

GODALMING TOWN COUNCIL – TRAINING – STATEMENT OF INTENT

1. COMMITMENT TO TRAINING	Godalming Town Council is committed to reaching and maintaining the standards expected from staff and Members through identifying appropriate training needs and providing sufficient resources for its provision.
2. TRAINING NEEDS	<p>The Town Council acknowledges that it is equally important to train both its Members and staff in order to adequately carry out its service provision in an efficient and professional manner. Training will primarily focus on specific topics and areas of work pertinent to local government and may also encompass other relevant training that will enhance the professional skills of staff, benefit Members and thereby improve service delivery.</p> <p>Training may include:</p> <ul style="list-style-type: none"> ➤ Formal training courses ➤ Briefings and seminars ➤ Conferences such as SSALC, NALC regional and national
3. IDENTIFYING TRAINING NEEDS	<p>The training needs of staff will be identified mainly through the annual appraisal system. However, should there be a need for staff training due to the introduction of new equipment or the need for specialist knowledge then appropriate training will be provided.</p> <p>All new Councillors will be expected to undergo induction training to include training on the Code of Conduct.</p> <p>A new Chairman will be encouraged to undergo appropriate training in Chairmanship</p> <p>The Town Clerk will inform Members of the availability of appropriate training/briefing sessions. Changes in legislation may also give rise to the need for appropriate training. Members will be asked annually to identify their own specific training needs.</p> <p>It is noted that some Members will have undertaken relevant training elsewhere and this will be taken into account.</p>
4. RESOURCING TRAINING	Training will be resourced by making the funds available in the budget to ensure that staff and Members are suitably qualified to carry out their functions and duties. Funds will be made available for appropriate technical and other information, as required. The Training budget will be assessed as part of the annual budget setting process.
5. MEASURING THE IMPACT OF TRAINED STAFF AND MEMBERS	<p>The impact of training will be measured through the council's service delivery. Well trained staff and Members will see the benefits through its successes such as:</p> <ul style="list-style-type: none"> ➤ Well chaired council meetings ➤ Professional and pertinent observations ➤ Well written policies and reports ➤ Well managed projects ➤ Well managed finances ➤ Well informed staff and Members ➤ The professional conduct of staff and Members ➤ The maintenance of the General Power of Competence

TREASURY AND INVESTMENT POLICY

INTRODUCTION

Godalming Town Council (the 'Council') acknowledges the importance of prudently investing the temporary surplus funds held on behalf of the community as part of its fiduciary duty. In preparing its investment policy the Council is required under Section 15(1) of the Local Government Act 2003 to have regard to the requirements set in the Department for Communities and Local Government *Statutory Guidance on Local Government Investments* and guidance within *Governance and Accountability for Local Council's Practitioners Guide 2016*.

The Local Government Act 2003 states that a local authority may invest:

- For any purpose relevant to its functions under any enactment;
- For the purpose of prudent management of its financial affairs.

The *Statutory Guidance on Local Government Investments* defines an investment as '*all of the financial assets of a local authority as well as other non-financial assets that the organisation holds primarily or partially to generate a profit*'. This may therefore include investments that are not managed as part of normal treasury management processes or under treasury management delegations.

The Council defines its treasury management activities as '*the management of the Council's cash flows, its banking transactions, the effective control of the risks associated with those activities and the pursuit of best value performance consistent with those risks*'.

The Council defines its non-financial assets held to partially generate a profit as '*all of the buildings where rent or hireage fees are charged*'.

TREASURY INVESTMENT OBJECTIVES

The Council's treasury investment priorities are the security of reserves and liquidity of its investments. The Council will aim to achieve the optimum return on its investments commensurate with proper levels of security and liquidity.

All investments will be made in Sterling.

The Department for Communities and Local Government maintains that borrowing of monies purely to invest, or lend and make a return, is unlawful and the Council may not engage in such activity.

SHORT TERM TREASURY INVESTMENTS

Short term investments are those offering high security and high availability, made in Sterling and maturing within two years.

For the prudent management of its treasury balances whilst maintaining sufficient levels of security and liquidity, the Council will use deposits with banks and building societies, Licensed Deposit Takers (licensed by either the Prudential Regulation Authority or Financial Conduct Authority), UK local authorities and other UK public authorities.

Institutions should meet the required rating at the time of investment.

Required ratings:

Type	Minimum Rating	Definition		
	Fitch	Moody's	S&P	
Short Term investments (maturities of less than one year)	F1	P-1	A2	Strong capacity to meet financial commitments. Low to medium risk. Numeral indicates higher end of rating
Medium Term investments (maturities of up to five years)	AA	AA	AA	Strong capacity to meet Financial commitments, but somewhat susceptible to adverse economic conditions and changes in circumstances. Low to medium risk.

The Responsible Finance Officer, in consultation with the Chairman of the Audit Committee and Proper Officer, shall have the delegated power to invest in short term investments, with any such investment reported to the next Full Council meeting. The Council is ultimately responsible for its investments.

NON-SPECIFIED TREASURY INVESTMENT

These investments have greater potential risk – examples include investment in money markets, stocks and shares.

Given the unpredictability and uncertainties surrounding such investments, the Council will not use this type of investment.

LONG TERM TREASURY INVESTMENTS

Long term treasury investments shall be defined as greater than two years. The Council will use the same criteria for assessing long term investment as for short term investments. Should the Council wish to invest for periods greater than two years, it **must** identify the procedures for monitoring, assessing and mitigating the risk of loss of invested sums before committing to such an investment. The Responsible Finance Officer shall require Full Council approval before entering into any long term investment. The Council is ultimately responsible for its investments.

NON-FINANCIAL ASSETS

The Council's strategy in relation to the buildings it holds for income generation is to undertake regular maintenance to ensure they remain in proper working order, and to accumulate sufficient reserves to enable any major maintenance works to be completed as and when required.

The Council will also ensure that adequate insurance cover is held to mitigate the loss of income should significant damage ever occur.

REVIEW AND AMENDMENT

As recommended under the *Statutory Guidance on Local Government Investments*, this policy will be reviewed annually by the Audit Committee and ratified each year by Full Council.

The Council does not normally employ in-house or external financial advisors but will rely on information which is publically available.

The Council reserves the right to make variations to the Policy at any time, subject to the approval of Full Council. Any variations will be made available to the public.

FREEDOM OF INFORMATION

In accordance with the Freedom of Information Act 2000, this document will be published on the Council's website and a hard copy will be available from the Council's office.



Godalming
Town Council

Supporting Our Community

GODALMING TOWN COUNCIL

STANDING ORDERS

**For Adoption by Full Council on
19 JULY 2018**

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Section One: Meetings

Mandatory for Full Council meetings ●

Mandatory for committee meetings ●

References to committees shall apply equally to sub-committees

1. **Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost. ●**
2. **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning. ●**
3. **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice. ●**
4. **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion. ● ●**
5. **Members of the public on the electoral roll of Godalming Town Council; or a young person under 18 whose parent or guardian is on the electoral roll; or with business premises in the town (evidenced by a business rates bill); or user of the Town Council's premises; may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda, providing they have given at least two clear days' notice to the Town Clerk, in writing of the subject matter and the Town Clerk shall be satisfied that it is a proper matter to be brought before the Council.**
 - a. **The period of time designated for public participation at a meeting in accordance with Standing Order 4 shall not exceed 15 minutes unless directed by the chairman of the meeting.**
 - b. **Subject to Standing Order 5a. a member of the public shall not speak for more than**

- 4 minutes.
- c. A question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
 - d. A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
 - e. Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
6. **Subject to Standing Order 7 below, a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To 'report' means to film, photograph, make an audio recording of the meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report of commentary is available as the meeting takes place or later to persons not present.**
7. **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission. ●●**
8. **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present. ●●**
9. **Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one). ●**
10. **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman (if there is one), if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting. ●**
11. **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting. ●●**
12. **The Chairman may give an original vote on any matter put to the vote, and in the**

- case of an equality of votes may exercise a casting vote whether or not the Chairman gave on original vote. (See also Standing Orders 27 and 28 below.) ● ●**
13. **Unless Standing Orders provide otherwise, voting on any question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda. ●
14. **The minutes of a meeting shall include an accurate record of the following:**
- i. The time and place of the meeting;
 - ii. The names of councillors who are present and the names of councillors who are absent;
 - iii. Interest that have been declared by councillors and non-councillors with voting rights;
 - iv. The grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - v. Whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered
 - vi. If there was a public participation sessions; and
 - vii. The resolutions made.
15. A councillor shall submit apologies for absence to the Town Clerk prior to a meeting.
16. During a prolonged period of absence a meeting may be asked to approve, by a resolution, a councillor's reason for absence, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
17. **A councillor or non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on the matter. ● ●**
18. **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting. ● ●**
19. Meetings shall not exceed a period of three hours or by resolution of the meeting three hours and thirty minutes.

Section Two: Ordinary Council meetings

See also Section One above

20. In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.
21. In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.
22. **If no other time is fixed, the annual meeting of the Council shall take place at 6.00pm.**
23. In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.
24. **The first business conducted at the annual meeting of the Council shall be the election of the Chairman (Town Mayor) and Vice-Chairman (Deputy Town Mayor) (if there is one) of the Council.**
25. **The Town Mayor (Chairman of the Council), unless the individual has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until a new Town Mayor (Chairman of the Council) is elected at the next annual meeting of the Council.**
26. **The Deputy Town Mayor (Vice-Chairman of the Council), unless the individual has resigned or becomes disqualified, shall hold office until immediately after the election of the Town Mayor (Chairman of the Council) at the next annual meeting of the Council.**
27. **In an election year, if the current Town Mayor (Chairman of the Council) has not been re-elected as a member of the Council, that Town Mayor shall nonetheless preside at the annual meeting until a successor Town Mayor has been elected. The current Town Mayor shall not have an original vote in respect of the election of the new Town Mayor but must give a casting vote in the case of an equality of votes.**
28. **In an election year, if the current Town Mayor (Chairman of the Council) has been**

re-elected as a member of the Council, that Town Mayor shall preside at the meeting until a new Town Mayor has been elected. The current Town Mayor may exercise an original vote in respect of the election of the new Town Mayor and shall give a casting vote in the case of an equality of votes.

29. Following the election of the Town Mayor (Chairman of the Council) and Deputy Town Mayor (Vice Chairman of the Council) (if there is one) at the annual meeting, the business shall include:
- i. **In an election year, delivery by the Town Mayor (Chairman of the Council) and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Town Mayor (Chairman of the Council) of his acceptance of office form unless the Council resolves for this to be done at a later date.**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
 - iii. Receipt of nominations to existing committees.
 - iv. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
 - v. Review and adoption of appropriate Standing Orders and Financial Regulations.
 - vi. In a year of elections, review of arrangements for the Godalming Joint Burial Committee and receipt of nominations to that Committee.
 - vii. Review of representation on or work with external bodies and arrangements for reporting back.
 - viii. In a year of elections, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future.
 - ix. Setting the dates, times and place of ordinary meetings of the Full Council for the year ahead, if not already set.

Section Three: Proper Officer

30. The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
31. The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Finance Officer.
32. The Proper Officer shall:
 - i. **At least three clear days before a meeting of the Council, a committee or sub-committee,**
 - **Serve on councillors by delivery or post at their residence or by email authenticated in such a manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

See Standing Order 2 for the meaning of clear days for a meeting of the Full Council and Standing Order 3 meeting of a committee.

- ii. Subject to Standing Order 34-41, include on the agenda all motions in the order received unless a councillor has given written notice at least 7 days before the meeting confirming his withdrawal of it;
- iii. **Convene a meeting of the Council for the election of a new Town Mayor (Chairman of the Council), occasioned by a casual vacancy in his office;**
- iv. **Facilitate inspection of the minute book by local government electors;**
- v. **Receive and retain copies of byelaws made by other local authorities;**
- vi. Hold acceptance of office forms from councillors;
- vii. Hold a copy of every councillors' register of interests;
- viii. Assist with responding to requests made under the freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. Liaise, as appropriate, with the Council's Data Protection Officer;
- x. Receive and send general correspondence and notices on behalf of the Council

- except where there is a resolution to the contrary;
 - xi. Assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information and other legitimate requirements (eg. The Limitation Act 1980);
 - xii. Arrange for deeds to be executed; (*see also Standing Orders 91 & 92*);
 - xiii. After consultation with the Chairman of the Policy & Management Committee, and where appropriate the Chairman of the Joint Burial Committee, along with the appropriate Wards Members, respond on behalf of Godalming Town Council/Godalming Joint Burial Committee to interested party's planning notification letters received by Godalming Town Council or the Joint Burial Committee relating to applications on premises adjacent to council land/property;
 - xiv. Manage access to information about the Council via the publication scheme; and
 - xv. Retain custody of the seal of the Council (if there is one) which shall not be used without resolution to that effect. (*See also Standing Orders 92 & 93*).
33. The Responsible Finance Officer shall do the following:
- i. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's Financial Regulations.

Section Four: Motions requiring written notice

34. In accordance with Standing Order 32 ii above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least nine clear days before the next meeting.
35. The Proper Officer may, before including a motion in the agenda received in accordance with Standing Order 34 above, correct obvious grammatical or typographical errors in the wording of the motion.
36. If the Proper Officer considers the wording of a motion received in accordance with Standing Order 34 above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least four clear days before the meeting.
37. If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
38. Having consulted the Chairman or councillors pursuant to Standing Order 37 above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
39. Motions received shall be recorded and numbered in the order that they are received.
40. Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for the rejection.
41. A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.

Section Five: Motions not requiring written notice

42. The following motions may be moved at a meeting without written notice to the Proper Officer:
- i. To correct an inaccuracy in the draft minutes of a meeting;
 - ii. To move to a vote;
 - iii. To defer consideration of a motion;
 - iv. To refer a motion to a particular committee or sub-committee;
 - v. To appoint a person to preside at a meeting;
 - vi. To change the order of business on the agenda;
 - vii. To proceed to the next business on the agenda;
 - viii. To require a written report;
 - ix. To appoint a committee or sub-committee and their members;
 - x. To extend time limits for speaking;
 - xi. To exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
 - xii. To not hear further from a councillor or a member of the public;
 - xiii. To exclude a councillor or member of the public for disorderly conduct;
 - xiv. To temporarily suspend the meeting;
 - xv. To suspend a particular Standing Order (**unless it reflects mandatory statutory or legal requirements**);
 - xvi. To adjourn the meeting;
 - xvii. To close the meeting.

Section Six: Rules of debate

43. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
44. Subject to Standing Orders 34-41 above, a motion shall not be considered unless it has been proposed and seconded.
45. Subject to Standing Order 32 ii above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
46. An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chairman of the meeting, is expressed in writing to the Chairman.
47. A councillor may move amendments to their own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
48. Any amendment to a motion shall be either:
 - i. to leave out words;
 - ii. to add words;
 - iii. to leave out words and add other words.The amendment shall not negate the motion.
49. A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
50. Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
51. One or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
52. The number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
53. If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.

54. If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
55. The mover of an amendment has not right of reply at the end of debate on it.
56. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
57. Unless permitted by the Chairman of the meeting, a councillor may speak once in the debate on a motion except:
- i. To speak on an amendment moved by another councillor;
 - ii. To move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. To make a point of order;
 - iv. To give a personal explanation; or
 - v. To exercise a right of reply.
58. During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the Standing Order which that councillor considers has been breached or specify the irregularity in the meeting which concerns the councillor.
59. A point of order shall be decided by the Chairman and the Chairman's decision shall be final.
60. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
61. Subject to Standing Order 58 above, when a councillor's motion is under debate no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be silent or for that person to leave the meeting;

- vi. to refer a motion to a committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting;
 - ix. to suspend any Standing Order, except those which are mandatory.
62. Before an original or substantive motion is put to the vote, the Chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
63. Excluding motions under Standing Order 60, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 2 minutes without the consent of the Chairman of the meeting.

Section Seven: Code of Conduct

64. All councillors shall observe the Code of Conduct adopted by the Council.
65. Unless granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which that councillor has a disclosable pecuniary interest. The councillor may return to the meeting after it has considered the matter in which he had the interest.
66. **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
67. A decision as to whether to grant a dispensation shall be made by the Proper Officer or by a meeting of the Council, or committee for which the dispensation is required and that decision is final.
68. A dispensation request shall confirm:
- i. The description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. Whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. The date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. An explanation as to why the dispensation is sought
69. Subject to standing orders **66** and **67** above, dispensations requests shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required or at the beginning of the meeting of the council, or committee or for which the dispensation is required.
70. **A dispensation may be granted in accordance with standing order **67** above if having regard to all relevant circumstances the following applies:**
- i. **Without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - ii. **Granting the dispensation is in the interests of persons living in the Council's area or**
 - iii. **It is otherwise appropriate to grant a dispensation**

71. Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to Standing Orders 166 to 169, report to this Council.
72. Where notification in Standing Order 71 relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Town Mayor (Chairman of the Council) of this fact, and the Town Mayor (Chairman of the Council) shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with Standing Order 73.
73. The Council may:
 - i. Provide information or evidence where such a disclosure is necessary to investigate the complaint or it is a legal requirement;
 - ii. Seek information relevant to the complaint from the person or body with statutory responsibility for the investigation of the matter.
74. **Upon notification by the district or unitary council that a councillor has breached the Council's Code of Conduct, the council shall consider what, if any, action to take against that councillor. Such action excludes disqualification or suspension from office.**

Section Eight: Questions

75. A councillor may seek an answer to a question concerning any business of the Council provided two clear days' notice of the question has been given to the Proper Officer.
76. Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
77. Every question shall be put and answered without discussion.

Section Nine: Minutes

78. If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
79. No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with Standing Order 42i above.
80. Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
81. If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, that Chairman shall sign the minutes and include a paragraph in the following terms or to the same effect:
- “The Chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but that view was not upheld by the majority of the () and the minutes are confirmed as an accurate record of the proceedings.”
82. **Following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.**

Section Ten: Disorderly conduct

83. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this Standing Order is ignored, the Chairman of the meeting shall request such person(s) to moderate or improve their conduct.
84. If person(s) disregard the request of the Chairman of the meeting to moderate or improve their conduct, any councillor or the Chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
85. If a resolution made under Standing Order **84** above is ignored, the Chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

Section Eleven: Rescission of previous resolutions

86. A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 16 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
87. When a special motion or any other motion moved pursuant to Standing Order 86 above has been disposed of, no similar motion may be moved within a further 6 months. This Standing Order and Standing Order 86 shall apply mutatis mutandis to the proceedings of Committees.

Section Twelve: Voting on appointments

88. Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the **Town Mayor's (Chairman of the Council's)** casting vote.

Section Thirteen: Accounts & accounting statements

89. Accounts and Accounting Statement

- a. "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c. The Responsible Finance Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. The Council's receipts and payments (or income and expenditure) for each quarter;
 - ii. The Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. The balances held at the end of the quarter being reported, and

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

90. As soon as possible after the financial year end at 31 March, the Responsible Finance Officer shall provide:

- a. Each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
- b. To the Council the accounting statement for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval.

91. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at

least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

Section Fourteen: Execution and sealing of legal deeds

92. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
93. **In accordance with a resolution made under Standing Order 91 above, the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of the Town Mayor (Chairman of the Council) (or in the Town Mayor's (Chairman of the Council's absence the Deputy Town Mayor) and another member of the Council. Both the Town Mayor (Chairman of the Council) (or Deputy Town Mayor) and the member shall sign the deed as witnesses.**

Section Fifteen: Committees

See also Standing Orders 1-18 above

94. For the conduct of day to day business of the Council there shall be established four standing committees to be known as the:
- Policy & Management Committee
 - Mayoralty Committee
 - Audit Committee
 - Staffing Committee
95. **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- a. The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**

The terms of reference of the standing committees shall be as follows:

Policy & Management Committee

96. Purpose of the Policy & Management Committee

To address and, where appropriate, formulate policy for consideration by the Council; to manage the Council's financial and other assets as delegated by the Council; to secure the good governance of the Council's affairs, including the management of staffing and appointments, media relations, external relationships, committee arrangements and day to day business and to discharge the Council's functions relating to the local environment and infrastructure

97. Functions of the Policy & Management Committee

- i. To identify key policy issues facing the Council and to formulate, for the Council's consideration, its strategies and timetables for dealing with them;
- ii. To maintain an overview of Council initiatives and report to the Council on their impact and effectiveness;
- iii. To make recommendations to the Council on constitutional issues;
- iv. To ensure the Council is adequately resourced to achieve its aims;
- v. To prepare annual budgets reflecting the Council's agreed strategy and priorities, putting these forward for the Council's approval and recommend a

- precept to the Full Council;
- vi. To secure effective control of expenditure authorising items of expenditure on behalf of the Council and to scrutinising expenditure against budgets through the year;
 - vii. To appoint the auditors of the accounts;
 - viii. To consider the audited accounts and report on them to the Council;
 - ix. To make recommendations to the Council on charges for the use of Council properties; and on other fees and charges;
 - x. To decide on applications for grants made by local organisations;
 - xi. To oversee the Council's banking and investment arrangements and keep investment policy under review;
 - xii. To ensure the proper management of the properties and amenities owned, controlled or provided by the Council;
 - xiii. To develop strategy on media relations, and to formulate policy on public participation;
 - xiv. In consultation with the Town Clerk, to agree principles for the Management of Committee business;
 - xv. To recommend appointment to outside bodies;
 - xvi. To act as a channel for communications with external organisations;
 - xvii. To prepare the Council's report presented at the Annual Town Meeting; and
 - xviii. To oversee the maintenance and development of the Council's website.
 - xix. To formulate, for the Council's consideration, policy towards the natural and built environment and principles to guide the Council's consideration of specific issues and proposals;
 - xx. To consider and comment on policy proposals and initiatives by the Government or other authorities which have implications for the Town's environment, highways and amenities;
 - xxi. To consider and comment on applications for planning permission and other matters within the terms of the Town and Country Planning Acts and related legislation which have been referred to the committee by a ward councillor;
 - xxii. On behalf of the Council, to take all action that the Council can lawfully take in relation to such matters.

Staffing Committee

98. Purpose of the Staffing Committee

To consider all matters relating to the appointment and management of Council staff.

99. Functions of the Staffing Committee

- i. To oversee the appointment and management of Council staff, delegating responsibility to the Town Clerk as they consider appropriate, or to an interview panel, but acting subject to the approval of the Full Council in relation to the appointment of the Town Clerk, Deputy Town Clerk and Responsible Finance Officer
- ii. To provide support to and management of the Town Clerk. Monitor and manage hours of working, home working, annual/flexi/compassionate/time off in lieu leave and absences and sick leave.
- iii. Review employee's remuneration and make recommendations thereon to The Council
- iv. Review Conditions of Employment, Contracts of Employment and Job Descriptions as appropriate to ensure they meet the needs of the Council and comply with relevant legislation and established good practice
- v. To review the staffing structures to ensure they are sufficient to deliver the aims of The Council
- vi. Develop, implement and review Employment related Policies
- vii. Manage The Council's compliance with Employment legislation
- viii. Ensure an appropriate Appraisal system is in place and monitor the effectiveness of the system
- ix. Provide appropriately trained Members to conduct the Appraisal(s) of the Town Clerk
- x. Set appropriate SMART objectives for the Town Clerk based on the aims and priorities of The Council
- xi. Hold regular informal meetings with the Town Clerk and Staff to discuss and review employment matters
- xii. Ensure appropriate arrangements are in place to support staff development and training and to ensure that such training is in line with the allocated funds.
- xiii. Make appropriate recommendations to The Council where an identified training need would exceed the allocated funding
- xiv. Manage Disciplinary and Grievance procedures in accordance with the appropriate council policy and processes
- xv. Where necessary recommend appropriate actions to The Council
- xvi. If required appoint an appeals panel drawn from Members of the Staffing Committee or from an external body as appropriate to the circumstances -

100. Delegated Spending Authority

In order to undertake its functions, the Staffing Committee is authorised to spend up to £5,000 per annum allocated from the professional fees revenue budget when such expenditure is agreed by a resolution of the committee. Expenditure requirements in excess of the authorised limit to be agreed in advance of expenditure commitment by resolution of the Council or, if expediency is required the Policy & Management Committee.

Mayoralty Committee

101. Purpose of the Mayoralty Committee

To consider and make recommendations to the Full Council on the selection and appointment of the Town Mayor (Chairman of the Council) and Deputy Town Mayor

102. Functions of the Mayoralty Committee

- i. To recommend to the Full Council a policy for the appointment of Town Mayor (Chairman of the Council) and Deputy Town Mayor and to keep it under review;
- ii. To nominate a Town Mayor (Chairman of the Council) and Deputy Town Mayor each year for approval by the Council;
- iii. To consider and determine in consultation with the Town Mayor (Chairman of the Council) all matters relating to the Council's civic and ceremonial functions, and events; and
- iv. To recommend to Full Council an allowance for the Town Mayor (Chairman of the Council).

Audit Committee

103. Purpose of the Audit Committee

To provide assurance of the adequacy of the risk management framework and the associated control environment, and to oversee the financial reporting process.

104. Functions of the Audit Committee

- i. To consider the effectiveness of the Council's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements;
- ii. To review annually the effectiveness of internal audit;

- iii. To receive all reports from the internal auditor; and
- iv. To review the financial statements, external auditor's opinion and reports to members, and monitor management action in response to the issues raised by external audit

Accountability of Committees

- 105. The Standing Committees shall be accountable to the Council and shall report to each meeting of the Council except for the Statutory Annual Meeting. Composition of Committees
- 106. The Policy & Management Committee shall comprise 19 councillors. The Town Mayor (Chairman of the Council) shall not be a member of the Policy & Management Committee.
- 107. The Staffing Committee shall comprise six councillors of whom one will be the Chairman of the Policy & Management Committee, The Town Mayor (Chairman of the Council) shall not be a member of the Staffing Committee
- 108. Meetings of the Staffing Committee shall be called by the Chairman of the Committee as required; the Committee shall be responsible for nominating the Committee Clerk, who may be drawn from The Council's Officers or Committee Members as appropriate, the Chairman is to ensure that minutes are provided within 4 days of the close of the meeting.
- 109. The Mayoralty Committee shall comprise six councillors of which at least three (if that is possible) shall have served as Town Mayor (Chairman of the Council).
- 110. Meetings of the Mayoralty Committee shall be called by the Town Clerk as required; the Town Clerk shall be responsible for Clerking the Committee.
- 111. The Audit Committee shall comprise five councillors, one of whom shall be a Godalming Town Council member of the Godalming Joint Burial Committee, The Town Mayor (Chairman of the Council) shall not be a member of the Audit Committee
- 112. Meetings of the Audit Committee shall be called by the Chairman of the Committee as required; the Responsible Finance Officer shall be responsible for Clerking the Committee.

Substitutes

113. Substitutes may be used when councillors are unable to attend meetings of the Mayoralty Committee or Staffing Committee or Audit Committee or Neighbourhood Plan Ad Hoc Advisory Group. Such substitutes may be called for any Committee meeting up to 4.00 pm on the day of the meeting.

114. Substitutes shall be of the same political group as that of the councillor being substituted.

115. The maximum number of substitutes permitted per Committee shall be as follows:

Staffing Committee	3
Audit Committee	3
Mayoralty Committee	3
Neighbourhood Plan Ad Hoc Advisory Group	3

(Substitutes for the Mayoralty Committee must be qualified in accordance with Standing Order 108.)

Frequency of Committee Meetings

116. As far as practicable the Policy & Management Committee will meet approximately every six weeks. The Staffing Committee, Audit Committee, Mayoralty Committee and the Neighbourhood Plan Ad Hoc Advisory Group will meet as and when required.

Appointment of Committee Members

117. At least four weeks before the first business meeting of the Council after 1 May each year, the Town Clerk shall invite every councillor to state his/her preference for service on the Staffing Committee, Audit Committee, the Mayoralty Committee and/or and the Neighbourhood Plan Ad Hoc Advisory Group. The Town Clerk shall also determine the number of places on those four Committees which are to be filled by the members of each political group represented on the Council, ensuring, as far as possible, that the allocation of places reflects the balance of political representation on the Council as a whole.

118. The Council shall then appoint councillors to Committees at its first business meeting, having regard both to the preferences expressed by members and the provisions of

Standing Order 116.

Term of Office of Standing Committees

119. The Council will determine the term of office of members of Standing Committees. In the absence of any decision, by the Council, to the contrary committee members will hold office until:
- i. They resign, collectively or individually and their successors are appointed; or
 - ii. A review of committee places by the Council; or
 - iii. Resignation as a member or members of the Council; or
 - iv. The first business meeting of the next Local Government Year. In an election year they shall retire when the Council is dissolved for the election.

Election of Chairmen and Vice-Chairmen

120. Each Standing Committee shall elect a Chairman and Vice-Chairman from among their number at meetings convened for this purpose or during the annual meeting of the Council at which the members of Standing Committees are appointed.
121. The term of office of Committee Chairmen and Vice-Chairmen shall be the same as that of their Committee. Chairmen and Vice-Chairmen may be re-elected for second and subsequent terms of office.

Procedure at Standing Committees

122. Agendas and any supporting papers, reports and minutes of all standing committees shall be circulated to all councillors at the same time as they are circulated to members of committees with the exception of confidential papers, reports and minutes of the Staffing Committee, which shall only be circulated to members of the relevant committee.
123. Any councillor, having given notice to the Chairman and the Town Clerk may attend any meeting of any Standing Committee and may address that meeting on an agenda item with the leave of the person in the chair for that meeting.
124. The provisions of Standing Orders 1 to 18 shall apply mutatis mutandis to all Committee proceedings provided that where, at any Committee, any resolution is carried by a majority of less than two votes, then immediately after the vote is taken it shall be open to any councillor present to propose that the motion shall be referred to the Town Council in the form of a recommendation for adoption at its next meeting. If such a

proposition is supported by not less than one third of the councillors present at the meeting then the motion to which it relates shall be treated as a recommendation instead of a decision taken under delegated powers.

125. Standing Committees may, at their discretion, invite up to two individuals who are not members, including those who are not councillors, to take part in their discussions on particular subjects for periods up to one year. Such individuals may receive the Committee papers which relate to their subject; but may not attend for any business declared to be confidential by the Committee and may not vote on any Committee decisions, the period of such an individual's participation may be extended beyond one year.
126. Every Standing Committee may delegate to the Town Clerk, powers to exercise any of their functions in case of urgency or for other special reasons. The Town Clerk, if exercising such a power, must inform the Committee Chairman (or in his/her absence the Vice Chairman) before exercising the power and shall report on the matter to the next meeting of the Committee.

Godalming Joint Burial Committee

127. At the first business meeting of the Council following an election, six councillors shall be elected as the Council's representatives on the Godalming Joint Burial Committee to serve for the ensuing four-year term. The Joint Burial Committee is formed with Busbridge Parish Council who elect two Parish councillors to serve on the Committee.

Working Parties

128. Every Standing Committee may appoint one or more Working Parties for purposes, which shall be specified in terms of reference by the Standing Committee. The Committee shall also prescribe the time limit, not exceeding one-year, within which the Working Party must complete its work. A Working Party shall be disbanded as soon as it has completed the tasks given to it.
129. Each Working Party will provide a regular update to appointing Standing Committee, that update shall form a standing item on the agenda of that Committee. Otherwise the procedure of the Working Party may be informal.

Ad hoc Advisory Committees

130. Every Standing Committee may appoint one or more ad hoc advisory committees for purposes, which shall be specified in terms of reference by the Standing Committee.

131. Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

132. The provisions of Standing Orders 1 to 18 shall apply mutatis mutandis to all advisory committee proceedings (but only in so far as those provisions can apply to non-councillors). Non-councillor members of an advisory committee are not bound by the Code of Conduct but are expected to declare pecuniary and non-pecuniary interests at meetings of the advisory committee as though they were bound by the Code.

133. Agendas and any supporting papers, reports and minutes of an advisory committees shall be circulated to all members of that advisory committee. Reports and minutes of an advisory committee will be circulated to all councillors at the same time as they are circulated to members of the committee and will be received on the next agenda of the parent Committee.

Section Sixteen Extraordinary meetings

See also Section One above

134. **The Town Mayor (Chairman of the Council) may convene an extraordinary meeting of the Council at any time.**
135. **If the Town Mayor (Chairman of the Council) does not or refuses to call an extraordinary meeting of the Council within seven 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.**
136. The Chairman of a committee may convene an extraordinary meeting of the committee or at any time.
137. If the Chairman of a committee does not or refuses to call an extraordinary meeting within seven days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of a committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by two councillors.

Section Seventeen: Financial controls & procurement

138. The Council shall consider and approve financial regulations drawn up by the Responsible Finance Officer, which shall include detailed arrangements in respect of the following:
- a. The keeping of accounting records and systems of internal controls;
 - b. The assessment and management of financial risks faced by the Council;
 - c. 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;
 - d. The inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - e. Whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
139. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
140. **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 143 is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement of the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.**
141. 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:
- a. A specification for the goods, materials, services or the execution of works shall be drawn up;
 - b. 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;
- c. The invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - d. Tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - e. 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;
 - f. Tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
142. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
143. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works 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.**
144. **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 £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 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.**

Section Eighteen: Canvassing of and recommendations by Councillors

145. Canvassing councillors or the members of a committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this Standing Order to every candidate.
146. A councillor or a member of a committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
147. This Standing Order shall apply to tenders as if the person making the tender were a candidate for an appointment.

Section Nineteen: Inspection of documents, confidential or sensitive Information & unauthorised activities

148. Subject to Standing Orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of official duties (but not otherwise), inspect any document in the possession of the Council or a committee, and request a copy for the same purpose. The minutes of meetings of the Council, or its committees shall be available for inspection by councillors.
149. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest
150. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.
151. A councillor in breach of the provisions of Standing Order **150** above may be removed from a committee by a resolution of the Council
152. Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council or a committee:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

Section Twenty: Matters affecting Council staff

153. If a meeting considers any matter personal to a Council employee, it shall not be considered until the body meeting has decided whether or not the press and public shall be excluded pursuant to Standing Order 3 above.
154. Subject to the Council's policy regarding absences from work, the Council's most senior employee present shall notify the Chairman of the Staffing Committee or, in the absence of that Chairman, the Chairman of the Policy & Management Committee if any absence is likely to occasion the closing of the Town Council's offices. The Town Clerk shall make a summary report of staff absences to each meeting of the Staffing Committee.
155. Annual staff appraisals shall be conducted in accordance with the Council's Appraisal Scheme
156. Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairman of the Staffing Committee or, in the absence of the Chairman, the Vice-Chairman of the Staffing Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Staffing Committee.
157. Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by an employee relates to the Chairman or Vice-Chairman of the Staffing Committee this shall be communicated to the Chairman of the Policy & Management Committee and the Chairman of the Policy & Management Committee shall determine whether the matter shall be reported back and progressed by resolution of the Staffing Committee or by resolution of the Policy & Management Committee.
158. Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
159. The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
160. Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility

for the same.

161. Only the Town Clerk, or the appropriate line manager or the Chairman of the Staffing Committee or, in the absence of the Chairman, the Vice-Chairman of the Staffing Committee shall have access to employee records referred to in Standing Orders 158 and 160 above if so justified
162. Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Orders 158 and 160 above shall be provided only to the Town Clerk or the Chairman of the Staffing Committee.

Section Twenty-one: Responsibilities to provide information

- 163. In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**

- 164. The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

Section Twenty-two: Relations with the press/media

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

Section Twenty-three: Responsibilities under data protection legislation

166. *The Council's responsibilities under the data protection legislation includes the following, this list is not exclusive, see also Standing Orders section 24 Management of Information.*

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

Section Twenty-four: Management of information

(See also Standing Order 163 & 164)

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

Section Twenty-five: Standing Orders generally

171. 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.
172. 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 whereof bears the names of as least two councillors.
173. The Proper Officer shall provide a copy of the Council's Standing Orders to a councillor upon delivery of that councillor's declaration of acceptance of office.
174. The Chairman's decision as to the application of Standing Orders at meetings shall be final.

LEAVE POLICY

(To be read in conjunction with the Absence & Sick Pay Policy and Procedure)

Policy Statement: The aim of this policy is to outline the leave entitlement of an employee. The Policy aims to ensure fair, equitable and consistent treatment of staff and is based on The National Agreement on Pay and Conditions of Service of the National Joint Council (“the NJC”) for Local Government Services (“the Green Book”)

1. **Introduction:** The Council recognises that every individual, may, at some point, be challenged by unplanned and unexpected events or sudden ‘life events’ which can affect not only the individual’s work but may also impact on other colleagues. The Council’s Leave Policy provides a range of options to assist staff to meet these challenges, whilst ensuring the proper functioning of the Council’s services.

PART ONE – ANNUAL LEAVE ALLOWANCE

2. **Leave Year Guidelines:**

- The Council’s annual leave year runs from 1 April to 31 March.
- Annual leave should be planned over the year and not “saved” until the end of the financial year. Staff should give consideration to the operational needs of the Council prior to making an annual leave request. Every effort will be made to accommodate requests for annual leave.
- Requests for annual leave should be made in a timely manner with, under normal circumstances, a minimum of 3 days’ notice for leave periods up to 5 days and 3 weeks’ notice for periods over 5 days.
- In the normal course of events, requests for annual leave should be made no more than 12 months in advance of the planned leave. However, where a special event is being planned an exemption may be granted by the Town Clerk.
- Annual leave must be taken at times agreed with the employee’s Line Manager. However, during peak operating periods or when planned major civic events are taking place, leave must also be authorised by the Town Clerk.
- The maximum single period of leave, under normal circumstances, will be two weeks. Requests for longer periods of leave will require the approval of the Staffing Committee. Such requests should be made in writing to the Town Clerk a minimum of 3 months prior to the requested leave to allow such requests to be put to the Staffing Committee (if exact dates are not known, the request should state an approximate range of dates).
- **Employees are reminded not to pre-book any holiday prior to approved leave being granted.**
- Any employee not having taken at least 18 days of their Annual Leave Allowance (ALA) by 31 January will be required to submit a leave plan which provides for a minimum of 28 paid leave days to have been taken by 31 March. (18 days ALA, 2 Statutory Days plus 8 Public Holidays = 28 Days) pro rata for part time employees.

- All annual leave should be taken within the current leave year. In **exceptional circumstances**, employees may be allowed to carry over a maximum of five days untaken annual leave into the following year. Staff must request prior approval of the Town Clerk no later than 31 January in order to carry over unused annual leave. The Town Clerk will require approval of the Chairman of the Staffing Committee in order to carry over unused annual leave.
 - Legitimate 'exceptional circumstances' could include:
 - Workload – covering for other staff absences (other than normal annual leave) for more than 4 weeks;
 - Preparing for a successor or succession;
 - Undertaking additional duties (either temporarily or permanently) which the Staffing Committee, upon review, deem not to have been sufficiently resourced.
 - Subject to the above, and the provisions of the Council's Absence & Sick Pay Policy and Procedure and Maternity/Paternity/Adoption/Shared Parental Leave Policies, any untaken leave will be lost and employees will not be entitled to pay in lieu of untaken annual leave.
 - Except where allowed by Employment Rights Act 1996 (Time Off for Dependents) leave taken without the prior approval of the employee's Line Manager will be classified as unauthorised absence and may result in pay being withheld, and/or disciplinary action being taken.
3. **Legal Requirement under the Working Time Amendment Regulations:** The Council's minimum leave allowances (21 days annual paid leave, 2 days extra statutory days plus 8 public holidays) exceeds the 28 days minimum annual leave required under the working time amendment regulations 2007. It is a statutory requirement that staff take a minimum of 28 days' paid annual leave each year. Employees are unable to carry forward holiday if this leaves them with less than 28 days leave in any year.
 4. **Public Holidays:** Employees shall, irrespective of length of service, be entitled to a holiday with a normal day's pay for each of the statutory and public holidays as they occur.
 5. **Annual Leave:** The minimum paid annual leave entitlement for a full-time employee is twenty-one days. Employees are entitled to a further four days per year, to be added to the next leave year, after five years of eligible continuous service (pro rata for part time employees). For the purposes of entitlements regarding Annual Leave, Occupational Sick Pay and the Occupational Maternity Scheme, continuous service will include continuous previous service with any public authority to which the Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999 applies. Further guidance relating to the definition and calculation of eligible continuous service is detailed in 'The Green Book'.
 6. **Extra Statutory Holidays:** Employees shall have an entitlement to two extra statutory days holiday, these 'statutory days' are to be used during the Christmas to New Year closure period.
 7. **Calculation of Annual Leave Entitlement for new starters and leavers:** The annual leave entitlement of employees leaving or joining the Council is pro-rata to their completed service during the leave year. Deductions from an employee's final salary payment will be made for any leave taken in excess of entitlement.

For the purpose of calculating leave (annual, public and extra statutory holidays) entitlements may, where necessary, be expressed in hours over the leave year.

8. **Christmas to New Year Holiday Closure:** Godalming Town Council will follow the 'Council Office Closure' schedule set by Waverley Borough Council. If the Christmas Office Closure covers a period in excess of public holidays plus the two statutory days' holiday detailed above, staff will be required to allocate any additional days against either their annual leave entitlement or 'accrued' TOIL. Notice of the number of days required to be set against this requirement will be announced no later than 31 October. It should be noted that due to the operational

requirements of Godalming Town Council or the Godalming Joint Burial Committee, it may not be possible to grant all staff leave during the entire shut down period, in which case appropriate adjustments to leave records will be made.

9. **Time off for Religious Festivals or Observations:** Wherever possible, the Council shall endeavour to accommodate requests for time off for religious festivals or observations which are not covered by statutory public holidays. Employees must use their annual leave entitlement or accrued TOIL for this purpose.
10. **Procedure for Obtaining Approval and Recording of Leave:** An employee's Line Manager must approve all paid leave in advance. Staff wishing to take paid leave should follow the procedure set out below:
 - Staff are required to enter requested leave dates onto their leave card held by the Support Services Executive.
 - The Support Services Executive will present the relevant leave cards to the appropriate Line Manager for authorisation of the request as soon as practicable. On authorising leave, Line Managers are to inform the staff member that their leave request has been granted.
 - If approved, the Services Support Executive will update the details of the leave onto the staff leave calendar (shown on Microsoft Outlook for ease of reference by Line Managers and other staff).
 - Upon notification from a Line Manager, the Support Services Executive is to record on an individual's leave record card any occasion where a staff member was required to work on a Public Holiday.
 - The Town Clerk shall consult with the Chairman of the Staffing Committee when making his/her leave arrangements and where the Town Clerk has delegation for authorisation of discretionary leave in relation to other staff, he or she will seek such authorisation from the Chairman of the Staffing Committee or Vice Chairman if the Chairman is unavailable.

PART TWO – SPECIAL FORMS OF LEAVE

11. **Public Duties:** Paid leave of absence will be granted for employees undertaking jury service or serving on public bodies or undertaking public duties. Where an allowance is claimable for loss of earnings the employee should claim and pay the allowance to the Council.
12. **Election Duties:** Employees who wish to act as presiding officers, poll clerks or counting officers may request to take an unpaid leave day to carry out these duties. Employees should consult the Town Clerk and obtain permission, which should not be unreasonably withheld, before accepting the appointment.
13. **Legislative Background:** The Council recognises and abides by the current legislation regarding Maternity, Paternity, Adoption, Shared Parental Leave and Ordinary Parental leave. In the event that an eligible employee is seeking to take any of the aforementioned leave they should, at the earliest opportunity, discuss their plans with their Line Manager who will be able to seek further advice on leave entitlements, pay rates and the legislation which is current at the time.
14. **Occupational Maternity Scheme:** The Occupational Maternity Scheme, as detailed in 'The Green Book' shall apply to all pregnant employees regardless of the number of hours worked per week who have completed at 1 year's continuous local government service at the 11th week before the Expected Week of Childbirth
15. **Health & Safety in Pregnancy:** On receipt of written notification from an employee that she is pregnant, the Town Clerk should carry out a risk assessment. The employee and relevant Line Manager should be fully informed of any risks identified. The Line Manager and employee have an on-going responsibility to monitor any potential risks that may be present.

16. **Maternity Support Leave:** Up to two weeks paid leave (to be taken in a block of one or two weeks leave over a single period) shall be granted to the child's father or the partner or nominated carer of an expectant mother or co-adopter at or around the time of birth. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of the birth.
17. **Ante-Natal Appointment:** Any pregnant employee has the right to paid time off to attend ante-natal appointments and must produce evidence of appointments if requested to do so. Wherever possible these should be arranged outside of core time. A baby's father, the expectant mother's spouse or civil partner, or an employee in a long-term relationship with the expectant mother can take unpaid leave to accompany a pregnant woman to 2 antenatal appointments (taking up to 6 and a half hours per appointment).
18. **Carer Leave:** Godalming Town Council recognises that a flexible and supportive approach is required for those who have care responsibilities for others. Discretionary leave may be granted in the following circumstances:

Serious illness of a Husband, Wife, Partner, Son / Daughter or a close family member who requires constant care and attention in their own home, where no other care arrangements can be made or normal care arrangements have broken down, for example a person living alone recovering from an operation.

Up to five days with pay may be granted at the discretion of the Town Clerk in accordance with the individual circumstances of the case. These additional days paid leave will not normally be granted until employees have exhausted any outstanding annual leave entitlement (based on the pro-rata calculation of the full annual entitlement on the date of request).

In cases of family sickness other than serious illness, consideration will be given to allowing the employee flexibility for start, finish and lunch times to allow them to care for their Husband, Wife, Partner, Son, Daughter or a member of their close family.

The Council's Carer Leave Scheme should be used in circumstances where the illness relates to someone who is normally directly dependent upon the employee for domestic support.

19. **Time off for Medical Screening and Other Medical Appointments:** Wherever possible, visits to a GP and other routine medical appointments should be made outside working hours.

Where this is not possible, appointments should be made to minimise the extent of absence from work, for example, either at the beginning or end of the working day. Paid leave of up to two hours may be granted at the discretion of the Town Clerk, time off in excess of this period will be permitted, subject to the employee making up the hours lost. Time in excess of two hours is to be recorded by Support Services in the TOIL log with the accrued TOIL balance amended accordingly.

Employees having to attend hospital, clinic appointments or work related medical appointments (e.g. sight tests or occupational health) where the timing of the appointment(s) is beyond their control will be able to attend these appointments during the working hours with no expectation to make up the hours lost.

Necessary paid time off will be granted for the purpose of cancer screening.

20. **Special Leave:** Additional leave with or without pay may be granted in special circumstances at the discretion of the Staffing Committee, such requests are to be made in writing to the Town Clerk.
21. **Compassionate Leave:** The Town Clerk may grant up to three days' paid compassionate leave to help an employee cope with the serious illness or death of an immediate family member.

22. **Funerals:** An additional paid Compassionate Leave day may be granted for attendance at the funeral of an immediate family member; Spouse or Partner, Parent (birth, adoptive or step-parent), Child (birth or adopted) or Sibling (including step sibling).
23. **Time Off for Dependants:** All employees (regardless of their length of service) have the right to take a reasonable amount of **unpaid** time off work in order to deal with particular unexpected emergencies affecting their dependants.

A dependant is:

- A spouse;
- A civil partner;
- A child;
- A parent;
- A person who lives with the employee other than as his or her employee, tenant, lodger or boarder;
- Any other person who would reasonably rely on the employee for assistance if he or she fell ill or was injured or assaulted, or who would rely on the employee to make arrangements for the provision of care in the event of illness or injury; or
- In relation to the disruption or termination of care for a dependant or any other person who reasonably relies on the employee to make arrangements for the provision of care.

An example of time off for dependants is if your child falls ill you could take time off to go to the doctor and make care arrangements. Your employer may then ask you to take annual leave or parental leave if you want to look after your child for longer.

Although there is no requirement to give notice the employee must, as soon as possible, tell their Line Manager the reason for their absence and how long they expect to be away from work.

Exceptionally, consideration will be given to events which may be foreseen, but which are of a serious nature such as to make the presence of the employee necessary, for example, time off to settle an elderly relative into a care home or to attend a hospital appointment or planned operation with a child/partner. Such requests should be made to the Town Clerk for determination in consultation with the Chairman of the Staffing Committee.

24. **Time Off In Lieu:** For staff members above pay point 28, unless otherwise agreed as part of employment particulars, authorised additional hours worked outside of an individual's normal working hours will be compensated for by Time off in Lieu (TOIL). The points set out below govern the accrument and taking of TOIL.

Accruing TOIL

- Additional hours which may accrue TOIL must be authorised in advance by the Town Clerk.
- Unless otherwise approved and authorised by the Staffing Committee, TOIL will be granted at single rate (one hour worked equals one hour TOIL) when a member of staff is required to work outside their normal hours to service weekday meetings or to attend weekday Civic, Mayoral or approved external events.
- Staff attending weekday evening meetings or weekday Civic, Mayoral or approved external events will receive single rate TOIL with an additional hour to cover travel time, meeting preparation and clear-up.
- For meetings started during the employee's normal working day and proceeding beyond the end of the working day, single TOIL will be granted as earned after the end of the working day.
- Staff attending weekend meetings or weekend Civic, Mayoral or approved external events will receive TOIL at time and a half for the duration of their involvement /requirement at the event. Additionally, staff will be granted travel time to and from an event. Travel time will be

determined by the most direct route and standard parameters of the RAC route planner (www.rac.co.uk/route-planner). The approved travel time allowance is to be recorded in the TOIL log.

- Employees are to report TOIL hours to the Support Services Executive in writing, and the Support Services Executive will maintain the TOIL log, recording the date of accrued toil, the amount of toil time claimed, employees accumulated TOIL, date TOIL taken, balance of TOIL remaining. Once recorded in the TOIL log, the entry is to be signed authorised by the Town Clerk.

Taking TOIL

- Whilst all staff should aim to take TOIL as soon as practicable after the date of accrual, in recognition of the relatively small number of employees at the Town Council and the resulting difficulty of taking time off, no more than 22.5 hours (three working days) TOIL can be accumulated at any one time. This is pro-rated for part-time staff.
- Toil is to be requested and recorded using the same procedure as when requesting Annual Leave, with the added requirement that once approved by the Line Manager, the leave card is counter signed by the Support Services Executive to indicate that sufficient TOIL is available to support the request and that the accrued TOIL balance has been adjusted accordingly.
- The Town Clerk will inform the Chairman of the Staffing Committee before taking TOIL in excess of 7.5 hours.
- TOIL cannot to be taken in advance of the hours being accrued.
- Except when leaving and by specific agreement of the Staffing Committee, TOIL cannot be 'bought back'.

PART THREE – IMPLICATIONS ON PENSION CONTRIBUTIONS

25. **Unpaid Leave:** If employees are granted unpaid leave of absence or leave on reduced pay

For the first 30 days: Full LGPS membership continues to build up during this period but the employee must pay the pension contributions that would have been paid had she/he been at work.

After 30 days: This period will not count as pension scheme membership unless the employee opts to pay for it to do so. For the period to count as pensionable service he/she can elect to pay pension contributions for the whole period (up to a maximum absence period of 36 months) by taking out a Shared Cost Additional Pension Contribution (SCAPC) contract in order to maintain their full pension benefits. If the employee wishes to do this they must notify the RFO in writing within 30 days of their return to work (or within 30 days of leaving work if they do not return). Details of the cost of buying back the 'lost' pension can be obtained from the Pension Scheme; please ask the RFO for details.

26. **Maternity, Adoption, Maternity Support and Shared Parental Leave:** The implications of these types of leave is set out in the National Agreement of the National Joint Council for Local Government, a copy of which is available at the Town Council Offices.

27. **Industrial Action:** If employees who are LGPS members are absent from work due to industrial action they will also have the option to buy back the 'lost' pension by making an Additional Pension Contribution. In order to do so they must write to the RFO, however, there is no time limit and the entire cost will be met by the employee.

This is a non-contractual procedure which will be reviewed from time to time.

ABSENCE & SICK PAY POLICY AND PROCEDURE

Policy Statement

Godalming Town Council (the Council) is committed to maintaining the health, well-being and attendance of all employees. We value the contribution our employees make to the delivery of quality services to our community. So, when any employee is unable to be at work for any reason, we miss that contribution. This absence policy explains what we expect from managers and employees when handling absence.

Additionally, this policy outlines the payments made to an employee when they are absent due to sickness – this includes injury and disability. The policy aims to ensure fair, equitable and consistent treatment of staff.

This policy has been developed in consultation with employees and the Council welcome the continued involvement of employees in implementing this policy.

Key Principles

The Council's Absence and Sick Pay Policy is based on the following principles:

1. As a responsible employer the Council undertake to provide payments to employees who are unable to attend work due to sickness in accordance with their Contract of Employment.
2. Regular, punctual attendance is an implied term of every employee's contract of employment – the Council ask each employee to take responsibility for achieving and maintaining good attendance.
3. Open communication between managers and employees is encouraged.
5. The Council will consider any advice given by the employee's GP on the 'Statement of Fitness for Work'. For example, a GP might advise that an employee is 'partially fit for work' or 'fit for work with adjustments' on the FIT note and set out recommended adjustments or support.
6. The Council will use an occupational health adviser, where appropriate, to gain information and guidance in relation to the health condition, in particular to help identify the nature and likely duration of an employee's illness and to advise of any recommended support required by the employee.
7. The Council's disciplinary procedure may be invoked if the absence procedures are not followed or if the Absence and Sick Pay Policy & Procedure s misused.
8. The Council respect the confidentiality of all information relating to an employee's sickness. This policy will be implemented in line with all data protection legislation and the Access to Medical Records Act 1988.

Notification of Absence

If an employee is going to be absent from work due to sickness they should speak to their manager or deputy within 30 minutes of their normal start time. They should also:

- Give a clear indication of the reason for absence (and the nature of the illness if applicable) and
- A likely return date.

The manager will check with the employee if there is any information they need about their current work. If the employee does not contact their manager by the required time the manager will attempt to contact the employee at home.

Certification of Absence

Employees must self-certify for the first seven calendar days of sickness absence by completing the Council's sickness self-certification form and submitting this to their Manager upon their return to work. (Blank sickness self-certification forms are available from the Support Services Executive or electronically from the 'staffing committee' folder on the 'work' drive). Employees are required to provide a 'Statement of Fitness for Work' (FIT note) from their GP or consultant for any absence due to sickness of over seven calendar days upon their return to work. For ongoing absence, you will be required to send your FIT Notes to your Manager once you receive them.

A FIT note (or equivalent if abroad) is required for any sickness absence which occurs while the employee is on annual leave (and where the employee wishes to substitute sick leave for the annual leave).

If absence is likely to be protracted, ie more than four weeks continuously, there is a shared responsibility for the Council and the employee to maintain contact at agreed intervals.

Exceptionally, if the Council is concerned about the frequency of an employee's absence, or their account of their reasons for absence, the employee may be required to submit a FIT note, rather than self-certificates, from their first day of absence. In such cases the Council will meet the cost of any fee charged. The Council's disciplinary procedure may be invoked if the absence procedures are not followed or if the Absence and Sick Pay Policy and Procedure is misused.

Sick pay may be withheld where the sickness absence reporting procedure and certification requirements have not been followed in full.

'May be fit for some work'

If the GP advises on the FIT note that an employee 'may be fit for work', or fit for work with adjustments'. For example, a GP might advise that an employee is 'partially fit for work' or 'fit for work with adjustments' on the FIT note and set out recommended adjustments or support. The recommendations will be discussed with the employee and if reasonable will be put into place. Examples of adjustments or support include a phased return to work or amended duties.

This discussion will take place as an informal meeting between the manager and the employee. In certain circumstances, the manager may need to seek advice and/or recommend an occupational health referral).

If it is not possible to provide the support an employee needs for an adjustment or support to enable them to return to work, (for example, by making the necessary workplace adjustments), the Statement will be used in the same way as if the GP advised that the employee was 'not fit for work'.

Return to Work Discussions

Managers will discuss absences with employees when they return to work to establish:

- The reason for, and cause of absence
- Any reasonable support or adjustments required by the employee.
- That the employee is fit to return to work.

If an employee's GP has advised that they 'may be fit for work with adjustments or support' the return to work discussion can also be used to discuss this.

A Formal Review will be Triggered by:

- Frequent short-term absences;
- Long-term absence; or
- Any other pattern of absence that causes the manager concern.

The review will look at any further action required to improve the employee's attendance and well-being and will be conducted as a formal meeting (with the employee having the right to be accompanied). A written record of the review will be kept.

Further absence management procedures will be followed as appropriate to the circumstances.

Absence as a result of disability

Where you experience sickness absence as a result of a disability it will be treated in line with the provisions contained within the Equality Act 2010 (formerly as part of the Disability Discrimination Act 1995). This will include considering whether any reasonable adjustments can be made.

Sick Pay

1. **Contractual Sick Pay:** If an employee is absent from work due to illness (this includes injury and other disability), and subject to compliance with Absence and Sick Pay Policy and Procedure, they will be paid Occupational Sick Pay in accordance with their contract of employment and in line with the National Agreement of the National Joint Council for Local Government Services, a copy of which is available at the Council Offices.
 - a. The period during which sick pay shall be paid, and the rate of sick pay, in respect of any period of absence is calculated by deducting from the employee's entitlement on the first day by the number of days of paid absence during the preceding twelve months. (NB: for sick pay purposes; a month is equivalent to 22 working days, pro rata for part time staff).
 - b. In the case of full pay periods, sick pay will be an amount which when added to Statutory Sick Pay and Incapacity Benefit, Employment and Support Allowance or equivalent social security benefit receivable will secure the equivalent of normal pay. In the case of half pay periods, sick pay will be the amount equal to half normal earnings plus an amount equivalent to Statutory Sick Pay and Incapacity Benefit, Employment and Support Allowance or equivalent social security benefit receivable, so long as the total sum does not exceed normal pay.
 - c. The Employment and Support Allowance or equivalent social security benefits to be taken into account for the calculation of sick pay are those to which an employee is entitled on the basis the employee has satisfied so far as is possible:
 - i. the conditions for the reporting of sickness as required by the council;
 - ii. the claiming of benefits;
 - iii. the obligation to declare any entitlement to benefits and any subsequent changes in circumstances affecting such entitlement.

- d. Sick pay will not be paid for absences which are not covered by an appropriate sickness certificate. The Council reserves the right to withhold pay for periods of unauthorised absence.
2. **Phased Return:** The employee's salary will be calculated on a pro rata basis to reflect their hours worked during a phased return. The remainder of the time will be recorded as sickness absence, and paid as Sick Pay if eligible.
3. **Third Party Damages:** An employee who is absent as a result of an accident shall not be entitled to an allowance if damages may be received from a third party in respect of the accident.
- a. In this event, The Staffing Committee would authorise a payment to the employee equivalent to the sickness payment which would normally be paid under the National Agreement of the National Joint Council for Local Government Services. The employee will sign an agreement to refund to the Council the equivalent payment from the amount of damages paid to them by the third party, or a proportion of the payment if the damages paid do not cover the full amount.
- b. Any period of absence in this case, where a refund of the payment advanced is repaid in full, will not be recorded as sickness absence. If the payment is only repaid in part, then the period of absence not refunded will be recorded as sickness absence.
4. **Pay During Notice period**
- a. Where notice is given to an employee that their employment is to be terminated by the Council whilst they are on sick leave, pay during the notice period will be notice pay (i.e. full pay) and not sick pay.
- b. If an employee resigns their post whilst they are on sick leave, they will remain on sick pay during their notice period and conditions of the sick pay policy apply in the usual way.
5. **Non-payment of Sick Pay:** Sick pay may not be paid when the absence is due to:
- an employee's own misconduct or neglect;
 - deliberate conduct prejudicial to recovery;
 - active participation in professional sport;
 - injury while working in the employee's own time on their account for private gain or for another employer

The above decision will be made by The Staffing Committee. The employee shall be advised of the grounds for suspension of Sick Pay and shall have a right of appeal. Such appeals will be heard by an independent panel chaired by the Mayor, plus two other elected councillors not serving on the Staffing Committee. If the panel concludes that the grounds were justified, then the employee shall forfeit the right to any further payment in respect of that period of absence.

6. **Occupational disease/accident at work:** Absence in respect of normal sickness is entirely separate from absence through occupational disease, accident or assault arising out of or in the course of employment with the Council. Periods of absence in respect of one shall not be set off against the other for the purpose of calculating entitlements.
7. **Infectious Disease:** An employee who is prevented from attending work because of contact with infectious disease shall be entitled to receive normal pay and the period of absence will not be recorded as sickness absence under this policy.

8. **Car User Allowance/Travel Allowance:** If an employee is absent from work due to sickness for a period exceeding three months the following element of their pay will stop:

- Essential Car User Allowance
- Work Place First Aider Payment
- Out of hours enhancement payment

9. **Related Information:** Statutory Sick Pay Information (<https://www.gov.uk/statutory-sick-pay>)

This is a non-contractual procedure which will be reviewed from time to time.