagues (employees and councillors), and other representatives and stakeholders with dignity and respect, and the council may terminate the contract, without notice, where there are suspicions of harassment or bullying.

- 2.3 Complaints about other employment matters will be managed under the council's disciplinary or grievance policies.
- 2.4 It is noted that the management of a situation may differ depending on who the allegations relate to (e.g. employees, councillor, volunteer, contractor), however, the council will take appropriate action if any of its employees are bullied or harassed by employees, councillors, members of the public, suppliers or contractors.

### **3. The position on bullying and harassment**

- 3.1. All employees and council representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. The Council will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether harm is intended or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. You should also be aware that, if you have bullied or harassed someone (e.g. physical violence, harassment), in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.
- 3.2. We expect all representatives of the council to treat each other with respect and uphold the values of the code of conduct, civility and respect pledge equality opportunities policy, and all other policies and procedures set by the Council.
- 3.3. We expect you to demonstrate respect by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.
- 3.4. Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially – as per the process set out in the Grievance Policy. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.
- 3.5. False accusations of harassment or bullying can have a serious effect on innocent individuals. Employees and others have a responsibility not to make false allegations. While we will assume that all complaints of bullying and harassment are made in good faith, in the event that allegations are found to be malicious or vexatious the person raising the complaint may be subject to action under the council's Disciplinary Policy.





#### **4. What Type of Treatment amounts to Bullying or Harassment?**

- 4.1. 'Bullying' or 'harassment' are phrases that apply to treatment from one person (or a group of people) to another that is unwanted and that has the effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.
- 4.2. Examples of bullying and harassment include:
- Physical conduct ranging from unwelcome touching to serious assault
  - Unwelcome sexual advances
  - The offer of rewards for going along with sexual advances e.g. promotion, access to training
  - Threats for rejecting sexual advances
  - Demeaning comments about a person's appearance
  - Verbal abuse or offensive comments, including jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
  - Unwanted nicknames, especially related to a person's age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
  - Spreading malicious rumours or insulting someone
  - Lewd or suggestive comments or gestures
  - Deliberate exclusion from conversations, work activities or social activities.
  - Withholding information a person needs in order to do their job
  - Practical jokes, initiation ceremonies or inappropriate birthday rituals
  - Physical abuse such as hitting, pushing or jostling
  - Rifling through, hiding or damaging personal property
  - Display of pictures or objects with sexual or racial overtones, even if not directed at any particular person
  - Isolation or non-cooperation at work

- Subjecting a person to humiliation or ridicule, belittling their efforts, whether directly and / or in front of others
  - The use of obscene gestures
  - Abusing a position of power
- 4.3. Bullying and harassment can occur through verbal and face to face interactions but can also take place through sharing inappropriate or offensive content in writing or via email and other electronic communications and social media.
- 4.4. It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable, and behaviour could be harassment when the person had no intention to offend. We all have the right to determine what offends us. Some behaviour will be clear to any reasonable person that it is likely to offend – for example sexual touching. Other examples may be less clear, however, you should be aware that harassment will occur if behaviour continues after the recipient has advised you that the behaviour is unacceptable to them.
- 4.5. Harassment can also occur where the unwanted behaviour relates to a perceived characteristic (such as offensive jokes or comments based on the assumption someone is gay, even if they are not) or due to their association with someone else (such as harassment related to their partner having a disability for example). See the council's Equality and Diversity Policy.
- 4.6. All employees must, therefore, treat their colleagues with respect and appropriate sensitivity and should feel able to challenge behaviour that they find offensive even if it is not directed at them.

It is important to recognise that bullying does not include appropriate criticism of an employee's behaviour or effective, robust performance management. Constructive and fair feedback about your behaviour or performance from your manager or colleagues/Councillors is not bullying. It is part of normal employment and management routines and should not be interpreted as anything different.

## **5. Victimisation**

- 5.1. Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because they have made a complaint or giving them a heavier or more difficult workload.
- 5.2. Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the council will take appropriate action to deal with any alleged victimisation,

which may include disciplinary action against anyone found to have victimised you.

- 5.3 Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

## **6. Reporting Concerns**

### **What you should do if you feel you are being bullied or harassed by a member of the public or supplier (as opposed to a colleague)**

- 6.1 If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with the Chair of the Council. Any such report will be taken seriously, and we will decide how best to deal with the situation, in consultation with you.

### **What you should do if you feel you are being bullied or harassed by a councillor.**

- 6.2 If you are being bullied or harassed by a councillor, please raise this with the Parish Clerk or the Chair of the Council in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is described below. Formal concerns regarding potential breaches of the Councillors Code of Conduct must be investigated by the Monitoring Officer.
- 6.3 The council will consider reasonable measures to protect your health and safety. Such measures may include a temporary change in duties or change of work location, not attending meetings with the person about whom the complaint has been made etc.

### **What you should do if you witness an incident you believe to harassment or bullying**

- 6.4 If you witness such behaviour you should report the incident in confidence to the Chair of the Council. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

## **7. Informal resolution**

- 7.1 If you are being bullied or harassed, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to the council's policy and must stop. Alternatively, you may wish to ask the Chair of the Council to put this on your behalf or to be with you when confronting the perpetrator(s).
- 7.2 If the above approach does not work or if you do not want to try to resolve the situation in this way, you should raise the issue with the Chair of the Council. (If your concern relates to the chair, you should raise it with the Vice Chair of the Council.

- 7.3 The chair (or another appropriate person) will discuss with you the option of trying to resolve the situation informally by telling the alleged perpetrator, without prejudicing the matter, that:
- there has been a complaint that their behaviour is having an adverse effect on a member of the council staff, volunteer, contractor
  - such behaviour is contrary to our policy
  - for employees, the continuation of such behaviour could amount to a serious disciplinary offence
- 7.4 It may be possible for this conversation to take place with the alleged perpetrator without revealing your name, if this is what you want. The person dealing with it will also stress that the conversation is confidential.
- 7.5 In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The Chair (or another appropriate person) will discuss this with you if it is appropriate.
- 7.6 If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as extremely serious allegation or in cases where a problem has happened before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

## **8. Raising a formal complaint**

- 8.1 If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about bullying and harassment through the council's Grievance Policy. You should raise your complaint to the Chair of the Council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.
- 8.2 The Council will appoint someone to investigate your complaint in line with the Grievance Policy. You will need to co-operate with the investigation and provide the following details (if not already provided):
- The name of the alleged perpetrator(s),
  - The nature of the harassment or bullying,
  - The dates and times the harassment or bullying occurred,
  - The names of any witnesses and
  - Any action taken by you to resolve the matter informally.
- 8.3 The alleged perpetrator(s) would normally need to be told your name and the details of your grievance in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to make temporary adjustments to working arrangements whilst the matter is being investigated.
- 8.4 Where your complaint relates to potential breaches of the Councillors Code of Conduct, these will need to be investigated by the Monitoring Officer. The

council will consider any adjustments to support you in your work and to manage the relationship with the councillor the allegations relate to, while the investigation proceeds.

- 8.5 Investigations will be carried out promptly (without unreasonable delay), sensitively and, as far as possible, confidentially. When carrying out any investigations, we will ensure that individuals' personal data is handled in accordance with the data protection policy.
- 8.6 The council will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to understand better your complaint (see the grievance policy for further information, and details of your right to be accompanied).
- 8.7 After the investigation, a panel will meet with you to consider the complaint and the findings of the investigation in accordance with the Grievance Policy. At the meeting you may be accompanied by an appropriate person or a trade union official.
- 8.8 Following the conclusion of the hearing the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the grievance procedure.

## **9. The use of the Disciplinary Policy**

- 9.1 If at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our Disciplinary Policy. We will keep you informed of the outcome.

## GUIDANCE FOR USING THE DIGNITY AT WORK POLICY

The Dignity at Work Policy is focussed on encompassing behaviours beyond simply bullying and harassment, and zero tolerance with the aim of dealing with concerns before they escalate. It is important that any commitment made in the policy is applied in practice.

Wording has been suggested to demonstrate a council's commitment to promoting dignity and respect where they have signed up to the NALC and SLCC Civility and Respect Pledge.

The policy is drafted with consideration of employment language and terminology that is reflective of a modern working environment, setting a tone that is engaging , collaborative and inclusive.

The examples of bullying and harassment are just that – examples. This should not be considered an exhaustive list.

### Notes (written by WorkNest HR on behalf of NALC):

#### Protected Characteristics

A 'protected characteristic' is defined in the Equality Act 2010 as age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is unlawful to discriminate against an individual because of any of the protected characteristics.

Discrimination includes treating people differently because of a protected characteristic. Employees can complain of harassment even if the behaviour in question is not directed at them. This is because the complainant does not actually need to possess the relevant protected characteristic. An employee can complain of unlawful harassment if they are related someone with a protected characteristic, or because a colleague believes they have a protected characteristic.

Examples of harassment related to a protected characteristic could include;

Making assumptions about someone's ability due to their **age** or denying development opportunities to someone based on their age. This could also include assumptions about their lifestyle or making inappropriate jokes related to age.

Making fun or mimicking impairments related to a health condition, or using inappropriate language about disabilities. Constantly selecting social activities that make it impossible for a colleague with a **disability** to participate in.

Refusing to treat a person as their new gender or disclosing information about their gender identity could be harassment on the grounds of **gender reassignment**.

**Pregnancy/Maternity** harassment could include refusing opportunities due to pregnancy or maternity leave, or inappropriate touching and invasion of personal space such as unwanted touching of a pregnant person's stomach.

Harassment based on **race** could include derogatory nicknames, or stereotyping based on ethnicity. It could include racist comments or jokes, or assumptions about someone's lifestyle based on their ethnicity.

**Gender** harassment could include not considering people for a job based on gender stereotyping roles or implementing practices that disadvantage one gender over another. Rude, explicit jokes, even if not directed at an individual, or comments on individuals dress or appearance.

Regularly arranging team meals over periods of fasting or religious occasions or failing to adjust a dress code to accommodate religious dress could be examples of harassment based on **religion/belief**.

Excluding same sex partners from social events could be both **sexual orientation** and **marriage/civil partnership** discrimination, as could not offering the same work-related benefits.

A person does not need to be employed or have 2 years qualifying service to make a discrimination claim at a tribunal:

- Job applicants who believe they have not been appointed because of a 'protected characteristic' can make a claim.
- New or established employees who are dismissed or treated unreasonably because of a health condition can make a discrimination claim.
- An employee subjected to harassment can make a discrimination claim at a tribunal.
- An employee asked to retire can make a discrimination claim at a tribunal.

### **Legal risks**

Successful unfair dismissal claims are limited to a compensation cap, whereas those for unlawful discrimination have no cap.

A positive employment culture, and swift action if conduct falls beneath acceptable standards will help mitigate the risks. An unhealthy culture will make it difficult to defend claims.

The time to defend and the cost of defending tribunal claims can be significant, irrespective of the outcome.

### **Culture and behaviour**

We work in eclectic communities and working environments, and a positive culture within the council enables employees with different backgrounds and beliefs to share ideas and shape how the council achieves its objectives for their community.

It is important to recognise that different individuals may find different behaviours bullying or harassing so while there is not always intent to offend or cause harm, that does not mean that the effect of the behaviour has not caused harm or offence.

It can take people a period of time to decide to raise their concerns, as they worry about consequences (perhaps from peers by complaining about a colleague who is

popular, or they fear victimisation from the perpetrator or others). The council should consider whether there are opportunities (such as 121s to offer opportunity to reflect on relationships/morale) to identify issues earlier and address negative behaviours. Individuals can often mention concerns they are experiencing but not want to take it further. The council should remind the complainant that it has a zero tolerance to bullying and harassment and remind them of the policy in place to address concerns. If the allegations mentioned are significant, the council may want to suggest that it will need to investigate further, even if a 'grievance' is not raised, so as to ensure that any concerns and risks are managed, and the council is meeting its responsibilities and duty of care as an employer.

Whilst both staff and councillors jointly determine the working culture, councillors are key in demonstrating what is and isn't acceptable behaviour. This is apparent from how councillors behave with each other in council meetings and also in how standards of behaviour are applied through the use of informal discussion and formal policies.

### **Scope**

All council representatives are expected to uphold the values of the Dignity at Work Policy, however this policy sets out how allegations from employees will be managed. As indicated in the policy, concerns from a contractor, agency worker etc. should be raised to the identified person, and an appropriate approach will be considered based on the situation and relationship of the complainant with the council.

Likewise, concerns raised about the behaviour of a contractor, volunteer or agency worker would not generally be managed via the full process (such as the disciplinary process) but appropriate action would be considered based on the situation. To treat people (such as contractors, volunteer or a casual worker) engaged by the council the same as an employee could blur the status of the employment relationship, so consider seeking professional advice if needed.

### **Managers**

Recognising that councils are of varying sizes, where the term manager/nominated manager is used it is recognised this could be the clerk/chief officer, another employee of the council, or a councillor depending on the situation. It is good practice to have a clearly identified person who is the responsible 'line manager' or equivalent contact for an employee so that there is clarity on how the employee should report concerns to, who they notify if they are sick or to request leave etc. More often for council employees this may be the clerk/chief officer, and for the clerk/chief officer this could be the chair/deputy Chair, or possibly chair of a staffing/personnel committee.

### **Bullying and harassment & performance management**

The policy sets out that bullying and harassment does not include appropriate criticism of an employee's behaviour or effective, robust performance management. It is not uncommon for an employee, when receiving critical feedback, to claim that this is bullying and/or harassing. It is the role of the nominated manager to provide effective and constructive feedback to encourage performance at the required standard.



Even when the feedback is not positive it should be fair, communicated in a professional and reasonable manner and shared with the objective of aiding understanding and achieving an improvement to overcome the shortfalls. There is no absolute definition of when the feedback may not be appropriate. Often it will be for the person/panel hearing the dignity at work complaint/grievance to determine whether the performance management has upheld the standards expected in terms of respect and civility and any feedback has been shared in a fair and professional way.

### **Responsibilities**

All staff and representatives of the council are responsible for their own behaviour in the workplace and for taking steps to revise unacceptable behaviour and appropriately challenge that of others.

Leaders – councillors, clerks, chief officers, managers - are responsible for ensuring that these standards of treating people with civility, respect and courtesy are upheld, both through their own example, and by communicating and promoting these expectations to all employees. They are also responsible for ensuring that concerns raised are treated seriously and addressed in line with this policy in a timely manner.

### **During the investigation**

Employers have a duty of care to provide a safe place of work. If a complaint is made, discuss how to manage working relationships whilst the allegation is being investigated and until the outcome is disclosed. This is as much for the protection of the alleged perpetrator as for the aggrieved.

Consider whether a neutral person should be offered as a 'listening ear' for both parties in the investigation. This could be a councillor or nominated manager who is not involved in the investigation or allegations and can be a point of check in as raising, or being subject to allegations can be stressful.

Offer other support that may be appropriate to the situation such as signposting to support groups, time off for counselling etc. If you have suspended a staff member, your duty of care continues and it is important to consider their wellbeing and mental health.

Ensure that you communicate regularly with both parties.

The investigation and any subsequent hearing should be completed in accordance with the grievance policy which sets out a process for dealing with concerns. You should ensure that the grievance policy adopted adheres to any local policies and procedures, with consideration of any timescales and escalation routes in your locally adopted policy.

### **Confidentiality**

It may be possible for concerns to be raised with the perpetrator without disclosing the name of the complainant however in a small council it is likely that it will be clear that the accused will know where the accusation has come from. The council representative (clerk/chief officer/councillor) speaking to the alleged perpetrator must

be clear that the discussion is confidential and the individual would be at risk of formal disciplinary action if there is any sort of victimisation or retaliation for the individual raising their concern.

During any formal investigation it may be necessary to disclose the nature of the allegations and where they came from to ensure a fair and balanced investigation and process. This should be discussed with the person raising the concerns to understand any issues and how they may be mitigated. In some situations it may be appropriate to provide anonymised witness statements however this would be a last resort, and could compromise the fairness of the process. Where there is a genuine fear of consequences and this may need to be considered, it is recommended that professional advice is sought. For the same reason it can be difficult for a council to consider an anonymous complaint, however if the concerns are significant and compromise the council in their duty of care to employees, then consideration of how to deal with the matter may be required.

### **Victimisation**

All employees have the right to raise genuine concerns without the fear of reprisals. If the aggrieved (or a witness) is treated differently / less favourably because they have raised a complaint, then this is victimisation. This would include isolating someone because they have made a complaint, cancelling a planned training event, or giving them a heavier or more difficult workload. Victimisation can lead to a claim to an employment tribunal.

### **False allegations**

If an employee makes an allegation that they know to be untrue, or gives evidence that they know to be untrue, the council should consider the matter under the disciplinary procedure. Such an allegation would be potentially be gross misconduct.

### **Complaints against Councillors**

Following the Ledbury case, the law is clear that any formal complaint about a councillor regarding a breach of the code of conduct must be referred to the Monitoring Officer for investigation (either by the complainant, or the Council with agreement of the complainant). During the investigation, it is critical to ensure that where an employee of the council has made the complaint, that the council agrees reasonable measures with the employee to protect their health and safety. Such measures may include a temporary change in duties, change of work location, not attending meetings with the person about whom the complaint has been made etc.

Careful consideration is required where a grievance is raised against the council as a whole due to lack of support related to councillor behaviours. The specific allegations will need to be considered to determine whether the allegations can be addressed by the council, or require exploration of the councillors behaviour in order to respond, in which case the Monitoring Officer may be required to investigate the alleged behaviours of a/any councillors where this may relate to the code of conduct. It is a matter of fact whether the complaint is against the council and can therefore be dealt with by the council's grievance procedure or against a councillor and can only be dealt with by the Monitoring Officer.

## WHIMPLE PARISH COUNCIL CIVILITY AND RESPECT PLEDGE

### Definition of Civility and Respect

Civility means politeness and courtesy in behaviour, speech, and in the written word.

Examples of ways in which you can show respect are by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

The National Association of Local Councils (NALC), the Society of Local Council Clerks (SLCC), and One Voice Wales (OVW), believe now is the time to put civility and respect at the top of the agenda and start a culture change for the local council sector.

By our council signing up to the civility and respect pledge we are demonstrating that our council is committed to treating councillors, clerks, employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.

Signing up is a simple process, which requires councils to register and agree to the following statements:

Statement	Tick to agree
Our council has agreed that it will treat all councillors, clerk and all employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.	
Our council has put in place a training programme for councillors and staff	
Our council has signed up to Code of Conduct for councillors	
Our council has good governance arrangements in place including, staff contracts, and a dignity at work policy.	
Our council will commit to seeking professional help in the early stages should civility and respect issues arise.	
Our council will commit to calling out bullying and harassment when it and when it happens.	
Our council will continue to learn from best practice in the sector and aspire to being a role model/champion council e.g., via the Local Council Award Scheme	

Statement	Tick to agree
Our council supports the continued lobbying for the change in legislation to support the Civility and Respect Pledge, including sanctions for elected members where appropriate.	

**Recommendations:**

It is recommended that Whimple Parish Council **RESOLVES:**

1. To approve the Civility and Respect (Dignity at Work) Policy
2. To sign up to the Civility and Respect Pledge – registering and agreeing to the statements listed above.

**WHIMPLE PARISH COUNCIL  
STAFF HANDBOOK**

**Welcome to Whimple Parish Council Staff Handbook**

Our aim in producing this document is to create a one-stop information point where you can access all the information you are likely to need in relation to your employment with the Council. The Handbook and corresponding policy documents form part of your contract of employment with Whimple Parish Council.

The document gives an overview of the terms and conditions of your employment, and outlines what you can expect from us as your employer. In return we ask you for a high degree of commitment, dedication and loyalty to help us achieve the aims and objectives of the Council.

**Your induction**

Whimple Parish Council believes its employees are its greatest asset and recognises its responsibility to ensure that they are afforded appropriate development throughout their employment.

Our aim is to support and develop employees in their role so that they feel confident to undertake the responsibilities placed upon them and ultimately are able to contribute to the success of the organisation.

**Statement of Employment Terms and Conditions**

As an employee of Whimple Parish Town Council you will have received a document setting out specific terms and conditions of service as they relate to your post. This includes details of:

- the names of the employer and the employee;
- the date when the employment (and any period of continuous employment) began;
- remuneration and the intervals at which it is to be paid;
- hours of work;
- holiday entitlement;
- entitlement to sick leave, including any entitlement to sick pay;
- pensions and pension schemes;
- the entitlement of employer and employee to notice of termination;
- job title (or a brief job description);
- where it is not permanent, the period for which the employment is expected to continue or, if it is for a fixed term, the date when it is to end;
- the place of work.

Whimple Parish Council reserves the right to change its terms and conditions and employment policies from time to time. You will be notified at the earliest opportunity of these changes by way of general notice to all employees affected by the change.

Where a contractual change in your terms and conditions of employment results in a change to your written statement of particulars of employment, we will give you a written statement of the change at the earliest opportunity.

### **Appraisals**

The Chair and Vice-Chair of the Council will conduct an annual appraisal with employee(s) to establish achievements, future objectives and any training and development needs. In some circumstances further interim appraisals may be conducted where training needs or other issues are identified that require more regular monitoring.

### **Probation Periods**

All staff are subject to a probationary period as stated in your contract of employment. Your appointment will be confirmed on satisfactory completion of the probationary period.

During this probationary period you will be given appropriate support and development opportunity to help you reach the required standards. Extension of the probationary period may be granted to enable the required standards to be achieved, but failure to do so could result in termination of your employment.

### **Your Attendance at Work**

Whimble Parish Council values good attendance at work and is committed to improving the general wellbeing of its employee(s) to achieve this. Although we aim to secure regular attendance, we do not expect employee(s) to attend when they are unwell.

### **Notification of Absence**

The Chair and/or Vice-Chair of the Council should be notified if you are unable to attend work due to sickness or injury, preferably by telephone before your normal start time or as soon thereafter as possible on the first day of absence, if possible indicating a date of return.

During prolonged periods of absence, the Chair and/or Vice Chair of the Council should be kept informed of progress and an expected date of return.

Any employee who has been absent due to sickness and is found not to have been genuinely ill will be subject to disciplinary action, which could include dismissal.

### **Council Sickness Payments**

Payment of Sick Pay will be paid in accordance with the Council's Sickness & Absence Management Policy.

From your first day of absence you will be required to complete a self- certification form available through your line manager on your return; if greater than 7 days you will require a fit note from your Doctor.

### **Statutory Sick Pay (SSP)**

Most employees have a right to statutory sick pay (SSP) as long as they earn more than the lower earnings level and are not over state retirement age. SSP is not

however payable for the first three qualifying days of absence. (A qualifying day is a day on which you are normally expected to work under your contract of employment).

Sick pay will be paid in accordance with the terms set out in your contract of employment.

Whimble Parish Council reserves the right to refuse to pay sick pay if it has reasonable cause to think that an employee is not genuinely sick, if it has cause to believe that an employee is abusing the sick pay scheme, if an employee has failed to comply with the notification requirements or has not supplied the appropriate certification. If the sick pay scheme has been abused, disciplinary action may follow.

Payments of sick pay may be terminated, suspended or reduced if an employee fails to notify the Council of relevant facts, or if their absence or continued absence is due to their taking an unwarranted risk (in or out of work), conducting themselves in a way that prejudices their recovery, abusing alcohol or drugs or other substances, or recklessly endangering the health and safety at work of themselves and others.

### **Hours of Work**

Your normal hours and working pattern will be specified in your Statement of Terms and Conditions of Employment.

Whimble Parish Council reserves the right to vary your hours and pattern of working, following consultation and agreement with you.

Persistent poor timekeeping is not acceptable and will therefore be treated as a potential disciplinary offence under our Disciplinary Policy.

### **Conflict of Interest**

You should not, directly or indirectly, engage in, or have any interest, financial or otherwise, in any other business enterprise which interferes with, or is likely to interfere with, your independent exercise of judgement in Whimble Parish Council's best interests.

Generally a conflict of interests exists when an employee is involved in an activity:

- which provides products or services directly to, or purchases products or services from, Whimble Parish Council;
- which subjects the employee to unreasonable time demands that prevent the employee from devoting proper attention to his or her responsibilities to Whimble Parish Council;
- which operates so that the employee's involvement with the outside business activity will reflect adversely on Whimble Parish Council.

Should you be in doubt as to whether an activity involves a conflict, you should discuss the situation with the Chair and/or Vice Chair of the Council. This conflict will need to be taken into consideration by the Council. Transparency is key to our ways of working.

## **Standards of Performance and Behaviour at Work**

### **It is expected that you will always:**

- Promote and protect the interests of the Council
- Communicate appropriately and effectively
- Be courteous and professional at all times
- Work within the limits of your knowledge and skills
- Respect confidentiality
- Manage risk
- Report any concerns to the Council
- Be open when things go wrong
- Be honest and trustworthy
- Keep records of your work
- Ensure the security of council records and property (both electronic and paper), disposing of records appropriately as per Document Retention guidance
- Follow all Council policies and procedures
- Follow Legislation and best practice guidance
- Sensitive documents no longer required **MUST** be shredded as soon as possible.
- Keep passwords to PCs, emails and other systems secured and not pass them on to anyone else.

### **Appearance**

Whimble Parish Council does not seek to inhibit individual choice in relation to staff appearance. However, you are expected to dress appropriately at all times in relation to your role, and to ensure that your personal hygiene and grooming are properly attended to prior to presenting yourself at work. If you have any queries about what is appropriate, these should be directed to your line manager.

### **Confidentiality**

It is a condition of your employment that you have a duty of confidentiality to Whimble Parish Council.

During the course of your employment, you may find yourself in possession of sensitive information, the disclosure of which could be construed as a breach of confidentiality. You must not discuss any Council sensitive or confidential matter whatsoever with any individual or outside organisation, including the media.

Any such breach of confidentiality would be deemed as gross misconduct except as otherwise provided or as permitted by any current legislation (e.g. the UK Public Interest Disclosure Act 1998) and could lead to your dismissal.

After you have left the Council you must not use or divulge to any person or organisation any confidential information relating to the business of Whimble Parish Council.

All Whimble Parish Council documents, correspondence, records and equipment that you have in your possession whilst home-working must be returned by the last day of employment.



### **Computer, email and internet use**

If you have access to the Council's computers, including email and access to the internet as part of your job, you must not abuse this by using these facilities for purposes unrelated to Council business.

Using Council computers for accessing inappropriate material (e.g. pornographic or other unsuitable material, including auction or certain social networking sites) is strictly prohibited and would be considered a serious disciplinary offence which may result in dismissal.

Only software packages properly licensed, authorised and installed by the Council may be used on Council equipment. You must therefore not load any unauthorised software onto Council computers.

If you have a Council email address, this is provided for responsible and professional use on Council business only and should not be used in any other way whatsoever.

### **Receipt of Gifts or Hospitality**

Your working relationships may bring you into contact with outside organisations where it is normal business practice or social convention to offer hospitality, and sometimes gifts.

Offers of this kind to you or your family can place you in a difficult position. No employee or any member of his or her immediate family should accept from a supplier, customer or other person doing business with Whimple Parish Council, payments of money under any circumstances, or special considerations, such as discounts or gifts of materials, equipment, services, facilities or anything else of value unless:

- they are in each instance of a very minor nature usually associated with accepted business practice;
- they do not improperly interfere with your independence of judgement or action in the performance of your employment.

In every circumstance, where a gift or hospitality is offered, this must be declared to the Council via the Chair or Vice Chair.

### **Bribery and other Corrupt Behaviour**

Whimple Parish Council has a strict anti-bribery and corruption policy in line with the Bribery Act (2010).

A bribe is defined as: giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so.

If you bribe (or attempt to bribe) another person, intending either to obtain or retain business for the Council, or to obtain or retain an advantage in the conduct of the Council's business. this will be considered gross misconduct. Similarly, accepting or allowing another person to accept a bribe will be considered gross misconduct. In these circumstances you will be subject to formal investigation under the Council's

Disciplinary Policy, and disciplinary action up to and including dismissal may be applied.

Staff are expected to recognise that they are representatives of Whimble Parish Council and should therefore behave in a positive and professional way at all times.

### **Disciplinary Procedure**

All matters relating to the Council's disciplinary procedure are set out in the Disciplinary Policy, which is available on the Council website

### **Grievance Procedure**

All matters relating to the Council's procedure for grievances are set out in the Grievance Policy, which is available on the Council website

### **Data Protection Act 2018 and Access to Information**

Whimble Parish Council will comply with all statutory requirements of the Data Protection Act 2018 by registering all personal data held on its computer and/or related electronic equipment and by taking all reasonable steps to ensure the accuracy and confidentiality of such information.

The Data Protection Act 2018 protects individuals' rights concerning information about them held on computer. Anyone processing personal data must comply with the eight principles of good practice.

Data must be:

- fairly and lawfully processed
- processed for limited purposes
- adequate, relevant and not excessive
- accurate
- not kept longer than necessary
- processed in accordance with the data subject's rights
- secure
- not transferred to countries without adequate protection

Employees can request access to the information held on them by the Council. All requests by employees to gain access to their staffing records should be made in writing.

It is important that our records are correct, as inaccurate or out of date information may affect your salary or cause difficulties in situations where contact is required for emergencies. You **must** notify the Chair and/or Vice Chair immediately of all changes to the following personal information:

- Name
- Home Address
- Telephone Number
- Bank Account Details
- Examinations passed/qualifications gained
- Emergency contacts and next of kin
- Driving license penalties (if you are required to drive on Council business)

- Criminal charge, caution or conviction
- Conflict, or potential conflict of interest

Personal data on employees is held in accordance with the provisions of the Council's Data Protection Policy and Privacy Notice which are both available on the Council's website.

### **Trade Union Membership**

It is your choice as to whether you wish to belong to a trade union.

### **Valuing Diversity Statement**

Whimble Parish Council is committed to valuing diversity and seeks to provide staff with the opportunity for employment, career and personal development on the basis of ability, qualifications and suitability for the work as well as their potential to be developed into the job. We believe that people from different backgrounds can bring fresh ideas, thinking and approaches which make the way work is undertaken more effective and efficient.

Whimble Parish Council will not tolerate direct or indirect discrimination against any person on grounds of age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation whether in the field of recruitment, terms and conditions of employment, career progression, training, transfer or dismissal.

It is also the responsibility of staff in their daily actions, decisions and behaviour to endeavor to promote these concepts, to comply with all relevant legislation and to ensure that they do not discriminate against colleagues, customers, suppliers or any other person associated with the Council.

### **Key Actions**

In adopting these principles Whimble Parish Council:

- Will not tolerate acts that breach this valuing diversity statement and all such breaches alleged breaches will be taken seriously, be fully investigated and may be subject to disciplinary action where appropriate;
- Fully recognises its legal obligations under all relevant legislation and codes of practice;
- Will allow staff to pursue any matter through the internal procedures which they believe has exposed them to inequitable treatment within the scope of this policy.
- Will select candidates only on the basis of their ability to carry out the job, using a clear and open process
- Will provide all employees with the training and development that they need to carry out their job effectively;
- Will provide all reasonable assistance to employees who are or who become disabled, making reasonable adjustments wherever possible to provide continued employment. We will ensure an appropriate risk assessment is carried out and that appropriate specialist advice is obtained when necessary.

**Civility and Respect (Dignity at Work)**

The Council has a stand alone Policy relating to Civility and Respect (also known as Dignity at Work), which is available on the Council website.

**Pay, Benefits & Pensions****Salary Arrangements**

Your salary will be paid monthly in arrears as stated in your contract of employment. Your basic pay was outlined in your letter of appointment / statement of terms and conditions. Any subsequent amendments to your basic pay will be notified to you in writing by the Council.

On an annual basis the National Local Government Pay Award will be applied to your salary (based on the SCP) and backdated to the start of the financial year, where appropriate.

Part-time employees will be paid on a pro rata basis based on the hours they work.

Appropriate deductions will be made from pay including Income Tax and National Insurance contributions (NICs), which are subject to each employee's earning level and the number of hours worked. Deductions will be paid directly to His Majesty's Revenues and Customs (HMRC)

**Overtime**

Overtime is defined as all hours worked in excess of your full-time contracted hours, which has the prior explicit approval of the Council.

**Income Tax**

If there are any changes in your personal circumstances which will affect your tax status, you should notify the HM Revenue & Customs (HMRC), who will automatically inform the Council of any changes to your tax code. Addresses of local offices and enquiry centres can be found here: Contact HM Revenue & Customs - GOV.UK ([www.gov.uk](http://www.gov.uk))

**Pension Scheme**

You are eligible to join the Local Government Pension Scheme.

**Leave Arrangements****Annual Leave**

Holidays must be agreed with your line manager as early as possible. The Council will, where possible, try to accommodate individual preferences for holiday dates but the needs of the business may have to take precedence, particularly where short or inadequate notice is given

- The holiday year runs from 1 April – 31 March each year
- Your holiday entitlement is as per your Contract of Employment
- Untaken leave may not be carried over from one year to the next, without the approval of the Council

- Leave for employees joining after the start of the leave year accrues at the rate of one twelfth of the annual entitlement for each complete calendar month of service
- Leave for employees who terminate their employment during the leave year is calculated on the same basis. If, however, the annual leave entitlement has been exceeded, a deduction calculated on the same basis will be deducted from the final salary payment.
- Holiday pay in lieu of accrued leave will be paid only on termination of employment.

### **Bereavement**

Whimble Parish Council acknowledges the personal nature of bereavement and grief and is committed to supporting employees in practical and reasonable ways.

Whimble Parish Council recognises that when a close family member dies, employees will need time off for making funeral arrangements, attending the funeral and burial, paying respects to the family at a wake or visitation, dealing with the deceased's possessions and will, and any ancillary matters that employees must address.

When a death occurs in an employee's immediate family, all regular full-time employees may take up to three days off with pay to attend the funeral or make funeral arrangements. The pay for time off will be pro-rated for part-time employees if the funeral occurs on a scheduled workday. In unusual circumstances it may be necessary to require verification of the need for bereavement leave.

An immediate relative includes a spouse, civil partner or partner (including same sex partners),\* child,\*\* parent, step-parent, mother/father-in-law, grandparents, grandchildren, son/daughter-in-law, sibling or a person with whom the employee is in a relationship of domestic dependency.

\*Partner includes someone with whom the employee is co-habiting but is not the employee's spouse or civil partner.

\*\*Child includes children in respect of whom the employee is the adoptive parent and legal guardians and carers.

An employee should notify their line manager of their need to take leave as soon as possible or, at latest, on the first day of absence. In exceptional circumstances applications for leave will be considered after the first day of absence. The Chair and Vice Chair of the Council have the right to exercise discretion in exceptional circumstances as outlined above. Leave days do not have to be taken consecutively.

### **Annual leave**

In the event of a bereavement, an employee will be able to take unpaid leave or annual leave at short notice to supplement their bereavement leave. Requests should be directed to your line manager.

### **Unpaid leave**

Unpaid leave on compassionate grounds up to a maximum of 3 days may be granted after bereavement. An employee must consult with the Chair and/or Vice Chair before starting unpaid leave.

### ***Return to work***

In certain circumstances a full return to work may not be possible for an employee following the death of an immediate relative, for example when the employee's grief is likely to impact on their ability to perform their role, or where new childcare arrangements have to be sourced, or responsibility for the care of an elderly parent has transferred to the employee.

## **Whistleblowing**

### **Introduction**

Whimble Parish Council is committed to the highest standards of openness, probity and accountability.

An important aspect of accountability and transparency is a mechanism to enable staff and other members of the Council to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs.

Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organisation then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done independently of line management (although in relatively minor instances the line manager would be the appropriate person to be told).

The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. Whimble Parish Council has endorsed the provisions set out below so as to ensure that no members of staff should feel at a disadvantage in raising legitimate concerns.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the Council nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures. Once the "whistleblowing" procedures are in place, it is reasonable to expect staff to use them rather than air their complaints outside the Council.

### **Jury Service**

Jury service is a public duty. Unless someone is disqualified, has the right to be excused or has a valid reason for discretionary excusal then they must serve.

If you have been called up for jury service, you should:

- keep the Chair and/or Vice Chair of the Council informed as to the likely time you will be on duty;
- hand over a copy of the Confirmation of Jury Service letter you receive from the court to your employer.

You will receive remuneration from the Jury Service, and the Council will make up the difference to your full salary.

## **Health and Safety**

### **Introduction**

Whimble Parish Council recognises and accepts its responsibility as an employer to maintain, so far as is reasonably practicable, the safety and health of its employees, and of other persons who may be affected by its activities.

It is your duty as an employee not to put either yourself or others at risk by your acts or omissions. You should also ensure that you are familiar with the Council's health and safety arrangements, which are set out in the Health and Safety Policy. Should you feel concern over any health and safety aspects of your work, this should be brought to the attention of the Council immediately.

### **Procedure in the event of an accident**

An Accident Book is available and it is the responsibility of each individual employee to report and record any accident involving personal injury. Any accident or near miss occurrence (i.e. no one was injured but the incident had the potential to injure or kill) at work should be reported immediately to the Council.

All employees who are absent from work following an accident must complete a self-certification form which clearly states the nature and cause of the injury.

For any employee who suffers an injury at work which results in their being away from work or unable to do their normal work for three days or more (including weekends, rest days or holidays), it is important that the Chair and/or Vice Chair is informed as the Health and Safety Executive also need to be informed by the Council. Form 2508 (available from [www.riddor.gov.uk/f2508.dot](http://www.riddor.gov.uk/f2508.dot)) should be completed in conjunction with the Chair and/or Vice Chair of the Council. Employees are not expected to complete these forms themselves.

### **Training and Development**

The Council aims to provide training opportunities which will provide:

- An induction programme which all staff will be required to undertake and will assist staff settling into their new role/job
- A progressive training and development scheme to enable staff to develop relevant skills and acquire knowledge to underpin their current role and career aspirations.

More information on training and development can be found in the Council's Staff and Councillor Training Policy, which is available on the website..

## **Leaving Whimble Parish Council**

### **Notice Periods**

Terms of notice are as stated in your contract of employment.

### **Working Notice**

In all cases the Council reserves the right to enforce your full notice period. Your full remaining annual leave entitlement should be taken during your notice period in agreement with the Chair of the Council, or in their absence, the Vice Chair of the

Council. Exceptionally, if this is not possible, the Council may consider making a payment in lieu of this.

If you resign and are in possession of Council property (including computer files), you should make the Chair and Vice Chair of the Council aware of these and arrange how they will be handed back to the Council. You remain bound by the confidentiality arrangements outlined in your contract of employment during this period.

In exceptional circumstances, if deemed appropriate and as an alternative to working your notice, the Council reserves the right to require you to accept payment in lieu of any entitlement to notice.

### **Other Conditions on Leaving**

On leaving, the Council will deduct from any money due to you such sums as you may owe to the Council.

If you leave without giving notice and without the Council's agreement, you are in breach of your contract and you may forfeit some or all of any salary due to you.

Before leaving, you must hand over to the Chair or Vice Chair of the Council all articles belonging to Whimble Parish Council including any documents, equipment and computer software used at home. Documents and software include (but are not limited to) correspondence, diaries, address books, databases, files, reports, plans, records or any other medium for storing information and any intellectual property that you have produced whilst being employed by Whimble Parish Council. You should not retain any copies, drafts, reproductions, extracts or summaries of documents and software.

After you have left the Council you must not use or divulge to any person or organisation any confidential information relating to the business of Whimble Parish Council.

Should your employment be terminated following disciplinary action it is likely you will receive payment in lieu of notice. However, as there are numerous reasons as to why someone is dismissed, payment in lieu of notice will be reviewed on an individual basis taking into consideration the reasons behind the dismissal. Should you be dismissed for reasons of gross misconduct, your employment will be terminated immediately without the benefit of notice or payment in lieu of notice.

### **Retirement**

In line with current legislation Whimble Parish Council does not have an age where it expects employees to retire. It is however our policy to have regular workplace /appraisal discussions with all our staff where they can discuss performance and any development needs they may have, as well as their future aims and aspirations. Staff and their line manager can also use this opportunity to discuss retirement planning should the employee wish to do so.



You should ensure that you inform the Chair or Vice Chair of the Council at least 6 months before you plan to retire to ensure all appropriate arrangements are made (e.g. sourcing a replacement, mobilising your pension, etc.).

For information on all of the following items please refer to the individual policies available on the website:

- Disciplinary Policy
- Grievance Policy
- Civility and Respect (Dignity at Work) Policy
- Health and Safety Policy
- Staff and Councillor Training Policy
- Equal Opportunities Policy
- Member Officer Protocol
- Sickness and Absence Management Policy
- Complaints Policy

## Whimble Parish Council - Forward Plan

Meeting Date	Items for agenda
<p>Monday 19 May 2025 (<i>Annual General Meeting</i>)</p> <p>(<i>agenda published on Tuesday 13 May</i>)</p>	<ul style="list-style-type: none"> <li>• Election of Chair</li> <li>• Election of Vice Chair</li> <li>• Schedule of payments – May 2025</li> <li>• Bank reconciliation to 30 April 2025</li> <li>• Budget Monitoring to 30 April 2025</li> <li>• Planning applications (if appropriate)</li> <li>• Annual Governance Statement for 24/25</li> <li>• Accounting Statements for 24/25</li> <li>• Internal Auditor report on the 24/25 Annual Governance and Accountability Return (AGAR)</li> <li>• Standing Orders</li> <li>• Financial Regulations (incl procurement)</li> <li>• Internal Controls</li> <li>• Risk Management Strategy</li> <li>• Risk Assessment</li> <li>• Insurance Arrangements</li> <li>• Bank arrangements and signatories</li> <li>• Code of Conduct</li> <li>• Scheme of delegation</li> <li>• List of councillor responsibilities</li> </ul>
<p>Monday 16 June 2025 (<i>agenda published on Tuesday 10 June</i>)</p>	<ul style="list-style-type: none"> <li>• Applications for grants and donations</li> <li>• Grants and Donations Policy update</li> <li>• Schedule of payments – June 2025</li> <li>• Bank reconciliation to 31 May 2025</li> <li>• Budget Monitoring to 31 May 2025</li> <li>• Planning applications (if appropriate)</li> <li>• Community Engagement Policy</li> <li>• IT Policy</li> </ul>
<p>Monday 21 July 2025 (<i>agenda published on Tuesday 15 July</i>)</p>	<ul style="list-style-type: none"> <li>• Schedule of payments – July 2025</li> <li>• Bank reconciliation to 30 June 2025</li> <li>• Budget Monitoring to 30 June 2025</li> <li>• Planning applications (if appropriate)</li> <li>• Emergency Plan</li> <li>• Tree Management Policy</li> </ul>

Meeting Date	Items for agenda
<p>Monday 15 September 2025</p> <p><i>(agenda published on Tuesday 9 September)</i></p>	<ul style="list-style-type: none"> <li>• Schedule of payments – August &amp; September 2025</li> <li>• Bank reconciliation to 31 July 2025</li> <li>• Bank reconciliation to 31 August 2025</li> <li>• Budget Monitoring to 31 August 2025</li> <li>• External Auditors report on the 24/25 Annual Governance and Accountability Return (AGAR)</li> <li>• Planning applications (if appropriate)</li> </ul>
<p>Monday 20 October 2025</p> <p><i>(agenda published on Tuesday 14 October)</i></p>	<ul style="list-style-type: none"> <li>• Schedule of payments – October 2025</li> <li>• Bank reconciliation to 30 September 2025</li> <li>• Budget Monitoring to 30 September 2025</li> <li>• Planning applications (if appropriate)</li> <li>• Proposed schedule of meeting dates for 2026</li> <li>• Data Protection Policy (update)</li> <li>• Data Breach Policy (update)</li> <li>• Freedom of Information Policy (update)</li> <li>• Model Publication Scheme (update)</li> <li>• Privacy Notices (update)</li> </ul>
<p>Monday 17 November 2025</p> <p><i>(agenda published on Tuesday 11 November)</i></p>	<ul style="list-style-type: none"> <li>• Schedule of payments – November 2025</li> <li>• Bank reconciliation to 31 October 2025</li> <li>• Budget Monitoring to 31 October April 2025</li> <li>• Draft Budget for 2026/27 Financial Year</li> <li>• Planning applications (if appropriate)</li> <li>• Health and Safety Policy (update)</li> <li>• </li> </ul>
<p>Monday 15 December 2025</p> <p><i>(agenda published on Tuesday 9 December)</i></p>	<ul style="list-style-type: none"> <li>• Application for grants and donations</li> <li>• Schedule of payments – December 2025</li> <li>• Bank reconciliation to 30 November 2025</li> <li>• Budget Monitoring to 30 November 2025</li> <li>• Budget and Precept for 2026/27 Financial Year</li> <li>• Planning applications (if appropriate)</li> <li>• Insurance for 01/02/26 to 31/01/27</li> </ul>