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NOTICE

is hereby given that an

ORDINARY MEETING

of the

Review & Staffing Committee

will be held in

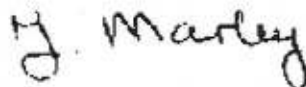
SCALBY LIBRARY

on

THURSDAY, 25th FEBRUARY 2015

COMMENCING AT 10.30 A.M.

ALL MEMBERS OF THE COMMITTEE ARE HEREBY SEVERALLY SUMMONED AND REQUIRED TO ATTEND IN ORDER TO TRANSACT THE FOLLOWING BUSINESS:-



J Marley (CiLCA)

Clerk to the Council and RFO

Parish Council Office, Scalby Library, 450 Scalby Road, Newby,
Scarborough YO12 6EE

Tel: (01723) 354018.

Email: clerk@newbyandscalbypc.org.uk

Wednesday 17th February 2016

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AGENDA

1 APOLOGIES FOR ABSENCE

To receive & approve apologies for absence.

2 DECLARATIONS OF INTEREST

To receive any declarations of interest in items on this agenda.

3 RISK ASSESSMENT - annual review

To receive assessment and report [*enclosed*] and agree action as appropriate.

4 ADOPTED POLICIES - annual review

To receive Clerk's checklist & report [*both enclosed*] on changes recommended to two policies and financial regulations & agree action as appropriate.

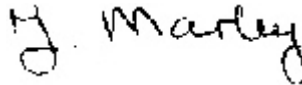
5 EXCLUSION OF PRESS AND PUBLIC

To consider the following motion:-

"that in accordance with section 1 of the Public Bodies (Admission to Meetings) Act 1960 the press and public be excluded from the meeting for the next items of business on the grounds they involve the likely disclosure of information relating to labour relations and the financial/business affairs of the authority".

6 CLERK'S CONTACT OF EMPLOYMENT

To consider amendments as per the enclosed confidential report and agree action as appropriate.



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Email: clerk@newbyandscalbypc.org.uk
Wednesday 17th February 2016

REPORT

FROM: Jools Marley, Clerk to the Parish Council & Responsible Financial Officer.

TO: Review & Staffing Committee

DATE: 17 February 2016

SUBJECT: Risk Assessment Review

A Risk Assessment as at 17th February 2016 is attached to this document.

Background

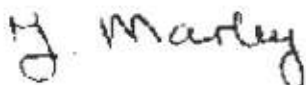
The risk assessment needs to be reviewed annually so that Councillors can be satisfied that all necessary steps have been taken to address any issues raised and adequate controls or plans are in place to mitigate known or potential risks.

Action

The Clerk has reviewed the risk assessment and made amendments to reflect the change of office premises.

Recommendations

1. Committee is asked to look at the risk assessment and decide if it considers all necessary controls are in place, adequate and being performed.
2. Subject to point 1 above being in the affirmative, to recommend to full council that the amended Risk Assessment be approved.



Jools Marley
Clerk & RFO

Enc. Risk assessment as at 170216.doc

RISK ASSESSMENT (17/2/16) – NEWBY & SCALBY PARISH COUNCIL

For recommendation of R&S Committee 25/2/16 then to full Council 9/3/16 for decision

1 ASSETS				
REF	AREA OF RISK	RISK	LEVEL OF RISK	CONTROL
1A	SECURITY OF OFFICE	Theft or damage	L	Property insured. Access to clerk's office via locked external door (part glazed) or from within library.
1B	PREMISES	Loss of premises	L	Lease in place (6 months notice on either side) to 31.7.2018. Council responsible for external door, windows, fixtures, fittings & equipment in its own offices. Landlord insures property against various risks

2 FINANCE				
REF	AREA OF RISK	RISK	LEVEL OF RISK	CONTROL
<p>ACCOUNTS & AUDIT REGULATIONS REQUIRE THAT:</p> <p>A) FINANCIAL MANAGEMENT IS ADEQUATE & SOUND</p> <p>B) YOU SHOULD SATISFY YOURSELF THAT YOU HAVE A SOUND SYSTEM OF INTERNAL CONTROL</p> <p>C) YOU MUST HAVE A FINANCIAL RISK ASSESSMENT POLICY</p> <p>D) THIS MUST BE REVIEWED AT LEAST ONCE A YEAR AS TO THE EFFECTIVENESS OF INTERNAL CONTROLS AND</p> <p>YOU MUST RECORD YOUR FINDINGS.</p>				
2A	BANKING	Loss of cash/cheques	L	All banking to be carried out on the day cash/cheques received or within 24 hours latest. Petty cash (max £150) kept in secure container and always locked and keys taken off site. In sole control of RFO
2B	FINANCIAL CONTROLS AND RECORDS	Risk of theft or fraud	M	Monthly reconciliations Three signatories on cheques. Councillors can inspect records at any time Internal audit verification
2C	LOSS OF CASH	Through theft or dishonesty	H	Petty cash requires receipts which tally with expenditure. Councillors can count petty cash at any time Internal audit verification

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2D	VAT	Comply with customs and excise regulations	H	<p>Claim made when £100+ and reconciled to expenditure record by RFOfo.</p> <p>Refund claim submitted quarterly or earlier if £100+</p> <p>Internal audit verification.</p>
2E	POWER TO SPEND	All spending must be made within the legal framework pertaining to parish councils as amended from time to time	H	<p>All expenditure which is not budgeted for and/or outside the scope of normal or regular expenditure must be within the powers of the council</p> <p>RFO to ensure payments are legal and take advice from YLCA where necessary</p>
2F	TAX & NATIONAL INSURANCE	Comply with inland revenue regulations	H	<p>Regular remittances made to HMRC and revenue records accurately compiled.</p> <p>Diary note to ensure annual return is made before deadline otherwise £100 fine.</p> <p>Use revenue software for calculations</p> <p>Internal audit verification.</p>
2G	BORROWING	Comply with borrowing limits/regulations	L	No borrowings
2H	BUDGETARY CONTROL	Accurate budget required for annual precept request	M	<p>New budget and precept requirement compiled by RFO</p> <p>To council in November</p> <p>Notify SBC in December</p> <p>Internal audit verification.</p>
2I	NON BUDGETED EXPENDITURE	Current spending and known future expenditure to be reviewed	L	<p>Must be agreed by council unless it is emergency spending and within agreed limits as per standing orders.</p> <p>Reported to the next council meeting</p> <p>Changes to be agreed and made to budget to accommodate expenditure</p> <p>Will mean either utilising reserves if appropriate or cutting other planned expenditure</p>
2J	POWER TO SPEND	All spending must be made within the legal framework pertaining to parish councils as amended from time to time	H	<p>All expenditure which is not budgeted for and/or outside the scope of normal or regular expenditure must be within the powers of the council</p> <p>RFO to ensure payments are legal and take advice from YLCA where necessary</p>

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3	PERSONAL LIABILITY			
REF	AREA OF RISK	RISK	LEVEL OF RISK	CONTROL
3A	RISK TO THIRD PARTY, PROPERTY OR INDIVIDUALS	Use of council offices	H	Legal liability insurance cover mandatory. Electrical equipment test carried out annually Fire extinguishers serviced annually
3B	RISK TO THIRD PARTY, PROPERTY OR INDIVIDUALS	Linden Road playground	M	Legal liability insurance cover in place. Annual inspection by ROSPA. Regular inspections made
3C	RISK TO THIRD PARTY, PROPERTY OR INDIVIDUALS	Foulsyke pond, Barmoor lane Avoid insurance cover invalidation	M	Legal liability insurance cover in place. Regular inspections to ensure fencing etc is in good order. Liaison with SBC for immediate repairs as and when necessary
3D	RISK TO THIRD PARTY, PROPERTY OR INDIVIDUALS	Coomboots quarry Avoid insurance cover invalidation	M	Legal liability insurance cover in place. Regular inspections to ensure fencing etc is in good order. Immediate repairs to fence to make sure insurance cover is not invalidated
3E	RISK TO THIRD PARTY, PROPERTY OR INDIVIDUALS	Church Becks green Avoid insurance cover invalidation	M	Legal liability insurance cover in place. Regular inspections by clerk to ensure fencing etc is in good order. Liaison with SBC for immediate repairs as and when necessary
3F	EMPLOYERS LIABILITY	Comply with employment law Duty of care to employees	M	Mandatory employers liability insurance cover Membership of national and regional bodies who supply advice and guidance to ensure that all steps are taken to ensure no breach of legislation
3G	SAFETY OF STAFF & VISITORS	Comply with health & safety regulations	M	Access to office via external fire door or from within library Checks by clerk to ensure no obstructions affecting safe access Repairs notified to landlord when identified

RISK ASSESSMENT (17/2/16) – NEWBY & SCALBY PARISH COUNCIL

For recommendation of R&S Committee 25/2/16 then to full Council 9/3/16 for decision

4 LEGAL LIABILITY				
REF	AREA OF RISK	RISK	LEVEL OF RISK	CONTROL
4A	ENSURE ACTIVITIES ARE WITHIN LEGAL POWERS	Ensure only valid and legal expenditure or activities are undertaken	H	<p>Clerk clarifies legal position with YLCA on any new proposal.</p> <p>Legal advice sought where necessary.</p>
4B	PROPER AND TIMELY REPORTING VIA THE MINUTES	Accurate records maintained and disseminated and/or made available to press and public	M	<p>Council meets monthly.</p> <p>Additional meetings called where circumstances dictate.</p> <p>Minutes made available to press, public and ward councillors.</p>
4C	PROPER DOCUMENT CONTROL	All valuable documents, leases and legal documents	M	<p>Secured in clerk's office or held in County Records Archive. Scans held on computer.</p> <p>Documents retained in accordance with council's document retention & data protection policies</p> <p>Annual review of document retention and data protection policies</p> <p>Other storage on computer to comply with data protection act.</p> <p>Primary hourly backup of data to password protected cloud with secondary backup held on off site password protected hard drive</p>
4D	REGISTER OF INTEREST AND GIFTS – LOCAL GOVERNMENT ACT 2000 SECTION 81(1)	Proper record to be kept and copied to monitoring officer	H	<p>Register must be kept up to date - this responsibility lies with individual councillors.</p> <p>Councillors responsible for ensuring expenses or gifts are recorded.</p> <p>Register held by Scarborough Borough Council.</p>
4E	FREEDOM OF INFORMATION ACT	Compliance with rights of public to have access to or copies of documentation	H	<p>Notice on boards & website advising public of their rights and the terms and conditions for access. Annual review of adopted policy.</p>
4F	DATA SECURITY	Access to computers	M	<p>Both laptop and tower are password protected & use screensavers. In event of staff absence, Chairman has access to envelope containing access instructions.</p>

RISK ASSESSMENT (17/2/16) – NEWBY & SCALBY PARISH COUNCIL

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REF	AREA OF RISK	RISK	LEVEL OF RISK	CONTROL
5	MANAGEMENT & CONTROL OF STAFF TO ENSURE THAT THE DAY TO DAY WORK AND LONGER TERM PROJECTS OF THE COUNCIL ARE MAINTAINED			
5A	SERVICES OF CLERK	Short term absences (up to 2 weeks) Either through holiday, illness or attendance at seminars or training events	L	Have facility for the clerk to another council to stand in temporarily
5B	SERVICES OF CLERK	Long term absences (2 weeks or more) Either through illness, attendance at seminars or training events	M	No contingency in place. Stand in clerk may not be able to cover longer term.

NEWBY AND SCALBY PARISH COUNCIL

COUNCIL OFFICE
SCALBY LIBRARY
450 SCALBY ROAD
NEWBY
SCARBOROUGH
YO12 6EE

Clerk to the Council:
Jools Marley (CILCA)



TEL: 01723 354018

Email: clerk@newbyandscalbypc.org.uk

COUNCIL POLICIES - FOR ANNUAL REVIEW

All available on website - go to newbyandscalbypc.org.uk and follow the "information" link

Policy Name	Reviewed by	Reviewed Date	Changes needed?
Disciplinary	Clerk	16/2/16	No
Grievance	Clerk	16/2/16	No
FOI Publication Scheme	Clerk	16/2/16	YES
FOI Request	Clerk	16/2/16	No
FOI Fees	Clerk	16/2/16	No
Complaints	Clerk	16/2/16	No
Vexatious	Clerk	16/2/16	No
Councillor Protection	Clerk	16/2/16	No
Data Protection & Information Security	Clerk	16/2/16	No
Discretionary Grant	Clerk	16/2/16	No
Document Retention	Clerk	16/2/16	No
Electronic Devices & Reporting in Meetings	Clerk	16/2/16	YES
Equality & Diversity	Clerk	16/2/16	No
Standing Orders	Clerk	16/2/16	No
Financial Regulations	Clerk	16/2/16	No

FROM: J Marley (Clerk)
TO: Review & Staffing Committee
DATE: 17th February 2016
SUBJECT: Changes to Council Policies

BACKGROUND

The Review & Staffing Committee is tasked with reviewing Council Policies, Standing Orders and Financial Regulations on an annual basis and making recommendations to Council.

All those documents are available on the Council's website - go to newbyandscalbypc.org.uk and following the "information" link.

The Clerk has made an initial review and recommends changes to the Freedom of Information Publication Scheme and the Electronic Devices Policy.

RECOMMENDED ACTION

Changes to the FOI Publication Scheme Class 4

FROM

Reports presented to council meetings – nb this will exclude information that is properly regarded as private to the meeting	Hard copy only.
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TO

Reports presented to council meetings – nb this will exclude information that is properly regarded as private to the meeting	Website included with agenda from 1/6/2015), hard copy only for earlier dates
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Class 5

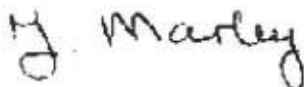
FROM

Policies and procedures for the conduct of council business: Procedural standing orders Committee and sub-committee terms of reference Delegated authority in respect of officers Code of Conduct Policy statements	Website
Policies and procedures for the provision of services and about the employment of staff: Internal policies relating to the delivery of services Equality and diversity policy Health and safety policy Recruitment policies (including current vacancies) Policies and procedures for handling requests for information	Website Website

TO

Policies and procedures for the conduct of council business: Procedural standing orders Committee and sub-committee terms of reference Delegated authority in respect of officers Code of Conduct Policy statements	Website Website Website (In S. Orders/Fin Regs) Website Website
Policies and procedures for the provision of services and about the employment of staff: Internal policies relating to the delivery of services Equality and diversity policy Health and safety policy Recruitment policies (including current vacancies) Policies and procedures for handling requests for information	Website Website N/A Website

In respect of the Electronic Devices Policy, the law has changed since it was written. Previously recording of meetings was forbidden. Now it is allowed. The Clerk has re-written the policy to reflect this change and her draft is at Appendix 1.



Jools Marley
Clerk & RFO

DRAFT AMENDED POLICY FOR ELECTRONIC DEVICES & REPORTING IN COUNCIL MEETINGS

PURPOSE

The purpose of this Policy is to provide clear guidelines to ALL attendees of Council Meetings as to the acceptable use of electronic devices and recording of meetings.

Since 5th August 2014, Parish Councils have been legally required to permit the reporting on and photographing or recording of meetings.

Council's Standing Order 64 reflects this by stating - **"Reporting of a meeting may only take place in accordance with the Public Bodies (Admission to Meetings) Act 1960 as amended and Section 3 of the Openness of Local Government Bodies Regulations 2014.** Any person who breaches this standing order will be warned and if they persist will be excluded from the meeting and/or dealt with in accordance with Standing Orders and the Council's adopted Code of Conduct."

DEFINITIONS

In the context of this policy:-

An electronic device is one that is capable of:-

- Photographing or
- Recording or
- Broadcasting or transmitting

the proceedings of a meeting by any means by any person.

POLICY

- 1) Filming, photographing or audio recording of proceedings open to the public is allowed
- 2) In the interests of encouraging public participation, it is requested that anyone filming does not include members of the public "in shot"
- 3) As a matter of politeness, people are asked to tell the Clerk of their intention to record.
- 4) The person making the recording should OR must ensure that there is minimal or no disruption to the proceedings of the meeting.
- 5) Anyone making a recording has no right to interrupt a meeting by asking questions or making comments for the purpose of the recording.
- 6) The person recording has no right to ask anyone present to repeat a statement for the purposes of the recording.
- 7) All audible ringtones, alerts and alarms must be disabled during a Council Meeting.
- 8) Anyone in breach of this policy may be asked to leave by the Chairman of the meeting and/or the meeting suspended.

The Council may treat any breach of this policy by a representative of an organisation as a breach by any other persons perceived to be associated with that organisation and take action as deemed appropriate.