

HOPTON CUM KNETTISHALL
PARISH COUNCIL

POLICIES AND PROCEDURES

Reviewed and approved May 2023

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HOPTON CUM KNETTISHALL PARISH COUNCIL STANDING ORDERS

1. MEETINGS

Meetings of the Council shall be held on the second Monday every month, with the exception of February and August, at 7.00 p.m. in the Village Hall unless the Council decides otherwise at a previous meeting.

2. THE STATUTORY ANNUAL MEETING

- a) In an election year, shall be held on the Monday next following the fourth day after the ordinary day of elections to the Council.
- b) In a year which is not an election year, shall be held on the second Monday in May

3. THE CHAIR OF A MEETING

The person presiding at a meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting, including prior arrangements for photography, recording or transmitting the proceedings of a meeting, and for ensuring appropriate access to the press and other media.

4. THE PROPER OFFICER

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

- a) To receive Declarations of Acceptance of Office
- b) To receive and record notices disclosing pecuniary interests
- c) To receive and retain plan documents
- d) To sign notices and other documents on behalf of the Council
- e) To receive copies of bye laws made by a District Council
- f) To certify copies of byelaws made by the Council
- g) To sign and ensure delivery of the Agenda and Summonses to attend meetings of the Council and to ensure that, when calculating the 3 clear days for notice of a meeting to councillors and the public, the day on which the notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning, shall not count.

5. ADMISSION OF THE PUBLIC AND PRESS

- a) Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by means of the following resolution:

In view of the confidential nature of the business about to be transacted, it is advisable that the public be temporarily excluded and that they are instructed to withdraw from the room.

- b) The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present. If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that he be removed from the meeting.

6. THE RESPONSIBLE FINANCIAL OFFICER

Where a statute, regulation or order confers functions or duties on the Responsible Financial Officer, this shall be taken to mean the Clerk.

7. ABSENCE FROM MEETINGS

- a) Any Member who is unable to attend a meeting is to offer apologies to the Clerk in advance of the meeting.
- b) In the event of any member missing three successive meetings, the Chair is to consider whether a request for the member to resign is in order.

8. QUORUM

- a) Three members shall constitute a quorum
- b) If a quorum is not present, then business shall be carried over to the next meeting

9. CODE OF CONDUCT

- a) The Code of Conduct adopted by the Council shall apply in respect of the entire meeting.
- b) An interest arising from the Code of Conduct, the existence and nature of which is required to be disclosed by a councillor at a meeting, shall be recorded in the minutes.

10. VOTING

- a) Voting shall be by a show of hands
- b) If a member so requires, the Clerk shall record in the minutes the names of the members who voted on any question, so as to show whether they voted for or against it.
 - (i) Subject to (ii) and (iii) below, the Chair may give an original vote on any matter put to the vote, and in the case of an equality of votes, may give a casting vote even though he gave no original vote.
 - (ii) If the person presiding at the Annual Meeting would have ceased to be a member of the Council but for the statutory provisions which preserve the membership of the Chair and Vice Chair until the end of their term of office, he may not give an original vote in the election for Chair.
 - (iii) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.

11. ORDER OF BUSINESS

Preamble: In an election year, councillors should execute Declarations of Acceptance of Office in each other's presence, or in the presence of the Proper Officer previously authorised by the Council to take such declarations before the Annual Meeting commences.

- a) At each Annual Meeting on such day in May as the Council agrees, the first business shall be:
 - (i) To elect a Chair
 - (ii) To receive the Chair's Declaration of Office or, if not then received, to decide when it shall be received
 - (iii) In the ordinary year of election to the Council, to fill any vacancies left unfilled by reason of insufficient nominations
 - (iv) To decide when any Declarations of Acceptance of Office which have not been received as provided by law shall be received.
 - (v) To elect a Vice Chair
 - (vi) To allocate specific responsibilities
 - (vii) To authorise three bank signatories
- b) At every meeting other than the Annual Meeting, in the event that both the Chair and Vice Chair are absent, the first business shall be to appoint a Chair.
- c) In every year not later than the meeting at which the budgets for the next year are settled, the Council shall review the pay and conditions of service of existing employees.
- d) After the first business has been completed, the Order of Business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:
 - (i) To read and consider the Minutes, provided that a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
 - (ii) After consideration, to approve the signature of the Minutes as correct record by the person presiding
 - (iii) To deal with the business expressly required by statute to be done
 - (iv) To dispose of any business remaining to be done from the last meeting
 - (v) To consider resolutions or recommendations in the order in which they have been notified.
 - (vi) To receive and consider reports from the Officers and Members of the Council.
 - (vii) Any other business specified in the agenda.

12. RESOLUTIONS MOVED WITHOUT NOTICE

(a) Resolutions dealing with the following matters may be moved without notice:

- (i) To appoint a Chair of a meeting
- (ii) To approve the absence of Members
- (iii) To correct the Minutes
- (iv) To approve the Minutes
- (v) To alter the order of business
- (vi) To proceed to the next business
- (vii) To exclude the public
- (viii) To invite a member of the public having an interest in the subject matter under debate, to remain
- (ix) To suspend any standing Order except those which are mandatory by law
- (x) Other items may be discussed at the Chair's discretion and with the approval of the Members

13. RULES OF DEBATE

- a) Corrections to the Minutes shall be made by resolution and must be initialled by the Chair
- b) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order
- c) The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed
- d) Members shall address the Chair

14. DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES

If at any meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service of any person employed by the Council, it shall not be considered until the Council has decided whether or not the public shall be excluded (see Standing Order 20)

15. FINANCIAL CONTROLS AND PROCUREMENT

- a) The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below £25,000 due to special circumstances are exempt from a tendering process or procurement exercise.

b) Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

c) A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).

d) Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
- ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
- iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;

- iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
- v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
- vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.

e) Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

f) A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.

g) A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

16. EXPENDITURE

Orders for the payment of money shall be authorised by the resolution of Council and signed by two members.

17. PAYMENTS

a) Except as provided in paragraph (b) of this Standing Order, or by statute, all accounts for payment and claims upon the Council shall be laid before the Council

b) Where it is necessary to make an emergency payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the Clerk. Such payment shall be authorised by the Chair or the Vice Chair of the Council

c) All payments ratified under paragraph (b) of this Standing Order shall be separately included in the next schedule of payments laid before Council.

18. INTERESTS

a) If any member has a pecuniary interest, direct or indirect, in any contract, proposed contract or other matter, he shall, while it is under consideration by the Council, withdraw from the room unless the interest is trivial. or:

(i) The disability imposed on him by these sections has been removed by the District Council, or

(ii) The council invites him to remain

b) the Clerk shall record in a book to be kept for the purpose particulars of any notice given by any member or officer of a pecuniary interest in a contract, and the book shall be open during reasonable hours of the day for the inspection of any Member

19. CIRCULATION AND INSPECTION OF DOCUMENTS

a) All Minutes kept by the council shall be open for inspection by any member of the Council

b) A copy of the approved Minutes shall be available for inspection by members of the public

c) Agendas and Minutes will be published on the website and noticeboards.

20. UNAUTHORIZED ACTIVITIES

No member of the Council shall, in the name of the Council inspect any lands or premises which the council has a right or duty to inspect; or issue orders, instructions or directions unless authorised to do so by the Council.

21. RECORDING AT MEETINGS

Recording at meetings is permitted in line with the Parish Council's Protocol for the Reporting at Meetings of the Council or Committees.

22. CONFIDENTIAL BUSINESS

No member of the council shall disclose to any person not a Member of the Council any business declared to be confidential by the Council

23. LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

A notice of the meeting shall be sent together with minutes of the previous meeting, with an invitation to attend to the County Councillor for the county division and to the District Councillor for the district ward

24. EXTRAORDINARY MEETINGS

a) The Chair of the council may convene an extraordinary meeting of the Council at any time

b) If the Chair of the Council does not or refuses to call an extraordinary meeting of the council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.

25. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

a) Any, or every, part of the Standing Orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business

b) A motion to add to or vary or revoke one or more of the Council's Standing Orders not mandatory by law, shall be proposed by a special motion the written notice of which bears the names of at least three councillors

26. STANDING ORDERS - COPIES TO COUNCILLORS

a) The Proper Officer shall provide a copy of the Council's Standing Orders to a councillor upon delivery of his Acceptance of Office

b) The Chair's decision as to the application of Standing Orders at meetings shall be final

27. ANNUAL REVIEW

An annual review of the Council's Standing Orders and Financial Regulations shall be reported to the Annual Meeting of the Council

HOPTON CUM KNETTISHALL PARISH COUNCIL

FINANCIAL REGULATIONS

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GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations must be observed in conjunction with the council's standing orders and any individual financial regulations relating to contracts.
- 1.2. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.3. The RFO
 - acts under the policy direction of the council;
 - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of the council its accounting records and accounting control systems; ensures the accounting control systems are observed;
 - maintains the accounting records of the council up to date in accordance with proper practices;

- assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
 - produces financial management information as required by the council.
- 1.4. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations¹.
- 1.5. The accounting records determined by the RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
 - a record of the assets and liabilities of the council; and
 - wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.6. The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
 - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - measures to ensure that risk is properly managed.
- 1.7. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding the following shall be a matter for the full council only:
- setting the final budget or the precept (Council Tax Requirement);
 - approving accounting statements;
 - approving an annual governance statement;
 - borrowing;
 - writing off bad debts;
 - declaring eligibility for the General Power of Competence; and
 - addressing recommendations in any report from the internal or external auditors,
- 1.8. In addition the council must:
- determine and keep under regular review the bank mandate for all council bank accounts.
 - approve all grants and expenditure.
- 1.9. In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

¹ In England - Accounts and Audit (England) Regulations 2011/817
In Wales - Accounts and Audit (Wales) Regulations 2005/368

2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

- 2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate Guidance and proper practices.
- 2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman or a cheque signatory shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the council. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- 2.3. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.4. The internal auditor shall:
 - be competent and independent of the financial operations of the council;
 - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - have no involvement in the financial decision making, management or control of the council.
- 2.5. Internal or external auditors may not under any circumstances:
 - perform any operational duties for the council;
 - initiate or approve accounting transactions; or
 - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.6. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.7. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.8. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

- 3.1. The RFO must each year, by no later than November, prepare estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the council.
- 3.2. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue

the precept to the billing authority and shall supply each member with a copy of the approved annual budget. The approved annual budget shall form the basis of financial control for the ensuing year.

4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by the council for all items. Such authority is to be evidenced by a Minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

- 4.1. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council,
- 4.2. The salary budgets are to be reviewed at least annually for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council.
- 4.3. In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £200. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.
- 4.4. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.5. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared six monthly. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

- 5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; The RFO shall prepare a schedule of payments requiring authorisation, and, together with the relevant invoices, present the schedule to council. The council shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.
- 5.2. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.
- 5.3. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council Meeting.
- 5.4. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- 6.1. The council will make safe and efficient arrangements for the making of its payments.
- 6.2. All payments shall be effected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of Council.
- 6.3. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of council in accordance with a resolution instructing that payment. If a member who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made, that Councillor shall be required to consider Standing Orders, and thereby determine whether it is appropriate and / or permissible to be a signatory to the transaction in question.
- 6.4. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 6.5. Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council at the next convenient meeting.
- 6.6. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable Direct Debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable Direct Debit shall be renewed by resolution of the council at least every two years.
- 6.7. If thought appropriate by the council, payment for certain items (principally Salaries) may be made by Banker's Standing Order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a Banker's Standing Order shall be renewed by resolution of the council at least every two years.
- 6.8. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall, software with automatic updates, together with a high level of security, is used.
- 6.9. The RFO may hold petty cash for the purpose of defraying operational and other expenses. The RFO shall maintain a petty cash float of £50 for the purpose of defraying operational and other expenses
- 6.10. Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
- 6.11. Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council.

7. PAYMENT OF SALARIES

- 7.1. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.
- 7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the council.

- 7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a) by any councillor who can demonstrate a need to know;
 - b) by the internal auditor;
 - c) by the external auditor; or
 - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.6. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.

8. LOANS AND INVESTMENTS

- 8.1. All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for Borrowing Approval, and subsequent arrangements for the Loan shall only be approved by full council.
- 8.2. Any financial arrangement which does not require formal Borrowing Approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.
- 8.3. All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with council policy.
- 8.4. All investments of money under the control of the council shall be in the name of the council.
- 8.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.6. Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

9. INCOME

- 9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.
- 9.3. The council will review all fees and charges at least annually, following a report of the Clerk. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.

- 9.4. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 9.5. The origin of each receipt shall be entered on the paying-in slip.
- 9.6. Personal cheques shall not be cashed out of money held on behalf of the council.
- 9.7. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.

10. ORDERS FOR WORK, GOODS AND SERVICES

- 10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2. Order books shall be controlled by the RFO.
- 10.3. All members and Officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11 (I) below.
- 10.4. A member may not issue an official order or make any contract on behalf of the council.
- 10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the Minutes can record the power being used.

11. CONTRACTS

11.1. Procedures as to contracts are laid down as follows:

- a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
 - i. for the supply of gas, electricity, water, sewerage and telephone services;
 - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - v. for additional audit work of the external Auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of council); and
- b. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.

- c. Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- d. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- e. If less than three tenders are received for contracts above £60,000 or if all the tenders are identical the council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- f. Any invitation to tender issued under this regulation shall be subject to any provision made in Council Standing Orders and shall refer to the terms of the Bribery Act 2010. When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £100 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10 (3) above shall apply.
- g. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- h. Should it occur that the council does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.
- i. The European Union Procurement Directive shall apply and the terms of the Public Contracts Regulations 2006 and the Utilities Contracts Regulations 2006 including thresholds shall be followed.

12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

- 12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.
- 12.3. Any variation to a contract or addition to or omission from a contract must be approved by the council and Clerk to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.

13. STORES AND EQUIPMENT

- 13.1. The relevant officer shall be responsible for the care and custody of any stores and equipment as appointed by the Council.
- 13.2. Delivery Notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

14. ASSETS, PROPERTIES AND ESTATES

- 14.1. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law.
- 14.2. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law, In each case a Report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.3. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a Report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.4. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15. INSURANCE

- 15.1. Following the annual risk assessment (per Financial Regulation 16), the RFO shall effect all insurances and negotiate all claims on the council's insurers.
- 15.2. The RFO shall give prompt notification to the Council of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.3. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 15.4. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.
- 15.5. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the council.

16. RISK MANAGEMENT

- 16.1. The council is responsible for putting in place arrangements for the management of risk. The Clerk shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.
- 16.2. When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

17. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 17.1. It shall be the duty of the council to review the Financial Regulations of the council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these financial regulations.

- 17.2. The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council

			RISK ASSESSMENT		
Topic	Risk	H/M/L	Management of risk	Action required	
Precept	Not submitted	L	Precept agreement minuted	RFO to confirm form submitted	12
	Not paid by B.C.	L	RFO report non receipt to Council	RFO to pursue with Borough Council	12
	Adequacy	M	Review actual expenditure to budget	RFO to report any excess expenditure. Detailed expenditure against budget to be reported during budget setting process each October	monthly
Reserves – Earmarked and Contingent	Adequacy	L	Consider at Budget setting and review in May and October. Earmarking to be minuted. In year amendments to be approved and minuted	RFO to include report on reserves in May and October	6
Investment Income	Non-receipt	L	RFO to report non receipt to Council	RFO to diarise to check for receipt RFO to pursue with bank	As required
	Investment policy – Below average market return	M	Annual review of investment performance.	RFO and Chair to identify appropriate higher yielding accounts	12 or on significant market developments
Cash	Loss through theft or dishonesty	L	Maintain and assure appropriate security and control arrangements. Fidelity guarantee value to be set at appropriate level	Council to review adequacy of fidelity guarantee. Review security arrangements and assurance checks	12
Cheque issue	Loss through inaccuracy or dishonesty	M	Cheques to be supported by invoices Only designated Councillors to be signatories	Signatories to check invoices Cheque stubs to be initialled	monthly
Supply & contracts	Goods not properly supplied Contracts not completed	M	RFO to check supply or completion of contract. Payment withheld where appropriate	RFO to pursue resolution	As required
	A contract being raised without informing the Council and RFO as per the financial regulations.	L	All Councillors agree to abide by the Financial Regulations.	Chair & RFO to monitor compliance	As required
Financial records	Inadequate records	L	Accounts approved by Council. Subject to internal audit.	RFO to update records and Bank account reconciliation at least quarterly.	Quarterly. Audit 12
Salaries	Incorrect payment made	M	Salary to be agreed to contract	RFO to report any proposed or necessary changes to Council. Internal audit	As required
	Incorrect deductions	M	Check of PAYE records	Member to verify	12

				Internal audit	
Legal Power	Illegal activity or payment	M	Chair and RFO to review all unusual payments. Councillors to be aware of Council's legal powers	RFO to notate financial records appropriately	As required
Councillors Expenses	Overpayment	L	Claim form to be completed by claimant.	RFO to verify claims are allowable and in accordance with official rates. Internal audit	As required
Election costs	Inadequate resources to pay.	L	Budget review	RFO to raise at budget review.	As required
Grants & support	No power to pay	M	Statutory power to be identified Payments to be agreed by Council and minuted.	RFO to notate financial records appropriately	As required
	Non-compliance of conditions agreed	L	Minute applicable terms and conditions	RFO to monitor compliance	As required
Cemetery charges	Non-payment of fees	L	Burial register to be compared to receipts ledger at audit	RFO to pursue non-payment.	12
	Non receipt of Memorial fees	M	Copy authorisations to be compared to receipts ledger at audit	RFO to pursue non-payment	12
Assets	Loss/damage etc	M	Annual inspection	Update insurance and asset register	12
	Risk of damage to third party property or individuals	M	Review adequacy of Public Liability insurance	Council	12
Staff	Loss of key personnel (RFO)	L	Chair to monitor performance/health/training needs	Advise Council accordingly	6
Members interests	Conflict of interest	M	Councillors to update of declarations of interest.	RFO to record and publish declared interests	As required and yearly
Minutes	Accurate and Legal	L	Reviewed and approved at next meeting	Council	monthly

GDPR	Breaches of GDPR and loss of data	M	Annual review of a) Data Protection Policy and b) Document & Electronic Data Retention Policy	Clerk & Council	12
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HOPTON CUM KNETTISHALL PARISH COUNCIL GRANT AWARDING POLICY

Hopton cum Knettishall Parish Council has statutory powers to make funds available to local organisations for the overall benefit of Hopton cum Knettishall and its residents.

This document outlines Hopton cum Knettishall Parish Council's guidelines for awarding. It also formalises the application process to ensure access, openness and fairness to the groups and organisations we aim to support.

General information for applicants

It is Hopton cum Knettishall Parish Council's intention (subject to budget restrictions and available resources) to support initiatives from local community groups and organisations. Priority will be given to applicants who have not previously received grants from Hopton cum Knettishall Parish Council. The size of any grant awarded is at the discretion of the Parish Council, but will not normally exceed £500 in any one application.

Who is eligible to apply

The following organisations may apply to Hopton cum Knettishall Parish Council:

- a. a Hopton cum Knettishall based charity
- b. an organisation serving the needs of the residents of Hopton cum Knettishall
- c. resident(s) of Hopton cum Knettishall requesting grant aid with a project/event, which will be for the benefit of the local community
- d. a Hopton cum Knettishall based club/association/charity serving a specific section of the community or the community as a whole
- e. a local branch of a regional or national organisation/group which serves the needs of the residents of Hopton cum Knettishall.

Who is not eligible to apply

We will normally reject applications from:

- a. projects which are the prime statutory responsibility of other government bodies who would normally be funded by them
- b. a local or regional authority unless it can be clearly demonstrated that the grant would be used specifically for the residents served by Hopton cum Knettishall Parish Council
- c. projects which improve or benefit privately owned land or property
- d. support for individuals or private business projects
- e. applications by "for profit" commercial organisations
- f. from regional and national organisations unless it can be clearly demonstrated that the grant would be used specifically for the residents served by Hopton cum Knettishall Parish Council
- g. from organisations with political affiliations or those established for the purpose of forwarding a party-political agenda
- h. repairs/works to church property or property relating to the affairs of the church or an ecclesiastical charity (Sec 8 Local Government Act 1894)

What can be funded

The project should be something that makes the local community a better place to live, work and play. It should be something that will provide a long lasting and sustainable benefit to our local area. The project must be something that will improve the social, environmental and /or economic profile of Hopton cum Knettishall. Priority will be given to those applications which add value over applications for running costs.

The following are unlikely to be considered as a grant priority

Projects where there is a large shortfall in the funding required to complete the project or projects that simply replace existing facilities with no significant improvement.

Conditions of grant

Hopton cum Knettishall Parish Council support must be acknowledged as appropriate on all publicity and promotional material including posters, advertisements, press releases and leaflets.

Financial support can only be used for the purpose for which the grant is given.

Grants must not be distributed to any other organisation.

If the organisation can match funding that will be looked upon favourably.

All grants will be subject to terms and conditions.

Applications should be submitted in writing to:

The Parish Clerk

Decisions will be based on the following criteria

- General eligibility
- Impact on key local need
- Community support
- Value for money
- Environmental impact
- Community involvement
- Feasibility
- Likely effectiveness.

HOPTON CUM KNETTISHALL PARISH COUNCIL
DATA PROTECTION & INFORMATION MANAGEMENT POLICY

DATA PROTECTION

1 ABOUT THIS POLICY

1.1 This policy outlines the standards Hopton cum Knettishall Parish Council ('the Council') intends to observe in relation to its compliance with the General Data Protection Regulation (GDPR) and subsequently revised UK Data Protection law.

1.2 The policy is applicable to all councillors and any employees, partners, voluntary groups, third parties and agents authorised by them.

1.3 The Council shall ensure that all users fully understand its obligations and have undertaken the necessary training to demonstrate compliance with this policy.

1.4 This policy applies to all personal information created or held by the Council, in whatever format. This includes, but is not limited to paper, electronic, mail, microfiche and film.

2 RESPONSIBILITIES

2.1 To operate efficiently, the Council must collect and use information about people with whom it works. This may include members of the public, current, past and prospective employees, customers, contractors, suppliers and partner organisations.

2.2 The Council regards the lawful and correct treatment of personal information as critical to its successful operations, maintaining confidence between the Council and those with whom it carries out business. The Council will, therefore, ensure that it treats personal information correctly in accordance with the law. The 6 lawful bases for processing data are Consent, Contract, Legal Obligation, Vital Interests, Public Task & Legitimate Interests

2.3 The Council as a whole is accountable for ensuring compliance with this policy. The day-to-day responsibilities are delegated to the Parish Council Clerk, who will undertake information audits and manage the information collected by the Council including the issuing of privacy notices, dealing with requests and complaints raised and the safe disposal of information.

2.4 Councillors who process personal data on an individual basis and are not acting on behalf of the council are likely to be considered data controllers and therefore required to notify the Information Commissioner's Office.

2.5 All councillors and officers who hold or collect personal data are responsible for compliance with data protection legislation and must ensure that personal and/or sensitive information is kept and processed in accordance with this policy.

3 BREACH OF THIS POLICY

3.1 Breach of this policy may result in disciplinary action in accordance with the Council's Conduct or Capability procedures and, in certain circumstances may be considered to be gross misconduct, resulting in dismissal. It should also be noted that breach of the policy could also lead to criminal or civil action if illegal material is involved or legislation is contravened. Councillors found to be in breach of this policy may also be deemed to have breached the Code of Conduct and referred to the District Council's Monitoring Officer.

4 PRIVACY BY DESIGN

4.1 The GDPR requires data controllers to put measures in place to minimise personal data processing and that they only process data that is necessary for the purposes of processing and stored for as long as is necessary.

4.2 The Council will have the appropriate measures in place to determine the basis for lawful processing and will undertake risk assessments to ensure compliance with the law. These measures include the use of Data Protection Impact Assessments (DPIAs), see Appendix 1.

5 CONTRACTS

5.1 Data protection law places requirements on both the Council and its suppliers to ensure the security of personal data, and to manage individuals' privacy rights. This means that whenever the Council uses a supplier to process individuals' data on its behalf it must have a written contract in place.

5.2 The law sets out what needs to be included in the contract so that both parties understand their responsibilities and liabilities.

5.3 The Council is liable for its compliance with data protection law and must only appoint suppliers who can provide 'sufficient guarantees' that the requirements of the law will be met, and the rights of individuals protected.

5.4 If a contractor, partner organisation or agent of the Council is appointed or engaged to collect, hold, process or deal with personal data on behalf of the council, or if they will do so as part of the services they provide to the Council, the relevant lead Councillor or Council officer must ensure that personal data is managed in accordance with data protection law and this Policy.

5.5 Security and data protection requirements must be included in any contract that the agent, contractor or partner organisation enters into with the Council and reviewed during the contract's life cycle.

5.6 Council officers will use the appropriate processes, templates and Data Protection Impact Audits when managing or issuing contracts.

6 INFORMATION SHARING

6.1 The Council may share information when it is in the best interests of the data subject and when failure to share data may carry risks to vulnerable groups and individuals.

6.2 Information must always be shared in a secure and appropriate manner and in accordance with the information type. The Council will be transparent and as open as possible about how and with whom data is shared; with what authority; and for what purpose; and with what protections and safeguards.

6.3 Any Councillor or officer dealing with telephone enquiries must be careful about disclosing personal information held by the Council. In order to manage this the enquirer will be asked to put their request in writing in the first instance.

7 INDIVIDUALS' RIGHTS

7.1 An individual may request a copy of any data held about them, or information about the reasons for which it is kept and processed. This is called a Subject Access Request (SAR). Information on how an individual can make a SAR can be found in Appendix 3

7.2 Individuals also have other rights under the Data Protection Act 2018 which are set out in the Council's privacy notices. The Council must respond to individuals exercising their rights within one month.

8 DISCLOSURE OF PERSONAL INFORMATION TO THIRD PARTIES

8.1 Personal data can only be disclosed about a third party in accordance with the Data Protection Act 2018.

8.2 If a user believes it is necessary to disclose information about a third party to a person requesting data, they must seek specialist advice before doing so.

9 BREACH OF INFORMATION SECURITY

9.1 The Council understands the importance of recognising and managing information security incidents. This occurs when data or information is transferred to somebody who is not entitled to receive it. It includes losing data or theft of information, unauthorised use of the Council's system to process or store data by any person or attempted unauthorised access to data or information regardless of whether this was successful or not.

9.2 All users have an obligation to report actual or potential data protection compliance failures as soon as possible and take immediate steps to minimise the impact and to assist with managing risk. The Council will fully investigate both actual and potential failures and take remedial steps if necessary maintain a register of compliance failures. If the incident involves or impacts personal data it must be reported to the ICO within 72 hours. The Council will follow its Data Breach policy in Appendix 4.

10 IT AND COMMUNICATIONS SYSTEMS

10.1 The Council's IT and communications systems are intended to promote effective communication and working practices. This policy outlines the standards users must observe when using these systems and the action the Council will take if users breach these standards.

10.2 Breach of this policy may be dealt with under the Council's Disciplinary Procedure and, in serious cases, may be treated as gross misconduct.

11 EQUIPMENT SECURITY AND PASSWORDS

11.1 Councillors and officers are responsible for the security of the equipment allocated to or used by them, and must not allow it to be used by anyone other than in accordance with this policy. Passwords must be set on all IT equipment and passwords must remain confidential and be changed regularly.

11.2 Users must only log onto Council systems using their own username and password. Users must not use another person's username and password or allow anyone else to log on using their username and password.

12 SYSTEMS AND DATA SECURITY

12.1 Users should not delete, destroy or modify existing systems, programs, information or data (except as authorised in the proper performance of their duties).

12.2 Users must not download or install software from external sources. Downloading unauthorised software may interfere with the Council's systems and may introduce viruses or other malware.

12.3 Users must not attach any device or equipment including mobile phones, tablet computers or USB storage devices to our systems.

12.4 Users should exercise particular caution when opening unsolicited e-mails from unknown sources. If an e-mail looks suspicious do not reply to it, open any attachments or click any links in it.

12.5 Users must inform the Clerk immediately if they suspect a computer may have a virus.

13 E-MAIL

13.1 Users should adopt a professional tone and observe appropriate etiquette when communicating with third parties by e-mail.

13.2 It should be noted that e-mails can be used in legal proceedings and that even deleted e-mails may remain on the system and be capable of being retrieved.

13.3 Users must not send abusive, obscene, discriminatory, racist, harassing, derogatory, defamatory, pornographic or otherwise inappropriate e-mails.

13.4 For the purposes of council business, users must use a designated email account (or only use the email account provided) in order to receive or send email correspondence.

14 USING THE INTERNET

14.1 Users should not access any web page or download any image or other file from the internet which could be regarded as illegal, offensive, in bad taste or immoral. Even web content that is legal in the UK may be in sufficient bad taste to fall within this

prohibition. As a general rule, if any person (whether intended to view the page or not) might be offended by the contents of a page, or if the fact that our software has accessed the page or file might be a source of embarrassment if made public, then viewing it will be a breach of this policy.

15 PROHIBITED USE OF COUNCIL SYSTEMS

15.1 Misuse or excessive personal use of our telephone or e-mail system or inappropriate internet use will be dealt with under the Council's Disciplinary Procedure. Misuse of the internet can in some cases be a criminal offence.

15.2 Creating, viewing, accessing, transmitting or downloading any of the following material will usually amount to gross misconduct (this list is not exhaustive):

- (a) pornographic material (that is, writing, pictures, films and video clips of a sexually explicit or arousing nature);
- (b) offensive, obscene, or criminal material or material which is liable to cause embarrassment to us or our local community;
- (c) a false and defamatory statement about any person or organisation;
- (d) material which is discriminatory, offensive, derogatory or may cause embarrassment to others (including material which breaches the Code of Conduct);
- (e) confidential information about the Council or any of our staff or our community (except as authorised in the proper performance of your duties);
- (f) unauthorised software;
- (g) any other statement which is likely to create any criminal or civil liability; or
- (h) music or video files or other material in breach of copyright.

16 SOCIAL MEDIA

16.1 The current Hopton cum Knettishall Parish Council Suffolk Code of Conduct applies to online activity in the same way it does to other written or verbal communication.

17 PROHIBITED USE

17.1 Users must avoid making any social media communications that could damage the Council's interests or reputation, even indirectly.

17.2 Users must not use social media to defame or disparage us, Council staff or any third party; to harass, bully or unlawfully discriminate against staff or third parties; to make false or misleading statements; or to impersonate colleagues or third parties.

17.3 Any misuse of social media should be reported to the Clerk or Chair of the Council.

18 GUIDELINES FOR RESPONSIBLE USE OF SOCIAL MEDIA

18.1 Users should make it clear in social media postings, or in their personal profile, that they are speaking on their own behalf.

18.2 Be respectful to others when making any statement on social media and be aware that they are personally responsible for all communications which will be published on the internet for anyone to see.

18.3 A data protection breach may result in disciplinary action up to and including dismissal.

18.4 Members or staff may be required to remove any social media content that the Council believes constitutes a breach of this policy. Failure to comply with such a request may in itself result in disciplinary action.

19 BRING YOUR OWN DEVICE (BYOD)

The Council must take appropriate technical and organisational measures against accidental loss or destruction of or damage to personal data. Councillors using their own devices raises a number of data protection concerns due to the fact that these are owned by the user rather than the data controller. The risks the controller needs to assess are:

- The type of data held.
- Where the data may be stored.
- How the data is transferred.
- Potential data leakage.
- Blurring of personal and business use.
- The device's security capacities.
- What to do if the person who owns the device leaves the Council and
- How to deal with the loss, theft, failure and support of a device.

Councillors and officers using their own devices shall have the following responsibilities:

- Users will not lend their device to anybody.
- Users will inform the Council should they lose, sell, recycle or change their device.

20 RECORDS MANAGEMENT

20.1 It is necessary for the Council to retain a number of data sets as part of managing council business. The Council shall apply the following framework :

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
• Minute books	Indefinite	Archive
• Scales of fees and charges	6 years	Management
• Receipt and payment account(s)	Indefinite	Archive
• Receipt books of all kinds	6 years	VAT

• Bank statements, including deposit/savings accounts	Last completed audit year	Audit
• Bank paying-in books	Last completed audit year	Audit
• Cheque book stubs	Last completed audit year	Audit
• Quotations and tenders	6 years	Limitation Act 1980 (as amended)
• Paid invoices	6 years	VAT
• Paid cheques	6 years	Limitation Act 1980 (as amended)
• VAT records	6 years generally but 20 years for VAT on rents	VAT
• Clerk Expenses	6 years	Tax, VAT, Limitation Act 1980 (as amended)
• Timesheets	Last completed audit year 3 years	Audit (requirement) Personal injury (best practice)
• Wages books	12 years	Superannuation
• Insurance policies	While valid	Management
• Certificates for Insurance against liability for employees	40 years from date on which insurance commenced or was renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI. 2753), Management.
• Investments	Indefinite	Audit, Management
• Title deeds, leases, agreements, contracts	Indefinite	Audit, Management
• Members allowances register	6 years	Tax, Limitation Act 1980 (as amended)

Appendix 1 – DPIA Assessment Checklist

A. Under the GDPR, data protection impact assessments (DPIAs) are mandatory where the processing poses a high risk to the rights and freedoms of individuals. While they can also be carried out in other situations, councils need to be able to evaluate when a DPIA is required.

B. This checklist helps you make that assessment and provides a springboard for some of the issues you will need to consider in more detail if you do need to carry out a DPIA.

1. Do you need to carry out a DPIA?

- (a) What is the objective/intended outcome of the project?
- (b) Is it a significant piece of work affecting how services/operations are currently provided?
- (c) Who is the audience or who will be affected by the project?
- (d) Will the project involve the collection of new personal data about people? e.g. new identifiers or behavioural information relating to individuals
- (e) Will the project involve combining anonymised data sources in a way that may give rise to a risk that individuals could be identified?
- (f) Will the project involve combining datasets originating from different processing operations or data controllers in a way which would exceed the reasonable expectations of the individuals?
- (g) Is data being processed on a large scale?
- (h) Will the project compel individuals to provide personal data about themselves?
- (i) Will personal data about individuals be disclosed to organisations or people who have not previously had routine access to the personal data?
- (j) Will personal data be transferred outside the EEA?
- (k) Is personal data about individuals to be used for a purpose it is not currently used for, or in a way it is not currently used?

- (l) Will personal data about children under 13 or other vulnerable persons be collected or otherwise processed?
- (m) Will new technology be used which might be seen as privacy intrusive? (e.g. tracking, surveillance, observation or monitoring software, capture of image, video or audio or location)
- (n) Is monitoring or tracking or profiling of individuals taking place?
- (o) Is data being used for automated decision making with legal or similar significant effect?
- (p) Is data being used for evaluation or scoring? (e.g. performance at work, economic situation, health, interests or behaviour)
- (q) Is sensitive data being collected including:
 - (i) Race
 - (ii) Ethnic origin
 - (iii) Political opinions
 - (iv) Religious or philosophical beliefs
 - (v) Trade union membership
 - (vi) Genetic data
 - (vii) Biometric data (e.g. facial recognition, finger print data)
 - (viii) Health data
 - (ix) Data about sex life or sexual orientation?
- (r) Will the processing itself prevent data subjects from exercising a right or using a service or contract?
- (s) Is the personal data about individuals of a kind likely to raise privacy concerns or is it personal data people would consider to be particularly private or confidential?
- (t) Will the project require contact to be made with individuals in ways they may find intrusive?

2. **Other issues to consider when carrying out a DPIA**

- (a) In addition to considering the above issues in greater detail, when conducting a DPIA, you will also need to look at issues including:
 - (i) The lawful grounds for processing and the capture of consent where appropriate
 - (ii) The purposes the data will be used for, how this will be communicated to the data subjects and the lawful grounds for processing
 - (iii) Who the data will be disclosed to
 - (iv) Where the data will be hosted and its geographical journey (including how data subjects will be kept informed about this)
 - (v) The internal process for risk assessment
 - (vi) Who needs to be consulted (Data Protection Officer, data subjects, the Information Commissioners Office ("ICO"))
 - (vii) Data minimisation (including whether data can be anonymised)
 - (viii) How accuracy of data will be maintained
 - (ix) How long the data will be retained and what the processes are for deletion of data
 - (x) Data storage measures
 - (xi) Data security measures including what is appropriate relative to risk and whether measures such as encryption or pseudonymisation can be used to reduce risk
 - (xii) Opportunities for data subject to exercise their rights
 - (xiii) What staff or, as appropriate, councillor training is being undertaken to help minimise risk
 - (xiv) The technical and organisational measures used to reduce risk (including allowing different levels of access to data and red flagging unusual behaviour or incidents)

3. **The GDPR requires that councils carry out a DPIA when processing is likely to result in a high risk to the rights and freedoms of data subjects. For a council, examples might include using CCTV to monitor public areas.**

4. **If two or more of the following apply, it is likely that you will be required to carry out a DPIA. This does not apply to existing systems but would apply if you introduced a new system.**

1. Profiling is in use. Example: you monitor website clicks or behaviour and record people's interests.
2. Automated-decision making. Example: when processing leads to the potential exclusion of individuals.
3. CCTV surveillance of public areas. Processing used to observe, monitor or control data subjects.
4. Sensitive personal data as well as personal data relating to criminal convictions or offences.
5. Large scale data processing. There is no definition of "large scale". However consider: the number of data subjects concerned, the volume of data and/or the range of different data items being processed.
6. Linked databases - in other words, data aggregation. Example: two datasets merged together, which could "exceed the reasonable expectations of the user" e.g. you merge your mailing list with another council, club or association.
7. Data concerning vulnerable data subjects, especially when power imbalances arise, e.g. staff-employer, where consent may be vague, data of children, mentally ill, asylum seekers, elderly, patients.
8. "New technologies are in use". E.g. use of social media, etc.
9. Data transfers outside of the EEA.
10. "Unavoidable and unexpected processing". For example, processing performed on a public area that people passing by cannot avoid. Example: Wi-Fi tracking.

THIS IS A SAMPLE DATA AUDIT QUESTIONNAIRE and should be used as part of the first step to help you understand what information you hold, why you collect it and what you use it for.

You should go through these questions to help your Council assess if there are any risks in the types of processing that is undertaken. Make sure your Council is aware of the changes that are coming before you undertake this exercise.

There is a glossary at the end of this document to explain further some of the terms referred to.

Part A: YOUR INFORMATION		
1.	1. Person completing questionnaire a) Name. b) Role. c) Telephone number. d) Email.	a) b) c) d)
2.	Data controller (e.g. name of local council or parish meeting)	
3.	Date you completed this questionnaire	
Part B: COMMUNICATING PERSONAL DATA		
4.	This section relates to communications with councillors, staff and local residents (including mailing lists) general public. a) What type of personal data does the council keep? e.g. name, contact details such as bank details. b) Where does the council get the personal data from? e.g. staff, residents, other local authorities, charities and sports clubs, community groups, recruitment agencies. c) Why does the council collect or process the data – what does the council do with the personal data? For purposes relating to: e.g. local resident concerns, management of council facilities, services and staff, contract management, performance of statutory functions. d) Who does the council disclose personal data to? E.g. the public, councillors, staff and contractors carrying out the work of the council, pension providers, HMRC, credit reference agencies, recruitment agencies, prospective employers e) Do the council or parish meeting minutes contain personal data? f) Does the council ever send personal data overseas and if so where to and to which organisation? This might include overseas companies providing database or email services. e.g. do any of your suppliers use 'cloud storage' and if so do you know where the personal data is located? g) Does the council collect any sensitive personal data? see definition above. h) If so for what reason? e.g. for safeguarding compliance; physical or mental health data relating to staff; racial and ethnic origin relating to equal opportunities monitoring.	
Part C: SUPPLIERS, COMPANIES, AND OTHER ORGANISATIONS THE COUNCIL CONTRACTS WITH		
5.	About individuals or representatives of organisations which supply us with services such as for council repairs, or with whom we are in contact a) Who does the council keep personal data about? e.g. tradesman, recruitment agencies, surveyors, architects, builders, suppliers, advisers, payroll processors. b) What type of personal data does the council keep? e.g. name, contact details, qualifications, financial details, details of certificates and diplomas, education and skills. c) Where does the council get the data from?	

	e.g. the individuals, suppliers. d) Why does the council collect or process the data? e.g. council property maintenance and repairs and management of council facilities, pay and manage staff.	
Part D: GENERAL QUESTIONS ABOUT PERSONAL DATA		
6.	a) How <u>does the council</u> store the personal data collected? b) Does the <u>council</u> take any steps to prevent unauthorised use of or access to personal data or against accidental loss, destruction or damage? If so, what? c) How <u>does the council</u> manage access to data d) What is the process involved in giving access to staff or councillors?	
7.	a) Do any procedures exist for e.g. correcting, deleting, restricting, personal data? If so, please provide details.	
8.	a) Who has access to / is provided with the personal data (internally and externally)? b) Is there an authorisation procedure for accessing personal data? If so, please provide details.	
9.	Does the council provide a copy of all existing privacy notices?	
10.	So far as the council is aware, has any personal data which was gathered for one purpose been used for another purpose (e.g. communicating council news?) If so, please provide details.	
11.	Does the council have any policies, processes or procedures to check the accuracy of personal data?	
12.	a) In the event of a data security breach occurring, does the council have in place processes or procedures to be followed? b) What are these?	
13.	a) If someone asks for a copy of personal data that the council holds about them, i.e. they make a 'subject access request', is there a procedure for handling such a request? b) Is this procedure contained in a written document?	
14.	Does the council have an internal record of the consents which the council has relied upon for processing activities? e.g. to send council newsletters to residents	
15.	a) Are cookies used on our council website? b) Does the council provide information about the cookies used and why they are used? c) Does the council keep a record of the consents provided by users to the cookies? d) Does the council allow individuals to refuse to give consent?	
16.	Does the council have website privacy notices and privacy policies?	
17.	a) What data protection training do staff (e.g. council administrator, hall bookings secretary) and councillors receive? b) What does the training involve?	
18.	a) Does anyone in the council have responsibility for reviewing personal data for relevance, accuracy and keeping it up to date? b) If so, how regularly are these activities carried out?	
19.	a) What does the council do about archiving, retention or deletion of personal data? b) How long is personal data kept before being destroyed or archived? c) Who authorises destruction and archiving?	
Part E MONITORING		
20.	a) Please identify any monitoring of the following systems that takes place. 'Monitoring' includes all monitoring of systems including intercepting, blocking, recording or otherwise accessing systems whether on a full-time or	

	<p>occasional basis. The systems are:</p> <ul style="list-style-type: none"> (i) computer networks and connections (ii) CCTV and access control systems (iii) communications systems (e.g. intercom, public address systems, radios, walkie-talkies) (iv) remote access systems (v) email and instant messaging systems (vi) telephones, voicemail, mobile phone records <p>b) Does the council have notices, policies or procedures relevant to this monitoring?</p>	
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GLOSSARY of terms

"Personal Data" is any information about a living person which can identify them. This is not just someone's name and address but any information which can identify them (directly or indirectly). For example a phone number or email address is personal data. Any other contact information or a person's employment history, or credit history are all personal data.

"Data controller" is the person or organisation who determines the how and what of data processing.

"Data processor" is the person or firm that processes the data on behalf of the controller.

"Data subject" is the person about whom personal data is processed.

"Processing" personal data means storing or deleting any personal data on a computer, database or some manual files (e.g. HR, allotment tenancy files or invoices with contractor payment details). The word 'processing' also covers selecting a name for a mailing list, or reading it off a screen during a call. It includes transferring and altering data. Indeed, practically anything done to personal data constitutes processing.

"Sensitive personal data or special categories of personal data" are any of the following types of personal data about a data subject: racial or ethnic origin; political opinions; religious beliefs; trade union membership; physical or mental health or condition; sexual life or orientation; genetic data; and biometric data.

Appendix 3 SUBJECT ACCESS REQUEST (SAR) POLICY

1. UPON RECEIPT OF A SAR, HOPTON CUM KNETTISHALL PARISH COUNCIL (HPC) WILL:

- (a) Verify whether HPC is the controller of the data subject's personal data. If it is not a controller, but merely a processor, HPC will inform the data subject and refer them to the actual controller.
- (b) Verify the identity of the data subject; if needed, request any further evidence on the identity of the data subject.
- (c) Verify the access request; is it sufficiently substantiated? Is it clear to the data controller what personal data is requested? If not: request additional information.
- (d) Verify whether requests are unfounded or excessive (in particular because of their repetitive character); if so, HPC may refuse to act on the request or charge a reasonable fee.
- (e) Promptly acknowledge receipt of the SAR and inform the data subject of any costs involved in the processing of the SAR.
- (f) Verify whether HPC processes the data requested. If it does not process any data, inform the data subject accordingly. At all times make sure the internal SAR procedure is followed and progress can be monitored.
- (g) Ensure data will not be changed as a result of the SAR. Routine changes as part of the processing activities concerned are permitted.
- (h) Verify whether the data requested also involves data on other data subjects and make sure this data is filtered before the requested data is supplied to the data subject; if data cannot be filtered, ensure that other data subjects have consented to the supply of their data as part of the SAR.

2. RESPONDING TO A SAR

- (a) Hopton cum Knettishall Parish Council will respond to a SAR within one month after receipt of the request:
 - (i) If more time is needed to respond to complex requests, an extension of another two months is permissible, provided this is communicated to the data subject in a timely manner within the first month;
 - (ii) if the council cannot provide the information requested, it should inform the data subject on this decision without delay and at the latest within one month of receipt of the request.
- (b) If a SAR is submitted in electronic form, any personal data should preferably be provided by electronic means as well.

If data on the data subject is processed, make sure to include as a minimum the following information in the SAR response:

- (i) the purposes of the processing;
 - (ii) the categories of personal data concerned;
 - (iii) the recipients or categories of recipients to whom personal data has been or will be disclosed, in particular in third countries or international organisations, including any appropriate safeguards for transfer of data, such as Binding Corporate Rules or EU model clauses ;
 - (iv) where possible, the envisaged period for which personal data will be stored or, if not possible, the criteria used to determine that period;
 - (v) the existence of the right to request rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
 - (vi) the right to lodge a complaint with the Information Commissioners Office ("ICO");
 - (vii) if the data has not been collected from the data subject: the source of such data;
 - (viii) the existence of any automated decision-making, including profiling and any meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- (d) Hopton cum Knettishall Parish Council will provide a copy of the personal data undergoing processing.

Appendix 4 Data Breach Policy

GDPR defines a personal data breach as "a breach of security leading to accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed". Examples include:

- Access by an unauthorised third party
- Deliberate or accidental action (or inaction) by a controller or processor
- Sending personal data to an incorrect recipient
- Computing devices containing personal data being lost or stolen
- Alteration of personal data without permission
- Loss of availability of personal data

Hopton cum Knettishall Parish Council takes the security of personal data seriously, computers are password protected and hard copy files are kept in a locked cabinet.

Consequences of a personal data breach -

A breach of personal data may result in a loss of control of personal data, discrimination, identity

theft or fraud, financial loss, damage to reputation, loss of confidentiality of personal data, damage to property or social disadvantage. Therefore a breach, depending on the circumstances of the breach, can have a range of effects on individuals.

Hopton cum Knettishall Parish Council's duty to report a breach -

If the data breach is likely to result in a risk to the rights and freedoms of the individual, the breach must be reported to the individual and ICO without undue delay and, where feasible, not later than 72 hours after having become aware of the breach. The Data Protection Officer must be informed immediately so they are able to report the breach to the ICO in the 72 hour timeframe.

If the ICO is not informed within 72 hours, Hopton cum Knettishall Parish Council via the Data Protection Officer must give reasons for the delay when they report the breach.

When notifying the ICO of a breach, Hopton cum Knettishall Parish Council must:

- i. Describe the nature of the breach including the categories and approximate number of data subjects concerned and the categories and approximate number of personal data records concerned
- ii. Communicate the name and contact details of the Data Protection Officer
- iii. Describe the likely consequences of the breach
- iv. Describe the measures taken or proposed to be taken to address the personal data breach including, measures to mitigate its possible adverse affects.

When notifying the individual affected by the breach, Hopton cum Knettishall Parish Council must provide the individual with (ii)-(iv) above.

Hopton cum Knettishall Parish Council would not need to communicate with an individual if the following applies:

- It has implemented appropriate technical and organisational measures (i.e. encryption) so those measures have rendered the personal data unintelligible to any person not authorised to access it;
- It has taken subsequent measures to ensure that the high risk to rights and freedoms of individuals is no longer likely to materialise, or
- It would involve a disproportionate effort

However, the ICO must still be informed even if the above measures are in place.

Data processors duty to inform Hopton cum Knettishall Parish Council

If a data processor (i.e. payroll provider) becomes aware of a personal data breach, it must notify Hopton cum Knettishall Parish Council without undue delay. It is then Hopton cum Knettishall Parish Council's responsibility to inform the ICO, it is not the data processors responsibility to notify the ICO.

Records of data breaches -

All data breaches must be recorded whether or not they are reported to individuals. This record will help to identify system failures and should be used as a way to improve the security of personal data.

Record of Data Breaches

Date of breach

Type of breach

Number of individuals affected

Date reported to ICO/individual

Actions to prevent breach recurring

To report a data breach use the ICO online system:

<https://ico.org.uk/for-organisations/report-a-breach/>

HOPTON CUM KNETTISHALL PARISH COUNCIL

PRIVACY STATEMENT

Council Address: Underwood House, The Street, Rickinghall, Diss IP22 1DZ

Email Address: hoptonpc@outlook.com

Telephone number: 07813396404

Contact Privacy Notice

When you contact us

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party.

The Councils Right to Process Information

General Data Protection Regulations Article 6 (1) (a) (b) and (e)

Processing is with consent of the data subject or

Processing is necessary for compliance with a legal obligation or

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

Information Security

Hopton cum Knettishall Parish Council has a duty to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies. Copies of these policies can be requested.

We will only keep your data for the purpose it was collected for and only for as long as is necessary. After which it will be deleted. (You may request the deletion of your data held by Hopton cum Knettishall Parish Council at any time).

Children

We will not process any data relating to a child (under 13) without the express parental/ guardian consent of the child concerned.

Access to Information

You have the right to request access to the information we have on you. You can do this by contacting our Data Information Officer: Nicholas Spring Clerk - hoptonpc@outlook.com 07813396404

Information Correction

If you believe that the information we have about you is incorrect, you may contact us so that we can update it and keep your data accurate. Please contact: Nicholas Spring Clerk - hoptonpc@outlook.com 07813396404 to request this.

Information Deletion

If you wish Hopton cum Knettishall Parish Council to delete the information about you please contact: Nicholas Spring Clerk - hoptonpc@outlook.com 07813396404 to request this.

Right to Object

If you believe that your data is not being processed for the purpose it has been collected for, you may object: Please contact: Nicholas Spring Clerk - hoptonpc@outlook.com 07813396404 to object.

Rights Related to Automated Decision Making and Profiling

Hopton cum Knettishall Parish Council does not use any form of automated decision making or the profiling of individual personal data.

Complaints

If you have a complaint regarding the way your personal data has been processed you may make a complaint to Hopton cum Knettishall Parish Council Data Information Officer: Nicholas Spring Clerk - hoptonpc@outlook.com 07813396404 and the Information Commissioners Office casework@ico.org.uk Tel: 0303 123 1113

Summary

In accordance with the law, Hopton cum Knettishall Parish Council only collects a limited amount of information about you that is necessary for correspondence, information and service provision. Hopton cum Knettishall Parish Council does not use profiling, it does not sell or pass your data to third parties. Hopton cum Knettishall Parish Council does not use your data for purposes other than those specified. Hopton cum Knettishall Parish Council makes sure your data is stored securely. Hopton cum Knettishall Parish Council deletes all information deemed to be no longer necessary. Hopton cum Knettishall Parish Council will constantly review its Privacy Policy to keep it up to date in protecting your data.

HOPTON CUM KNETTISHALL PARISH COUNCIL
DOCUMENT AND ELECTRONIC RETENTION POLICY

INTRODUCTION

This retention policy applies to Hopton cum Knettishall Parish Council (HPC) and covers all records and documentation, whether analogue or digital.

For the purpose of this policy, the terms 'documents' and 'records' include information in both hard copy and electronic form and have the same meaning whether referred to as documents or documentation.

This policy will also help identify issues with paper records and electronic data storage and will eliminate the need to retain paper and electronic records unnecessarily. HPC will ensure that information is not kept longer than is necessary and will retain the minimum amount of information that it is required to hold to meet its statutory functions and the provision of its services.

Any such system or policies relating to record management will include a review of council documentation on an annual basis.

Anything that is no longer of use or value can be destroyed but if the council is in any doubt it will seek advice from Suffolk Association of Local Councils (SALC) and retain that document until that advice has been received.

Documents of historical importance, if not retained by the council, will be offered first to the Suffolk County Records Office.

RETENTION OF DOCUMENTS

Appendix 1 and 2 indicates the appropriate retention period for audit and other purposes and the reasons for retention.

In respect of the retention of documents in case of a legal dispute, council's policy is set out below. Other documents not specifically mentioned in the Appendix will be treated as follows:

Planning Papers

All Planning Applications are online and accessible on the West Suffolk Council

Copies of structure plans, local plans and similar documents will be retained as long as they are in force.

Insurance policies

Insurance policies and significant correspondence will be kept for as long as it is possible to make a claim under the policy.

Article 4 of the Employer's liability (Compulsory Insurance) regulations 1998 (si 2753) requires that local councils, as employers, retain certificates of insurance against liability for injury or disease to their employees arising out of their employment for a period of 40 years from the date on which the insurance is commenced or renewed.

Circulars and legal topic notes from SALC, NALC and other bodies such as principal authorities will be retained for as long as the information is useful and relevant.

Correspondence

If related to audit matters, correspondence will be kept for the appropriate period specified to the annex thereto.

In planning matters correspondence will be retained for the same period as suggested for other planning papers.

All other correspondence will be kept for as long as the matter is still of interest or use to the council and or the parish.

Personnel matters

Article 5 of GDPR provides "personal data must be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed." This policy will ensure that necessary records, documents and electronic data of HPC are adequately protected, archived and disposed of at the correct retention period, and to provide all staff with clear instructions regarding the appropriate retention and disposal of such documentation.

RETENTION OF DOCUMENTS FOR LEGAL PURPOSES

Most legal proceedings are governed by 'the limitation acts' which state that legal claims may not be commenced after a specified period. the specified period varies, depending on the type of claim in question. The table below sets out the limitation periods for the different categories of claim.

Claims under category	Limitation period
Negligence (and other torts)	6 years
Defamation	1 year
Contract	6 years
Leases	12 years
Sums recoverable by statute	6 years
Personal injury	3 years
To recover land	12 years
Rent	6 years
Breach of trust	none

If a type of legal proceeding falls into two or more categories, the documentation will be kept for the longer of the limitation period. As there is no limitation period in respect of trust, the council will retain all trust deeds and schemes and other similar documentation whilst still of use to the Parish Council.

RETENTION OF ENCRYPTED DATA

For any information retained under this policy that is in an encrypted format, consideration must given to the secure storage of any encryption keys. Encryption keys must be retained for as long as the data that the keys decrypt is retained.

DISPOSAL OF DOCUMENTS OR DOCUMENTATION

Disposal can be achieved by a range of processes:

Any paper record containing confidential information must either be disposed of in a confidential waste bin or shredded using a cross-cut shredder.

Disposal of documents that do not contain confidential information may be disposed of in the normal way or recycled.

Computer files are deleted.

Transfer of document to external body - this method of disposal will be relevant where documents or records are of historic interest and/or have intrinsic value. such a third party could be the county archivist or a local museum.

DISPOSAL OF ELECTRICAL HARDWARE

IT equipment and devices that have the ability and capability to store personal data include: Laptops, Mobile phones, Multi-functional devices – printers / scanners, Servers, USB memory sticks and external hard drives.

IT equipment disposal must be managed by the Chair and Clerk in conjunction with the proper officer.

All computer equipment, recycling or refurbishing must be disposed of in accordance with the waste electric and electronic equipment regulations 2013.

DOCUMENTING DISPOSAL

HPC will keep a record detailing the document disposed of, the date, and the officer who authorised disposal. In particular, the record should be able to demonstrate that the disposal was in accordance with this policy or set out the reasons for departing from it.

Appendix 1 - Retention of documents required for the audit of parish councils

Document	Minimum retention period	Reason
Minutes books	indefinite	archive
Receipt and payment account(s)	indefinite	archive
Receipt books	6 years	VAT
Bank statements	last completed audit year	audit
Bank paying-in books	last completed audit year	audit
Cheque book stubs	last completed audit year	audit
Supplier contracts	6 years	limitation act 1980 (as amended)
Quotations/tenders	12 years	limitation act 1980 (as amended)
Paid invoices	6 years	vat
Paid cheques	6 years	limitation act 1980 (as amended)
VAT records	6 years	vat
Timesheets	last completed audit year	audit

Insurance policies	while valid	management
Certificates for insurance against liability for employees	40 years from date on which insurance commenced or was renewed	the employers' liability (compulsory insurance), regulations 1998 (si 2753), management
Title deeds, leases, agreements, contracts	indefinite	audit, management
Staff attendance records	indefinite	health & safety act 1974
Members allowances registers	6 years	limitation act 1980 (as amended)

Appendix 2 - Retention of documents required relating to information technology

Document	Minimum retention period	Reason
Email	2 years	to satisfy customer complaints
Electronic back up	12 months	to protect records from loss, destruction or falsification
Electronic files	3 years from date last used	to protect records from loss, destruction or falsification
All portable / removable storage media	At end of work cycle / project	data shall be copied or stored on removable media only by authorized users in the performance of official duties
Cryptographic keys – access limited to user / role	Encryption keys retained as long as data that the keys decrypt is retained	see appendix a relating to legislation in place

HOPTON CUM KNETTISHALL PARISH COUNCIL

POLICY AND PROCEDURE FOR HANDLING REQUESTS FOR INFORMATION

Hopton cum Knettishall Parish Council has adopted a Model Publication Scheme with effect from January 2021. This represents the Council's commitment to release information in a recognised format.

A guide detailing the information that is routinely published and how this information can be accessed is available on our website.

1. Verbal requests for information under the Freedom of Information Act 2000 (FOI) will be requested to be put in written form (email will be acceptable) giving the name, correspondence address and details of information required. Information requested under the Environmental Information Regulations Act 2004 (EIR) do not necessarily need to be in writing, although it is the Council's own policy that all such requests should be in written form. Requests for information do not need to refer to FOI or EIR.
2. The Parish Council shall provide proper advice and help to any member of the public seeking information.
3. The Clerk shall agree with the Chairman of the Parish Council whether the requested information is freely accessible, whether it is available in the requested form, whether a Refusal Notice needs to be served in respect of all or part of the requested information and what charges will be levied and the timescale for delivery of the information.
4. The Clerk shall acknowledge a request in writing within three days of receipt of the request and provide a date by which it is anticipated the information will be provided which shall be within 20 working days in normal circumstances. If it is not reasonably possible to provide the information within 20 working days of receipt of the information, the reasons for the delay and a target date shall be provided which must not exceed 40 working days.
5. A fee notice will be issued (if applicable) confirming that the information is held and giving an estimate of the cost of providing the information within a limit of £450. The Council may refuse requests that exceed this limit in which case a refusal notice will be issued (see Policy Reference 6 and 7). Where a fee is to be charged no information will be provided until after the fee has been received, the 20-day period will be extended by up to three months awaiting payment. After the fee has been received, a response will be given within 20 days.
6. If a Refusal Notice is issued in respect of all or part of the requested information it shall state that the Parish Council is relying upon an exemption and why it applies. Details of the Internal Review procedure shall be enclosed with the Notice and the right of appeal to the Information Commissioner.
7. If a Refusal Notice is issued in respect of all or part of the requested information for any of the following reasons:
 - i. The cost of complying with the request will exceed £450
 - ii. The Parish Council is unable to identify the information despite every reasonable attempt so to do.
 - iii. The Parish Council considers the request to be vexatious (ie to cause harm and/or annoyance rather than to obtain information)
 - iv. The information has already been provided or is freely accessible without reference to the Parish Council then details of the right of appeal to the Information Commissioner shall be provided.
8. If the requested information cannot be found within the Parish Council records then the applicant shall be advised, accordingly, as soon as the search is completed. Details of the Internal Review procedure shall be provided and of the right of appeal to the Information Commissioner.
9. Provided the fee is paid and no exemptions apply the Council are obliged to disclose the information.
10. The Parish Council shall maintain a record of FOI requests.

HOPTON CUM KNETTISHALL PARISH COUNCIL

Information available from Hopton cum Knettishall Parish Council under the model publication scheme

Information to be published	How the information can be obtained
<p>Class 1 - who we are and what we do</p> <p>Current information only</p> <ul style="list-style-type: none"> • Who's who on the Council • Contact details for Parish Clerk • Contact details (in accordance with GDPR) for Council members • Details of accessibility to Parish Council 	<p>Available free on website http://hoptoncumknettishall.onesuffolk.net/parish-council/</p> <p>Available free on noticeboards</p>
<p>Class 2 – What we spend and how we spend it</p> <ul style="list-style-type: none"> • Current and previous financial year's accounts • Annual Governance and Accountability Return Form • Internal Auditor's Report • Finalised Budget • Precept Details • Financial Regulations & Risk Assessment • Grants received • Grants given • List of contracts awarded and value of contract (if applicable) 	<p>Available free on website http://hoptoncumknettishall.onesuffolk.net/parish-council/</p>
<p>Class 3 – What our priorities are and how we are doing</p> <ul style="list-style-type: none"> • Annual Report to Parish Meeting 	<p>Available free on website http://hoptoncumknettishall.onesuffolk.net/parish-council/</p>
<p>Class 4 – How we make decisions</p> <ul style="list-style-type: none"> • Timetable of Parish Council Meetings for current year • Agendas of meetings • Minutes of meetings (this will exclude information that is properly regarded as private to the meeting) 	<p>Available free on website http://hoptoncumknettishall.onesuffolk.net/parish-council/</p>

<ul style="list-style-type: none"> • Responses to consultation papers • Responses to planning application 	<p>On request to the Parish Clerk Included within the minutes or available on the Local Planning Authority's website https://planning.westsuffolk.gov.uk/online-applications/</p>
<p>Class 5 – Our policies and procedures</p> <ul style="list-style-type: none"> • Standing Orders • Code of Conduct • Grant Awarding • Data Protection • Freedom of Information • Complaints • Health & Safety • Recruitment • Employees Code of Conduct and Grievance • Disciplinary Procedure 	<p>Available free on website http://hoptoncumknettishall.onesuffolk.net/parish-council/</p>
<p>Class 6 – Lists and Registers</p> <ul style="list-style-type: none"> • Assets Register • Register of Members' Interests • Disclosure Log (indicating the information which has been provided in response to requests) 	<p>Available free on website http://hoptoncumknettishall.onesuffolk.net/parish-council/</p>
<p>Class 7 – The services we offer</p> <ul style="list-style-type: none"> • Upkeep of cemetery • Insurance of village assets • Publicity • Maintenance of website • Grant funding to support village clubs and groups 	<p>Available on website or on request to the Parish Clerk</p>

SCHEDULE OF CHARGES – where applicable

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

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE – cost of stationery & admin time
Disbursement cost	Printing @ £1 first sheet then 10p per sheet (black & white) or 15p per sheet (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2nd class
Statutory Fee		In accordance with the relevant legislation

HOPTON CUM KNETTISHALL PARISH COUNCIL
COMPLAINTS PROCEDURE

Hopton cum Knettishall Parish Council strives to provide a high standard of service to the public. In the interests of openness and the desire to seek continuous improvement, the Council encourages anyone who feels dissatisfied with the service provided to bring this to the attention of the Council.

In some instances, it will be appropriate for an explanation to be given and/or remedial action taken.

Where a formal complaint is submitted in writing, a proportionate investigation will be conducted and the outcome communicated back to the complainant in writing.

How to make a complaint about the Council

Enquiries or observations about the Council can be made by e-mail to hoptonpc@outlook.com

Formal complaints must be submitted in writing to the Clerk at Hopton cum Knettishall Parish Council, Underwood House, The Street, Rickinghall, Diss IP22 1DZ or by e-mail to hoptonpc@outlook.com

If the matter relates directly to the Clerk, the complaint should be addressed to the Chairman of the Council.

Confidentiality

All complaints will be treated as confidential. Even where the complainant specifically waives their right to confidentiality, the Council will comply with its obligations under the Data Protection Act 2018 to safeguard against the unlawful disclosure of personal data.

Any meeting of the Council, or a committee or sub-committee considering a complaint or inviting the complainant to make representations will exclude the public. Agendas and minutes will not disclose personal data or financial, sensitive or confidential information relating to an individual complainant or a third party.

Acknowledgment of a formal complaint

Receipt of the complaint will be acknowledged within 7 working days.

A response will be sent within 30 working days specifying:

- who is dealing with the complaint
- whether the complainant will have an opportunity to make verbal representations, accompanied by a friend if desired
- the timeframe for receipt of a formal response

Investigation

It will usually be appropriate for the circumstances leading to the complaint to be investigated by the Clerk on behalf of the Council. Complaints of a serious nature or any that relate directly to the Clerk will be dealt with by the Council (or sub-committee).

Where appropriate, the complainant will be invited to make verbal representations to the person (or sub-committee) investigating.

In normal circumstances, the complainant will be notified in writing (e-mail if appropriate) of the outcome within three months of lodging the complaint. This will include whether or not the complaint is upheld, reasons for the decision, details of any action taken and information about the right of appeal.

Appeals

If the complainant is not satisfied with how a complaint has been dealt with, they can appeal in writing to the Council, setting out what they are unhappy with and the grounds.

The appeal will be considered by a sub-committee formed of persons not previously involved in the investigation of the original complaint. This will consist of a review of the original investigation and outcome, together with any action taken as a result.

Appeals received more than one month after the date of the decision letter/e-mail will not be considered.

Complaints involving members of staff or councillors, etc.

Where a complaint against the Council includes reference to the actions or conduct of staff or councillors, the complaint will be treated as a complaint against the body corporate, as opposed to the individual(s). If after the complaint has been considered the Council considers there may be a need to take disciplinary action against a member of staff, this will be dealt with in accordance with its disciplinary procedure.

Allegations that a member has breached the Code of Conduct should be forwarded to the Monitoring Officer of West Suffolk Council in writing.

https://www.westsuffolk.gov.uk/Council/Councillors_and_meetings/councillorsconduct.cfm

Councillors are free to raise matters of concern in respect of council business by the submission of motions on the agenda of the relevant meeting(s).

Where a member of staff has a complaint about the workplace, these should be raised in accordance with the Council's grievance procedure.

Local Government Ombudsman <https://www.lgo.org.uk/>

The Local Government Ombudsman deals with complaints against principal authorities (district, borough and county councils) and certain other public sector bodies.

It is not responsible for handling complaints against a town or parish council, except where it is working with a principal authority (through a joint committee), or it is exercising the functions of a principal authority.

Unreasonable, unreasonably persistent or vexatious complainant behaviour

Where the Council considers a complainant acts unreasonably or in a vexatious manner, or unreasonably persists with their complaint, the Council will act robustly to maintain the proportionate and balanced use of resources in the interests of the community as a whole, or to protect its staff (or those of its contractors) from unreasonable or distressing behaviour. In seeking to achieve this, the Council will consider all options available to it which may include providing the complainant with acknowledgements only of letters or emails; or, ultimately, it may inform the complainant that future correspondence will be placed on file, but not acknowledged. The Council reserves the right, exceptionally, to terminate communications immediately with a complainant. The complainant will be informed in writing of the decision that has been taken, the reason and the period during which any restriction will apply.