



**Seaton Town Council Annual General Meeting Tuesday 8th May 2018**

**To: All Members of the Council 2<sup>nd</sup> May 2018**

**Chairman: Cllr. J Rowland**

**Cllrs. K Beer, P Burrows, C Chadwick, M Hartnell, S Read, K Rye, H Sanham, M Shaw, D Squire, R Webster**

**Dear Councillor,**

You are hereby summoned to attend the above meeting to be held on **Tuesday 8<sup>th</sup> May 2018** at the Marshlands Centre, Harbour Road, Seaton EX12 2LT at **7.30pm** or **immediately following the meeting of the Planning Committee, whichever is the earliest.**

*Amy Tregellas*

**Town Clerk**

**This meeting has been advertised as a public meeting and as such could be filmed or recorded by broadcasters, the media or members of the public. Please be aware that whilst every effort is taken to ensure that members of the public are not filmed, we cannot guarantee this, especially if you are speaking or taking an active role.**

**AGENDA**

- |                  |   |
|------------------|---|
| <b>17/COU/01</b> | <b>Election of Mayor / Chairman for the Municipal Year 2018/2019</b>  |
| <b>17/COU/02</b> | <b>The Mayor / Chairman will read and sign the prescribed Declaration of Acceptance of Office</b>               |
| <b>17/COU/03</b> | <b>Election of Deputy Chairman / Deputy Mayor for the Municipal Year 2018/2019</b>                              |
| <b>17/COU/04</b> | <b>The Deputy Mayor / Deputy Chairman will read and sign the prescribed Declaration of Acceptance of Office</b> |
| <b>17/COU/05</b> | <b>Apologies for absence</b>  |
| <b>17/COU/06</b> | <b>Declarations of Interest</b>   |

- 17/COU/07**            **To agree the minutes of the Council Meeting held on Monday 9<sup>th</sup> April 2018 and the Special Council Meeting held on Monday 16<sup>th</sup> April 2018**
- 17/COU/08**            **Public Question Time**
- 17/COU/09**            **To review the Council's Scheme of Delegation**  
To review and approve the Council's Scheme of Delegation for the 2018/2019 Municipal year, including delegations for Council, Committees, and Officers
- 17/COU/10**            **Terms of Reference for Committees**  
To review and approve the Council's Terms of Reference for each of its Committees for the 2018/2019 Municipal Year
- 17/COU/11**            **Appointments to Committees**  
To appoint Councillors to each of the Council's Committees for the 2018/2019 Municipal Year
- 17/COU/12**            **Appointments to Outside Bodies**  
To appoint Councillors to any outside bodies where the Council is invited to send a representative
- 17/COU/13**            **Calendar of Meetings for the 2018/2019 Municipal Year**  
To review and approve the calendar of meetings for the Council for the 2017/2018 Municipal Year
- 17/COU/14**            **Standing Orders**  
To consider the recommendation of the Finance and General Purposes Committee to approve the Standing Orders
- 17/COU/15**            **Financial Regulations**  
To consider the recommendation of the Finance and General Purposes Committee to approve the Standing Orders
- 17/COU/16**            **Internal Controls**  
To consider the recommendation of the Finance and General Purposes Committee to approve the Standing Orders
- 17/COU/17**            **Asset Register**  
Recommend that, as per the Scheme of Delegation, the Asset Register is delegated to the Finance and General Purposes Committee for review and approval.
- 17/COU/18**            **Insurance**  
Recommend that, as per the Scheme of Delegation, the Insurance is delegated to the Finance and General Purposes Committee for review and approval.

- 17/COU/19**            **Code of Conduct**  
To review and approve the Council's Code of Conduct for Councillors for the 2018/2019 Municipal Year.
- 17/COU/20**            **Risk Management Policy**  
To review and approve the Council's Risk Management Policy for the 2018/2019 Municipal Year.
- 17/COU/21**            **Complaints Policy**  
To review and approve the Council's Complaints' policy for the 2018/2019 Municipal Year.
- 17/COU/22**            **Freedom of Information**  
To review and approve the Council's Freedom of Information Act Model Publications' Scheme and the Council's procedures for handling requests made under the Freedom of Information Act.
- 17/COU/23**            **Data Protection**  
To review and approve the Council's Data Protection Policy and the Council's procedures for handling requests made under the Data Protection Act.
- 17/COU/24**            **Communications and Media Policy and Guidelines**  
To review and approve the Council's Communications and Media Policy and Social Media Guidelines.
- 17/COU/25**            **Governance Arrangements**  
To receive a report, and consider the recommendations made by the Town Clerk following her review of the Council's Governance arrangements.



**D R A F T Minutes of the Council Meeting of Seaton Town Council  
On Monday 9<sup>th</sup> April 2018**

**Present**

**In the chair:** Cllr J Rowland

**Councillors:** K Beer, P Burrows, C Chadwick, S Read, H Sanham, M Shaw, D Squire and K. Rye

**Officers:** Committee Secretary

**Public:** 3 Member of the Public

**219. Apologies for absence**

There were no apologies for absence.

**220. Declarations of Interest**

Cllr Shaw declared a personal interest as a Councillor with Devon County Council (DCC) and a personal interest in item 17: Town Hall proposal.

Cllr Burrows declared a personal interest as a Councillor with East Devon District Council (EDDC) and a personal interest in item 17: Town Hall proposal.

**221. Minutes**

The Council **RESOLVED** to agree the minutes of the meeting on Monday 5<sup>th</sup> March 2018. (moved Cllr Read; seconded Cllr Beer)

**222. Chairman's Report**

The Chairman thanked Roger and Tina Trepani, Cllr Shaw, the Town Clerk, Michelle and Hester for their support in the organisation of the 'Health Matters – Going Forward Together' event. Cllr Beer endorsed the organisation of the meeting.

Council **NOTED** the Chairman's report.

**223. Public Question Time**

There were three members of the public present.

**Mr John Buckley** made a request for additional and more consistent publicity for Artisan Markets through the Council's marketing contractor, One Voice. Mr Buckley considers that One Voice is located too far away from Seaton and does not know either the town or the area.

*Response: A meeting is planned with One Voice in advance of the next Community & Open Spaces Committee on 30<sup>th</sup> April 2018.*

**Mr Paul Mooney** introduced himself as the Freeholder of Fosseyway Court.

Mr Mooney outlined correspondence he has received from EDDC to the effect that "(EDDC) does not wish to proceed with the transfer of the Moridunum and the extended land to (Mr Mooney)" and "Matters have moved on in terms of Seaton Town Council's own intentions in respect of the seafront site". In light of this correspondence, Mr Mooney provided a list of questions to STC.

*The Chairman advised that STC had not seen the reply from EDDC to Mr Mooney's letter of 5<sup>th</sup> January 2018. Mr Mooney agreed to provide STC with a copy of the most recent letter from EDDC's solicitor. The Chairman advised that STC's policy on the seafront development had not changed. Mr Mooney was asked by the Chairman to give a copy of his questions to the Committee Clerk to enable a written reply to be sent by Seaton Town Council*

#### **224. Police Report**

Discussion took place on the statistics and in view of the March statistics provided members asked if they relate to Seaton. Chairman agreed to write to PC Speers to clarify. Council **NOTED** the report.

#### **225. County Councillor Report**

Cllr Shaw clarified that the Annual Report 2017/2018 provided in the agenda is for town and parish councils in his DCC Councillor role.

Discussion took place around:

- The pedestrian refuge on Seaton Down Hill; with questions arising from members of the public about its location and a suggestion that DCC Highways paint the adjacent kerbstones to help identify the refuge more clearly. Cllr Shaw explained that DCC Highways survey had deemed the current location of the refuge the only site.
- Cllr Shaw explained that more funding for potholes is forthcoming, but this is a different budget from that used to install the pedestrian refuge. Cllr Shaw will ask that funding for potholes be used to repair a section of Beer Road and invited suggestions for other areas where potholes need to be filled in.
- Are the two remaining spaces in Beer Road for parking following the installation of double yellow lines there by omission or by design? Cllr Shaw will check with DCC Highways.
- If parking restrictions could be installed on Beer Road by Cliff Field Gardens to prevent 24 hour parking by some vehicle owners. Cllr Shaw will enquire into this.
- Concern was expressed about the current staff shortage in social care with the point being made that financial savings had as much to do with DCC not providing the level of care needed by the community.

Cllr Sanham thanked Cllr Shaw for his very informative reports.

Council **RESOLVED** to note the County Councillors report.

(moved Cllr Beer; seconded Cllr Rowland)

#### **226. District Councillor's Reports: Cllr P Burrows**

Discussion took place around:

Windsor Gardens Asset Transfer: Cllr Burrows advised that a meeting was forthcoming with Geoff Pook. Cllr Rowland will be invited to attend the meeting as he had made the initial application to EDDC.

Council **RESOLVED** to agree that STC will write to organisers of the Grizzly event thanking the organisers for their work and in support of the organisers.  
(moved Cllr Squire, seconded Cllr Chadwick)  
Council **NOTED** the District Councillor's report.

### **227. Reports from Council representatives on Outside Bodies**

Cllr Beer summarised discussion at the most recent meeting of the Devon Association of Local Councils (DALC):

- Concerns about the introduction of Universal Credit
- Communities together as this is supporting apprenticeships
- The facility to lobby MPs through DALC
- S106 funding with a forthcoming seminar and a suggestion that STC will send a representative to the meeting and ideas are welcome
- The current DALC secretary is leaving

Council **NOTED** the report.

### **228. Town Clerk Report**

Discussion took place around:

- Feedback from the public with suggestions for agenda items at the Annual Town Meeting and publicity. Cllr Rowland explained this is in hand with Officers and publicity for the STC Facebook page as well as the Council website
- Improving the vitality of the Town Centre following a recent Seaton Town Development Team seminar. Cllr Rowland will follow up on this with Council Officers
- Follow up information from the Economic Development Team to be provided to the next Council meeting
- Making Seaton a plastic free town with the provision of stickers for local businesses to publicise their participation and the need to encourage businesses to take part. Cllrs Rowland and Shaw will meet to discuss this further
- Council **NOTED** the Town Clerk's report

### **229. Resignations**

Council noted that Cllr Pigott has resigned from the Council due to a change of residency and employment commitments. Council asked for clarification on the precise date of Cllr Pigott's resignation.

Council **RESOLVED** to agree that a letter of thanks be sent to Martin in respect of his work and contribution.

(proposed Cllr Rowland, seconded Cllr Shaw)

Council noted that Cllr Chadwick has resigned from the Finance and General purposes Committee. Members thanked Cllr Chadwick for her contribution.

Council noted that a Cllr Squire has stepped down from representing STC on the Axe Valley Local Action Group due to work commitments.

Council **RESOLVED** that Cllr Ken Beer will represent STC at the Axe Valley Local Action Group prior to decisions on appointments to Outside Bodies at the Annual General Meeting.

(proposed Cllr Rowland, seconded Cllr Read)

### **230. Motion for debate**

*Cllr D Squire: Websites / SeatonDevon.org*

Cllr Squire proposed that the website is taken down until it is updated.

Cllr Rowland proposed an amendment to the effect that that Council Officers work with One Voice to update the site within two weeks so that it can go live again.

(seconded Cllr Read)

Cllr Squire accepted the amendment.

Council **RESOLVED** to agree the amended proposal.

### **231. Motion for debate**

*Cllr D Squire: STC Website*

Cllr Squire proposed that the website is inconsistent and needs an overhaul and that this is done as a matter of urgency to be brought up to date by the next full Council meeting.

Cllr Sanham proposed an amendment to the effect that STC Officers review the current content including pages denoted as 'Information to follow' so that all the information is present and current within two weeks in order that the Council's contractor can update the information to a new platform.

Cllr Squire accepted the amendment.

(seconded Cllr Shaw)

Council **RESOLVED** to agree the amended proposal.

### **232. Motion for debate**

*Cllr D Squire: Seaton Facebook Page*

Cllr Squire proposed that STC uses the Facebook page as a functioning, factual information page about Council activities and that all comments regarding the council are made from this page only.

Council discussed current STC Communications Policy and how this affects the capacity of Councillors to post Social Media comments outside of Seaton's Facebook page and the need for more consistency.

Cllr Squire proposed an amendment to set up a small working Group to clarify the use of STC's Facebook page and Councillors' use of other social media and public facing platforms.

(seconded Cllr Shaw)

Council **RESOLVED** to agree the amended proposal.

### **233. Motion for debate**

*Cllr D Squire: Communications*

Cllr Squire proposed that the Town Council Office, contractors and Councillors will adhere to responding to emails in a timely and professional manner, i.e., to respond within one working week if only to advise receipt of correspondence and next steps.

Cllr Sanham proposed an amendment to put in place a procedure for logging and monitoring communication from the public and that all STC Officers, contractors and Councillors will acknowledge communication within 4 working days, and that a final, full reply will be actioned as soon as possible and a report on issues raised by the public will be included in agendas for Full Council from now on.

(seconded by Cllr Shaw)

Council **RESOLVED** to agree the amended proposal.

### **234. Request for free room booking**

Council discussed the request from the Guide Dogs for the Blind Association.

Council **RESOLVED** to write to the Association explaining that STC cannot support evening meetings because of the additional costs incurred by the Council, and to invite the Association to put in a room booking request for a morning event.  
(proposed Cllr Shaw, seconded Cllr Squire)

**235. General Data Protection Regulations**

Council **RESOLVED** to agree the report provided by the Town Clerk  
(proposed Cllr Shaw, seconded Cllr Read)

Council noted that it is not possible at this stage to understand the impact of the new regulations and requested a further update from the Town Clerk once arrangements are complete.

**236. Update on actions from previous meetings**

Council requested an update on progress for the Air Ambulance Landing Strip. Cllr Rowland will speak to the Town Clerk about this.

Council requested an update on progress on the Volunteers Day. Cllr Rowland will speak to the Town Clerk about this.

Council **NOTED** the report.

**237. CONFIDENTIAL ITEMS**

The Chairman moved that in accordance with the Council's Standing Order 1 (c) press and public would be excluded from the meeting during the discussions of items 17 and 18 on the agenda as there was likely to be disclosure of information as matters are being discussed which could identify an individual or are commercially sensitive.  
Council **AGREED** the statement as read.

**238. Town Hall proposal**

Councillor Rowland had attended a meeting to do with the proposals on 19<sup>th</sup> March 2018.

Council **RESOLVED** to write to the Town Hall tenants seeking further clarification on the proposals as a structural survey is required regarding the suitability of the location of the proposed lift. The cost of a survey of the building for all of the proposed plans would have to be met by the tenants.

(proposed Cllr Rowland, seconded Cllr Sanham).

**239. Staffing Matter**

Council **RESOLVED** to note and agree the recommendation.  
(proposed Cllr Rowland, seconded Cllr Beer).

The meeting ended at 21.30.

**Chairman:** \_\_\_\_\_

**Dated:** \_\_\_\_\_





## Minutes of the Extraordinary Council Meeting of Seaton Town Council On Monday 16<sup>th</sup> April 2018

### Present

**In the chair:** Cllr J Rowland

**Councillors:** K Beer, P Burrows, C Chadwick, M Hartnell, S Read, K Rye, H Sanham, D Squire and R Webster

**Officers:** Town Clerk

**Public:** 1 Member of the Public

### **240. Apologies for absence**

Apologies for absence were received and accepted from Cllr Shaw.

### **241. Declarations of Interest**

Cllr Hartnell declared a personal interest as a Councillor with East Devon District Council (EDDC).

Cllr Burrows declared a personal interest as a Councillor with East Devon District Council (EDDC).

### **242. Public Question Time**

The member of the public present did not wish to speak.

### **243. Personnel Committee**

Cllrs Rowland and Hartnell tabled a paper for discussion on the role of the Personnel Committee and gave an explanation as to why this was on the agenda.

The Council **RESOLVED** to circulate the paper to all Councillors along with the current Terms of Reference for the Personnel Committee, for discussion at the Council AGM. (moved Cllr Rowland; seconded Cllr Hartnell)

The meeting ended at 19.00.

**Chairman:** \_\_\_\_\_

**Dated:** \_\_\_\_\_

**COUNCIL ANNUAL GENERAL MEETING  
Scheme of Delegation**

**This document outlines the scheme of delegation for Seaton Town Council's Council, Committees and Officers**

**Council Functions**

1.1 The matters listed below are the responsibility of the full Council:

1. Adopting and changing the Council's Standing Orders, Financial Regulations, Scheme of Delegation and Terms of Reference of Committees;
2. Approving, adopting or making material changes to the Council's policy framework;
3. Approving the Council's Budget and the level of its precept levied on East Devon District Council;
4. Approving the Council's Annual Governance Statement (which the Chairman will sign once approved)
5. Approving the Council's Accounting Statements (which the Chairman will sign once approved)
6. Authorising borrowings;
7. Authorising the incurring of expenditure not provided for within the approved Budget or otherwise permitted under the Council's Financial Regulations;
8. Appointing Councillors to each of the Council's Committees
9. Appointing Council representatives to outside bodies;
10. Confirming the appointment of the Town Clerk
11. Making, amending, revoking, re-enacting or adopting byelaws and promoting or opposing the making of local legislation;
12. Approving the adoption of the General Power of Competence if the Council meets the criteria (CiLCA qualified Town Clerk and at least 2/3rds of the Council were elected)
13. All other matters which must, by law, be reserved to the full Council.
14. Grants

## Delegation to Committees

The matters listed below are delegated to the Council's Committees, Sub-Committees, or Working Groups. They must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and approved policy framework and may only be exercised where sufficient budgetary provision exists or can be vired from within the approved budget of the Committee concerned

Where a Sub-Committee or Working Group in lieu of exercising its delegation refers a matter to its parent Committee the delegation is exercisable by the Committee. Nevertheless, the Committee may decide not to exercise this delegated power and may instead make a recommendation to the Council.

<b>Area</b>	<b>Function</b>	<b>Committee</b>
Allotments	To oversee and manage the Councils Allotments	Allotments Committee
Arts	Managing the Council's Arts related activities including direct promotions and liaison with other providers	Communities & Open Spaces
Asset Register	Reviewing and monitoring the Council's Asset Register	Finance & General Purposes
Audit	Overseeing and maintaining a continuous internal audit system	Finance & General Purposes
	Receiving and considering reports of the Council's Internal and External Auditor and monitoring the approved action plans	Finance & General Purposes then to Council
Budget	To oversee and monitor the Councils budget, reporting any areas of concern to Council	Finance & General Purposes
Civic Events	Organising civic events	Communities & Open Spaces
Changes to Policies and Procedures	Recommending changes to Standing Orders and Financial Regulations	Finance & General Purposes
Complaints	Monitoring the Complaints Procedure	Finance & General Purposes
Culture	See Arts	
Events	To oversee the management of any events run by the Council or through a contractor or third party	Communities & Open Spaces
Highways	Commenting on proposals for highways maintenance and repairs and associated matters	Council

<b>Area</b>	<b>Function</b>	<b>Committee</b>
Insurance	Arranging and maintaining insurance cover in respect of the Council's assets and activities against a wide range of risks	Finance & General Purposes
Management of Council Assets	Managing and maintaining the Council's land and buildings	Finance & General Purposes
	Drafting and managing the leases for any land or buildings that are being let to tenants	Finance & General Purposes
	Managing and monitoring the planned maintenance programme for the Council's land and buildings	Finance & General Purposes
	Determining and monitoring the Council's venue hire policy	Finance & General Purposes
Neighbourhood Planning	Developing and updating the Neighbourhood Plan	Planning
Planning	Commenting on planning applications referred to the Council for comment	Planning
Planning Policy	Commenting on planning policy documents where asked by the Local Planning Authority	Planning
Play Areas	Business relating to the leases for play areas	Finance & General Purposes
Play Areas	Maintaining the Council's open spaces and play areas	Communities & Open Spaces
Public footpaths	Making observations on matters affecting public footpaths in and around the town	Communities & Open Spaces
Public transport	Making observations on matters affecting public transport in and around the town	Communities & Open Spaces
Risk Management	Review and manage the Council's risks as per the Risk Management Policy	Finance & General Purposes
Staffing	Recommending changes to the Council's staffing establishment	Personnel Committee recommending to Council
Staffing	Reviewing and monitoring the Council's employment policies and arrangements	Personnel Committee
Street naming	To name new street	Council
Town Clerk and Responsible Financial Officer	To carry out the recruitment and selection process and to make recommendation to Council	Personnel Committee

<b>Area</b>	<b>Function</b>	<b>Committee</b>
Training	To be responsible for overseeing the training and development of staff and Councillors	Personnel Committee
Traffic issues	Making observations on matters affecting traffic management proposals in and around the town	Communities & Open Spaces

### **Delegation to Officers**

The Council does not generally operate a formal scheme of delegations to officers but there are certain matters which might be regarded as routine managerial issues by some people whilst others might regard them in a different way.

The following table, whilst not comprehensive, seeks to clarify responsibility in respect of at least some of these matters. Needless to say, the delegations are subject to them being implemented in accordance with the law, the Council's Standing Orders and Financial Regulations, within the accepted policy framework and where budgetary provision exists or is otherwise authorised in accordance with Financial Regulations.

<b>Area</b>	<b>Function</b>	<b>Officer</b>
Audit	To maintain a continuous internal audit	Town Clerk
Communications	To deal with all press and public relations on behalf of the Council in accordance with the Council's agreed policy	Town Clerk
Documents	To sign documents on behalf of the Council as appropriate	Town Clerk
Elections	To notify the Returning Officer of all casual vacancies arising in the membership of the Council as required by statute and to liaise with him/her regarding the conduct of elections of by-elections	Town Clerk
Emergency Planning	To lead the Council's response in the case of a major emergency in consultation with and/or under the direction of the Emergency Planning Officer at East Devon District Council	Town Clerk
Finance	To administer the Council's bank balances	Town Clerk
	To maintain adequate insurance cover for the Council's activities and property	Town Clerk

<b>Area</b>	<b>Function</b>	<b>Officer</b>
	To act as Responsible Financial Officer for the purposes of the Accounts and Audit Regulations in place at the time	Town Clerk
	To authorise the payment of accounts	Town Clerk
Freedom of Information	To have overall responsibility for the Council's Freedom of Information Publication Scheme	Town Clerk
IT	To be responsible for the provision and management of information and communication technology provided throughout the Council including the replacement of out-dated equipment or the purchase of new equipment within the approved Budget	Town Clerk
Land and Property	To purchase necessary goods and Supplies	Town Clerk
	To maintain the Council's offices and Property	Town Clerk
	To deal with day to day matters in relation to the allotments functions, including the implementation of allotment terms, conditions and rules, allocation of allotment tenancies, issuing of non-cultivation notices and notices to quit.	Town Clerk
Lettings	To authorise casual lettings of the Council's various properties subject to payment in accordance with the approved scale of charges where appropriate	Town Clerk
Meetings	Arrange and call meetings of the Council, its Committees and Sub-Committees	Town Clerk
	Carry out and implement any Council, Committee or Sub-Committee decision	Town Clerk
Members Support	To deal with requests from Members	Town Clerk
Motor vehicles and plant	To maintain, repair and renew the Council's motor vehicles, plant and Equipment	Town Clerk
Proper Officer	To act as Proper Officer for the purposes set out in Standing Orders, as per the Code of Conduct for dispensations and for all other purposes prescribed by law	Town Clerk

<b>Area</b>	<b>Function</b>	<b>Officer</b>
Staffing	Management of all employees using the Councils Personnel Policies	Town Clerk
	To implement national pay awards and conditions of service	Town Clerk
	To appraise staff as per the Appraisal process	Town Clerk

**COUNCIL ANNUAL GENERAL MEETING  
Terms of Reference for Committees**

Attached to this report are the terms of reference that are currently in place, and which have been reviewed and agreed by each of the named Committees.

As the Estates Committee is ceasing and the work of this Committee is now coming under the Finance and General Purposes it is recommended that a review of the terms of reference is carried out by the Finance and General Purposes Committee to combine the two terms of reference at their first meeting of the new Municipal Year.

Councillors will also recall that at the special meeting of Council on 16<sup>th</sup> April it was resolved that the terms of reference for the Personnel Committee be discussed at the AGM reflecting on the current terms of reference as well as the proposal put forward by Councillors Rowland and Hartnell.

**Allotments Committee – Terms of Reference**

**Membership**

Three members of the Council

**Purpose of the Committee**

- To make recommendations to the Council on the formulation of any policy or strategy in relation to the discharge of the allotments function;
- To make recommendations to the Council on the resources necessary to discharge the property and allotment functions;
- To discharge all other aspects of the allotments function in accordance with relevant legislation, any policy or strategy relating to the function approved by the Council, and within the budget provision made by the Council.

**Conditions:**

1. Membership of the Committee to be decided upon its creation and the membership of the Committee to be re-appointed at the Annual Council Meeting in May each year
2. Meetings to be held twice a year and additional meetings can be convened on an as and when needed basis
3. Minutes to be presented to the next available ordinary meeting of Seaton Town Council
4. The Assistant to the Town Clerk will support the Committee



5. The Committee is empowered to invite specialist professional officers or advisors to attend meetings to provide guidance as to matters under discussion.

### **Restrictions:**

1. The quorum shall be two
2. The Town Council's Code of Conduct applies to this committee

### **Delegated Powers**

#### General

Councillors will be advised by the Town Clerk whether a particular item under discussion is within the Committee's delegated powers. If it is within the delegated powers, the minutes will record the decision as RESOLVED. If not, then the minutes will record the decision as RECOMMENDED and it will then be brought to the attention of the Council for decision.

#### Specific Delegated Powers:

1. Promote the facilities of the allotments and encourage its use for the benefit of the community
2. Set fees on an annual basis
3. Manage all aspects of allocating allotments including the allocation of allotments to persons living outside the Parish if there is deemed to be insufficient take up by parishioners and after informing parishioners of the situation
4. Have the power to review each application for renewal and refuse such application if to do so would compound or cause the continuation of a breach of the rules
5. Set rules of conduct for all users of the allotments and enforce those rules
6. Set restrictions on the use of the allotments that they consider necessary for the good governance of the allotments
7. Carry out a formal overall Risk Assessment and review the safe operation of the allotments at least annually
8. Be responsible for seeing that all Health and Safety guidance is up to date and that full compliance with all aspects of the Risk Assessment are met
9. Examine all possible sources of funding, including sponsorship and grants
10. Meet with the Allotment holders twice a year

## **Communities and Open Spaces Committee – Terms of Reference**

### **Membership**

Six members of the Council plus the Chairman and Vice-Chairman as ex-officio.

### **Delegated Powers**

#### **General**

Councillors will be advised by the Town Clerk whether a particular item under discussion is within the Committee's delegated powers. If it is within the delegated powers, the minutes will record the decision as RESOLVED. If not, then the minutes will record the decision as RECOMMENDED and it will then be brought to the attention of the Council for decision.

#### **Specific Delegated Powers**

1. The Committee will have responsibility for all the Parks and Open Spaces for which the Council has responsibility within the Town at the Elizabeth Road play area and open space, the Underfleet play area, Cliff Field Gardens including the Labyrinth and Seaton Down Hill.
2. Its role will include the effective management and maintenance of these resources / operations to the benefit of the Town.
3. The Committee will seek from the Council an annual budget allocation with delegated responsibility for its expenditure in the implementation of the continued upkeep and potential improvement of leisure, recreational and related provision.
4. To identify projects that will involve or provide facilities or activities for people of all ages.
5. To undertake an on-going review of the provision of public parks and open spaces within the Town to ensure that the needs of residents are met as far as possible.
6. The Committee will manage and monitor projects, including those funded by Section 106 agreements.
7. The Committee will oversee the parks and open spaces and the Maintenance contracts governing their operation, via the provision of a monthly report for the Committee, to include the Annual Safety Inspection and the Annual Grounds Maintenance Contract for those sites listed in paragraph 1.
8. To review monthly reports provided by the Marketing and Events Specialist.

## **Conditions**

1. Membership of the Committee to be decided up its creation and the membership of the Committee to be re-appointed at the Annual Council Meeting in May each year.
2. Meetings to be convened as per the Schedule of Meetings agreed at the Annual Council Meeting in May each year.
3. Minutes to be presented to the next available ordinary meeting of Seaton Town Council.
4. The Assistant to the Town Clerk will support the Committee.
5. The Committee is empowered to invite specialist professional officers or advisors to attend meetings to provide guidance as to matters under discussion.

## **Estates Committee – Terms of Reference**

### **Membership**

Six members of the Council plus the Chairman and Vice-Chairman as ex-officio.

### **Delegated Powers**

#### **General**

Councillors will be advised by the Town Clerk whether a particular item under discussion is within the Committee's delegated powers. If it is within the delegated powers, the minutes will record the decision as RESOLVED. If not, then the minutes will record the decision as RECOMMENDED and it will then be brought to the attention of the Council for decision.

#### **Specific Delegated Powers**

1. The Committee is responsible for all aspects related to buildings owned by Seaton Town Council and land containing buildings leased to another organisation, including but not exclusively the Martial Arts Centre and Scout Hut. Responsibilities to include:
  - Setting up and ensuring leases are in place and that tenants comply with the terms and conditions of the lease.
  - Marketing available space for rent in Marshlands Centre.
  - Ensuring buildings are maintained and fit for purpose for tenants, hirers of rooms and kitchen facilities in Marshlands Centre and for Seaton Town Council employees including health and safety, fire safety precautions and procedures, and legionella checks.

- Propose an annual budget expense plan to cover all building annual maintenance and running related costs and longer term development / maintenance funds.
- 2. The Committee shall have delegated power to incur expenditure within the Town Hall and Marshlands approved budgets.
- 3. Prepare recommendations for full Council for any critical expense required that has not been budgeted.

### **Conditions**

1. Membership of the Committee to be decided up its creation and the membership of the Committee to be re-appointed at the Annual Council Meeting in May each year.
2. Meetings to be convened as per the Schedule of Meetings agreed at the Annual Council Meeting in May each year.
3. Minutes to be presented to the next available ordinary meeting of Seaton Town Council.
4. The Assistant to the Town Clerk will support the Committee.
5. The Committee is empowered to invite specialist professional officers or advisors to attend meetings to provide guidance as to matters under discussion.

### **Finance & General Purposes Committee – Terms of Reference**

#### **Membership**

Six members of the Council plus the Chairman and Vice-Chairman as ex-officio.

#### **Delegated Powers**

##### **General**

Councillors will be advised by the Town Clerk whether a particular item under discussion is within the Committee's delegated powers. If it is within the delegated powers, the minutes will record the decision as RESOLVED. If not, then the minutes will record the decision as RECOMMENDED and it will then be brought to the attention of the Council for decision.

##### **Specific Delegated Powers**

1. Receive and approve details of all payments authorised in the course of the business of the Town Council, including those purchased with the Council's debit card.

2. To monitor income and expenditure each month against the approved budgets for all committees.
3. To consider all matters delegated to them in accordance with the Council's adopted Financial Regulations
4. To consider any matter which does not fall within the remit of any other committee. Where there is a specific budget for this matter the Committee shall have delegated power to authorise expenditure. Where there is no specific budget, the Committee shall make reports to the Council.
5. During the budget year to authorise the transfer of unspent and available amounts to other budget headings or to an earmarked reserve as appropriate.
6. To monitor the Council's activity in accordance with the Council's Financial Regulations
7. To receive and consider each committee's proposals in respect of revenue and capital and sources of funding for the following financial year not later than the end of October each year.
8. To produce detailed estimates of all income and expenditure including the use of reserves and all sources of funding for each year in the form of a budget and present it to Council at its December meeting for Council to approve and set the precept.
9. To review cheque signatories annually at the first meeting of each new financial year.
10. To review the Council's banking arrangements, including the Bank Mandate, annually at the first meeting of each new financial year.
11. To undertake periodic checks on petty cash expenditure and to approve petty cash expenditure at each meeting.
12. To receive details of bank statements and confirm reconciliation at each meeting

### **Conditions**

1. Membership of the Committee to be decided up its creation and the membership of the Committee to be re-appointed at the Annual Council Meeting in May each year.
2. Meetings to be convened as per the Schedule of Meetings agreed at the Annual Council Meeting in May each year.
3. Minutes to be presented to the next available ordinary meeting of Seaton Town Council.

4. The Town Clerk will support the Committee.
5. The Committee is empowered to invite specialist professional officers or advisors to attend meetings to provide guidance as to matters under discussion.

### **Planning Committee – Terms of Reference**

#### **Membership**

Nine members of the Council (including the Chairman and Vice Chairman as ex-officios)

#### **Purpose of the Committee**

1. To consider and make responses to any planning applications from East Devon District Council as the Local Planning Authority;
2. To consider any applications where Seaton Town Council is the applicant and to make recommendations to Council for approval prior to the submission of the application. This will also apply to any changes to the application or requests for further information
3. To act as a consultee on any planning policy matters raised by East Devon District Council

#### **Conditions:**

1. Membership of the Committee to be decided upon its creation and the membership of the Committee to be re-appointed at the Annual Council Meeting in May each year
2. Meetings to be held twice a month and additional extraordinary meetings can be convened on an as and when needed basis
3. Minutes to be presented to the next available ordinary meeting of Seaton Town Council
4. The Assistant to the Town Clerk will support the Committee
5. The Committee is empowered to invite specialist professional officers or advisors to attend meetings to provide guidance as to matters under discussion

#### **Restrictions:**

1. The quorum shall be five
2. The Town Council's Code of Conduct applies to this committee

3. The Planning Committee will only consider matters within its scope and will not have delegation to approve courses of action such as writing to the Secretary of State on behalf of the Council. This falls under the remit of Council

## **Delegated Powers**

### General

Councillors will be advised by the Town Clerk whether a particular item under discussion is within the Committee's delegated powers. If it is within the delegated powers, the minutes will record the decision as RESOLVED. If not, then the minutes will record the decision as RECOMMENDED and it will then be brought to the attention of the Council for decision.

### Specific Delegated Powers:

1. Determination of responses to all Planning Applications
2. Determination of responses in respect of all applications relating to the preservation, felling or other works with respect to trees and tree preservation orders
3. Determination of responses to any appeal against a planning decision by East Devon District Council including the preparation of submissions to be made to an Inspector as appropriate
4. To note any planning decisions made by East Devon District Council
5. To receive a report from the Chairman of any urgent planning items or amendments to planning applications received after formulation of the agenda
6. Responding to any consultation on planning policy.
7. Responding to and taking part in any discussion with regard to the Local Plan from East Devon District Council. However, where the matter relates to the area outside East Devon e.g. the Greater Exeter Partnership this will be considered by Council
8. Comment on street naming and signage when requested
9. To oversee the development and updating of Seaton's Neighbourhood Plan

## **Personnel Committee – Terms of Reference**

### **Membership**

Six members of the Council (including the Chairman or Vice Chairman of the Council)

**Purpose of the Committee**

- To meet the legislative requirements in respect of employment law;
- To make decisions about staffing matters as delegated by Full Council;
- To ensure that the Council is a “good employer” and has the appropriate policies and procedures in place to support and develop its staff.
- To provide the pastoral care role to staff
- To ensure the health, safety, and wellbeing of staff
- To line manage the Town Clerk

**Conditions:**

1. Membership of the Committee to be decided upon its creation and the membership of the Committee to be re-appointed at the Annual Council Meeting in May each year
2. Meetings to be convened on an as and when needed basis
3. Meetings will not commence until the decision is taken to exclude the press and public
4. Minutes to be presented to the next available ordinary meeting of Seaton Town Council
5. The Town Clerk will support the Committee
6. The Committee is empowered to invite specialist professional officers or advisors to attend meetings to provide guidance as to matters under discussion

**Restrictions:**

1. If the Chairman of the Council is on the Personnel Committee then the Deputy Chairman of the Council is not to be a member of the Personnel Committee as they will chair the Appeals Committee, or vice versa.
2. Councillors that are on the Personnel Committee cannot be on the Appeals Panel and vice versa
3. Only members of the Committee may attend meeting for items discussed in Part B of the meeting
4. The quorum shall be three
5. The Town Council’s Code of Conduct applies to this committee



## **Delegated Powers**

### General

Councillors will be advised by the Town Clerk whether a particular item under discussion is within the Committee's delegated powers. If it is within the delegated powers, the minutes will record the decision as RESOLVED. If not, then the minutes will record the decision as RECOMMENDED and it will then be brought to the attention of the Council for decision.

### Specific Delegated Powers:

1. The Committee will consider all matters relating to the appointment, employment, and disciplinary matters of all Town Council staff in accordance with the NALC document "Being a Good Employer".
2. To review staffing structures and levels and make recommendations to Council
3. To review and agree policies for staff including the:
  - staff handbook (including reference to computer use, email, internet and telephone use, absence – holiday, sickness, authorised/unauthorised, TOIL, expenses, retirement, family friendly policies – maternity, paternity, adoption, parental leave, special leave, flexible working, and conduct);
  - Equality Policy;
  - Health and Safety Policy;
  - Data Protection/ Freedom of Information;
  - Bullying and Harassment/ dignity at work policy
  - Disciplinary policy;
  - Grievance policy;
  - Training policy; and
  - Appraisal process.

All policies should be reviewed at least annually.

4. To establish and review salary pay scales for all categories of staff and to be responsible for their administration and review. Undertake an annual review of salary levels for all staff.
5. To oversee the recruitment and appointment of staff (with all appointments being ratified by Council). This will include appointing from its membership a recruitment panel, when necessary. Recruitment panels will normally include the whole panel in the case of the appointment of the Town Clerk and one Member of the Committee plus the Clerk for all other posts (reporting back to the Committee once the interviews have been completed).
6. To establish and review performance management (including annual appraisals as per the appraisals process). The Committee will undertake the appraisal of the Town Clerk and the Town Clerk will appraise all other members of staff. The Town Clerk will raise any areas of concern re staff performance with the Committee.

7. To oversee the Council's Training Policy for all members of staff and Councillors. The Committee will work with the Town Clerk to make recommendation to the Finance and General Purposes Committee as to the level of training budget each year. The Committee will also review the feedback from any training undertaken by Councillors or staff.
8. To oversee the work of the Town Clerk in terms of:
  - Drafting job descriptions and person specifications
  - Producing employment contracts (including a probationary period)
  - Any changes to staff contracts
  - Compiling Job adverts
  - Shortlisting for interviews (unless it is for the position of Town Clerk, in which case the Committee will shortlist)
  - Line management duties
  - Ensuring that statutory responsibilities are met e.g. in respect of Health and Safety, Data Protection, and Information Security.
9. To supervise and performance manage the Town Clerks work, to administer leave and TOIL requests and to record his/her absence if appropriate.
10. To appoint from its membership three members to act as a panel for hearing disciplinary or grievances following the procedure as set out in the Disciplinary Policy and Grievance Policy.

### **Personnel Committee proposal from Cllrs Rowland and Hartnell**

That this council amends the terms of reference for the personnel committee with effect from 8 May 2018 to reflect its role to only deal with matters relating to individual staff members, and to amend terms of reference for full council so that it can make all operational, policy and strategic decisions relating to staffing matters going forward. Following advice from South West Councils we also propose that it is mandatory for all councillors to receive basic employer training as recommended; 'The Council as Employer' (see document).

### **Terms of reference of personnel to include:**

- The personnel committee to comprise 6 Councillors of which 1 would be the Chair of Seaton Town Council who would not necessarily chair the personnel committee.
- To meet quarterly (or as required)
- To carry out shortlisting of job applicants for interview invite, who will conduct interviews via a panel and who will be offered the job (unless the vacancy is for the Town Clerk position then all other vacancies will involve the Town Clerk in the process)
- 2 members of this committee to carry out the mid-year and end of year appraisal interview of the Town Clerk (1 member to be the chair)
- To handle grievances, issues concerning capability and performance, and discipline.
- To report to full council at the next meeting following the date of a personnel committee meeting to include recommendations to issue job offers.

- That the membership of the Personnel and Appeals Committees swap roles (apart from the Chair of the Council) to ensure that all Councillors have experience of the Personnel Committee during their term of office. The only exception would be if there happens to be an ongoing issue that is not resolved by the AGM of the Council.

**Terms of reference for full council to include:**

- To take corporate responsibility as a whole council on employment matters
- To consider and act on all legislative issues
- To agree on all policy and procedures that relate to employment (for example health & safety, appraisal policy etc.)
- To be responsible for agreeing and signing off all employment contracts
- To handle pay reviews, to review TOIL and absence records and to pass on any concerns to the personnel committee for action
- To delegate tasks to the personnel committee when necessary and as appropriate

**COUNCIL ANNUAL GENERAL MEETING**

**To appoint Councillors to each of the Council’s Committees for the 2017/2018 Municipal Year**

<p><b>Allotments Committee</b> Membership = 3</p> <p>1. .... 2. .... 3. ....</p>	<p><b>Communities &amp; Open Spaces Committee</b> Membership = 6 plus the Chairman and Vice-Chairman as ex-officio</p> <p>1. .... 2. .... 3. .... 4. .... 5. .... 6. .... 7. Chairman 8. Vice-Chairman</p>
<p><b>Estates Committee</b> Membership = 6 plus the Chairman and Vice-Chairman as ex-officio</p> <p>1. .... 2. .... 3. .... 4. .... 5. .... 6. .... 7. Chairman 8. Vice-Chairman</p>	<p><b>Finance &amp; General Purposes Committee</b> Membership = 6 plus the Chairman and Vice-Chairman as ex-officio</p> <p>1. .... 2. .... 3. .... 4. .... 5. .... 6. .... 7. Chairman 8. Vice Chairman</p>
<p><b>Planning Committee</b> Membership = 7 plus the Chairman and Vice-Chairman as ex-officio</p> <p>1. .... 2. .... 3. .... 4. .... 5. .... 6. .... 7. .... 8. Chairman 9. Vice-Chairman</p>	<p><b>Continued overleaf</b></p>

<p><b>Personnel Committee</b> Membership = 6 Chairman or Vice-Chairman (one on Personnel and the other on Appeals)</p> <p>1. .... 2. .... 3. .... 4. .... 5. ....</p>	<p><b>Appeals Committee</b> Membership = 6 Chairman or Vice-Chairman (one on Personnel and the other on Appeals)</p> <p>1. .... 2. .... 3. .... 4. .... 5. ....</p>
---	---

**COUNCIL ANNUAL GENERAL MEETING  
Appointments to Outside Bodies**

The Outside Bodies to which Seaton Town Council appoints and current Council representatives are listed below.

Seaton Regeneration Board	Cllr H Sanham & Cllr J Rowland
Seaton Coastal Traffic Group	Cllr P Burrows
Axe Valley Local Action Group	Cllr K Beer
TRIP	vacancy
Jurassic Coast Ambassadors	Cllr M Hartnell
Natural Seaton Partnership	Cllr Mrs H Sanham
Devon Association of Local Councils (DALC)	Cllr J Rowland & Cllr D Squire
DALC County Committee	Cllr K Beer
National Association of Local Councils (NALC)	Cllr M Hartnell
Chamber of Commerce	Cllr K Beer
East Devon Arts & Culture Forum	Cllr R Webster
Seaton Locality Health & Care Forum	Cllr P Burrows

**Full Council and Committee Meeting dates for the Municipal Year 2018 / 2019**

**NB – WILL ALSO NEED TO ADD DATE OF TOWN MEETING WHICH IS STILL TO BE CONFIRMED**

MAY 2018					Any other issues
<i>Tuesday 8<sup>th</sup></i>	Monday 14 <sup>th</sup>	Monday 21 <sup>st</sup>	Monday 28 <sup>th</sup>		<i>Monday 7<sup>th</sup> May is a Bank Holiday</i>
Planning & AGM	Council	Planning & Finance	Communities		
JUNE 2018					
Monday 4 <sup>th</sup>	Monday 11 <sup>th</sup>	Monday 18 <sup>th</sup>	Monday 25 <sup>th</sup>		
Planning & Council		Planning & Finance	Communities		
JULY 2018					
Monday 2 <sup>nd</sup>	Monday 9 <sup>th</sup>	Monday 16 <sup>th</sup>	Monday 23 <sup>rd</sup>	Monday 30 <sup>th</sup>	
Planning & Council		Planning & Finance		Planning & Communities	
AUGUST 2018					
Monday 6 <sup>th</sup>	Monday 13 <sup>th</sup>	Monday 20 <sup>th</sup>	<i>Tuesday 28<sup>th</sup></i>		<i>Monday 27<sup>th</sup> August is a Bank Holiday</i>
Council	Planning	Finance	Planning & Communities		
SEPTEMBER 2018					
Monday 3 <sup>rd</sup>	Monday 10 <sup>th</sup>	Monday 17 <sup>th</sup>	Monday 24 <sup>th</sup>		
Council	Planning	Finance	Planning & Communities		
OCTOBER 2018					
Monday 1 <sup>st</sup>	Monday 8 <sup>th</sup>	Monday 15 <sup>th</sup>	Monday 22 <sup>nd</sup>	Monday 29 <sup>th</sup>	
Council	Planning	Finance	Planning & Communities		
NOVEMBER 2018					
Monday 5 <sup>th</sup>	Monday 12 <sup>th</sup>	Monday 19 <sup>th</sup>	Monday 26 <sup>th</sup>		
Planning & Council		Planning & Finance	Communities		
DECEMBER 2018					
Monday 3 <sup>rd</sup>	Monday 10 <sup>th</sup>	Monday 17 <sup>th</sup>	Monday 24 <sup>th</sup>	Monday 31 <sup>st</sup>	
Planning & Council		Planning & Finance			<i>Office closed 24/12 &amp; 31/12</i>
JANUARY 2019					
Monday 7 <sup>th</sup>	Monday 14 <sup>th</sup>	Monday 21 <sup>st</sup>	Monday 28 <sup>th</sup>		
Planning & Council		Planning & Finance	Communities		

<b>FEBRUARY 2019</b>					
<b>Monday 4<sup>th</sup></b>	<b>Monday 11<sup>th</sup></b>	<b>Monday 18<sup>th</sup></b>	<b>Monday 25<sup>th</sup></b>		
<b>Planning &amp; Council</b>		<b>Planning &amp; Finance</b>	<b>Communities</b>		
<b>MARCH 2019</b>					
<b>Monday 4<sup>th</sup></b>	<b>Monday 11<sup>th</sup></b>	<b>Monday 18<sup>th</sup></b>	<b>Monday 25<sup>th</sup></b>		
<b>Planning &amp; Council</b>		<b>Planning &amp; Finance</b>	<b>Communities</b>		
<b>APRIL 2019</b>					
<b>Monday 1<sup>st</sup> April</b>	<b>Monday 8<sup>th</sup></b>	<b>Monday 15<sup>th</sup></b>	<b>Monday 22<sup>nd</sup></b>	<b>Monday 29<sup>th</sup></b>	
<b>Planning &amp; Council</b>		<b>Planning &amp; Finance</b>		<b>Planning &amp; Communities</b>	<i>Monday 22<sup>nd</sup> is Easter Monday</i>
<b>MAY 2019</b>					<i>Monday 6<sup>th</sup> May is Bank Holiday</i>
<i>Tuesday 7<sup>th</sup></i>					
<b>Council AGM</b>					



**COUNCIL ANNUAL GENERAL MEETING  
Standing Orders**

**Agenda Item: 14**

**COUNCIL ANNUAL GENERAL MEETING  
Financial Regulations**

**Agenda Item: 15**

**COUNCIL ANNUAL GENERAL MEETING**  
**Internal Controls**

The Finance and General Purposes Committee **RECOMMEND** the Internal Controls to Council for approval.

**INTERNAL CONTROLS**

In addition to the Internal Audit, the following controls apply:

**Payments**

All payments are checked by the Clerk and by two councillors, and where possible one of who is the Chairman of the Finance & General Purposes (F&GP) Committee, who sign the cheques. Cheque stubs and invoices / vouchers are initialled. All payments are presented to the F&GP Committee at its monthly meetings.

The Council shall use the agreed Council debit card for those purchases, within agreed budgets, where a cheque or invoice payment is not available. The debit card will be used solely by the Town Clerk and any purchase will be subject to authorisation by two cheque signatories who will then sign a Council approved pro forma provided expenditure has previously been agreed. The card will be secured in a lockable safe box.

Any purchases made using the agreed Council debit card will be presented to the F&GP Committee as per all other payments.

**Budgetary controls**

Progress against budgets is regularly monitored and the report presented at each F&GP Committee meeting.

**Petty cash procedure**

Reimbursement is regular with evidence that on occasions an independent person has physically counted the cash balance and checks it is in agreement with the up-to-date record. Petty cash expenditure is approved at each F&GP Committee meeting.

**Payroll controls**

Internal audit will be seeking reassurance that the system is delivering the correct payments for wages and salaries and that Pay as you Earn (PAYE)/National Insurance Contributions (NIC) are correctly deducted from the gross pay and paid to HM Revenue and Customs. On occasions an independent person checks that payments for wages and salaries are in accordance with contracts of employment and that PAYE/NIC is correctly deducted.

Changes to contracts of employment (whether annual salary change, or other) are formally agreed by the Personal Committee and a written statement provided to the employee. The council records evidence of such agreements.

The Personnel Committee will approve a schedule of staff salaries at least once a year

### **Asset Register**

The Council maintains an asset and investment register which is reviewed at the annual meeting of the Council.

### **Bank reconciliation**

On receipt of each bank statement, there is a reconciliation with the cash book record written up from the council's records: cheque counterfoils and the paying-in books, together with the known direct payments and credits. The cash book record is checked regularly against the bank statements to provide control.

As part of internal controls, the F&GP Committee to review the bank reconciliation in detail and the chairman and one other councillor to evidence that review by signing the bank statements at each F&GP Committee meeting which is then minuted.

### **Risk Management**

The Council undertakes its own Risk Management and reviews the risks identified at each annual meeting of the Council.

### **Additional controls:**

- Standing orders and financial regulations dealing with the award of contracts for services or the purchase of capital equipment.
- Regular reporting on performance by suppliers / providers / contractors.
- Annual review of contracts.
- Adoption of and adherence to codes of practice for procurement and investment.
- Regular returns to HM Revenue and Customs.
- Regular returns of VAT.
- Developing systems of performance measurement.
- Procedures for dealing with and monitoring grants or loans made or received.
- Minutes properly numbered and paginated with a master copy kept in safekeeping.
- Procedures in place for recording and monitoring Members' interests and gifts and hospitality received.
- Adoption of codes of conduct for members and employees.

**COUNCIL ANNUAL GENERAL MEETING**  
**Asset Register**

<b>Asset</b>	<b>Date Acquired</b>	<b>Purchase Price</b>	<b>Comments</b>
<i>Land and buildings</i>			
Town Hall	Apr-16	1.00	asset transfer from EDDC
Marshlands	Apr-16	86,000.00	Purchased from Devon County Council
Cliff Field Gardens	Sep-09	1.00	asset transfer from EDDC
Elizabeth Road Park and Playing Field	Sep-09	1.00	asset transfer from EDDC
Seaton Down Road Picnic Site	Oct-09	1.00	asset transfer from EDDC
Allotments	1974	1.00	Local Government Reorganisation
Scout Hut, Scalwell Lane	Sep-09	1.00	asset transfer from EDDC
Martial Arts Hut, Scalwell Lane	Sep-09	1.00	asset transfer from EDDC
<i>Vehicles</i>			
Van		4,500.00	
<i>Marshlands Equipment</i>			
Tables x 10	04/04/2016	1,308.00	
Tables semi circles x 10	04/04/2016	1,536.00	
Chairs x 50	04/04/2016	813.50	
Buffalo convection oven	11/07/2016	399.99	
Caterlite Double Induction Hob x 2	11/07/2016	239.98	
Dishwasher	28/09/2016	1,250.00	
Crockery and Cutlery	08/08/2016	714.65	
<i>Play park equipment - underfleet</i>			
Lillie Toddler steel basket swing	29/02/2016	1,145.70	
Roty Inclusive roundabout	29/02/2016	1,077.94	
Circus trampoline	29/02/2016	3,912.50	

Landscape tunnel	29/02/2016	787.42	
Walk and Stretch posts (balance walk)	29/02/2016	311.45	
6m high net pyramid (climbing frame)	29/02/2016	8,946.14	
Eco gaping Ghyll (rope bridge)	29/02/2016	1,305.46	
Willy Jeep spring mounted	29/02/2016	4,018.34	
Nexus Viper Rope Swing (giant rope swing)	29/02/2016	3,658.45	
Titan (carousel swing)	29/02/2016	4,359.31	
Cyclops (basket swing)	29/02/2016	2,931.90	
2.4m sleeper bench x 6	29/02/2016	854.15	
2.4m sleeper picnic table x 3	29/02/2016	1,615.04	
Goal x 2	29/02/2016	1,243.30	
Bat Web Rox	29/02/2016	10,356.50	
UniMini Kerra Unit (play tower with ladder and slide)	29/02/2016	2,567.41	
<i>Other</i>			
Bicycle sculptures x 3	11/02/2016	2,190.00	
Gazeebos	Sep-12	5,600.00	Purchased with Government Grant but Town Council asset
Signage (gateway to the town) x 5 signs	08/09/2016	2,623.13	
Shed	10/11/2016	335.00	
Petrol chainsaw	27/06/2016	312.50	
Petrol Brushcutter	27/06/2016	315.00	
Hedge trimmer attachment	27/06/2016	171.66	
<i>From asset register 2015</i>			
Play equipment (Elizabeth Road)	unknown	50,000.00	
Street furniture	unknown	24,000.00	
Regalia	unknown	4,000.00	
Grant of Arms	unknown	659.00	
Labyrinth centre piece	unknown	859.00	
Finger Labyrinth & Braille Board	unknown	911.00	
Geological timeline plaques	unknown	3,200.00	

Christmas lights	unknown	0.00	lease rather than own
banners	unknown	2,355.00	
bunting	unknown	675.00	
flags	unknown	100.00	
pictures	unknown	500.00	
office equipment	unknown	5,000.00	
TIC equipment	unknown	0.00	no longer own assets for TIC
Maintenance equipment	unknown	1,100.00	

---

**250,766.42**

---

**COUNCIL ANNUAL GENERAL MEETING**  
**Insurance**

At its meeting on the 26<sup>th</sup> March 2018, the Finance and General Purposes Committee **RESOLVED** to continue with Zurich Municipal until the end of the contract in April 2019.

This will then be the end of the three year deal and the Town Clerk will commence obtaining insurance quotes in January 2019 so as to ensure that the Council obtains good value for money.



**COUNCIL ANNUAL GENERAL MEETING  
Code of Conduct**

**Introduction**

Pursuant to section 27 of the Localism Act 2011, Seaton Town Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council, including the business of the office to which they were elected or appointed or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the following seven principles of public life:

- Selflessness:** Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.
- Integrity:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in performance of their official duties.
- Objectivity:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- Accountability:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- Openness:** Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions, and the decisions of the Council and restrict information only when the wider public interest clearly demands.
- Honesty:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protect the public interest.
- Leadership:** Holders of public office should promote and support these principles by leadership and example.

## **Definitions**

For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee or subcommittee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.

For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

## **Member obligations**

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations;

1. He/she will declare any Disclosable Pecuniary Interests and Personal Interests as appropriate
2. He/she will promote and support high standards of conduct when serving in their public post, in particular as characterised by the above principles of public life, by leadership and example.
3. He/she shall behave in such a way that a reasonable person would regard as respectful.
4. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
5. He/she shall not seek to improperly confer an advantage or disadvantage on any person.
6. He/she shall use the resources of the Council in accordance with its requirements.
7. He/she shall not disclose information which is confidential or where disclosure is prohibited by law.
8. He/she shall not conduct themselves in a manner or behave in such a way so as to bring their office or the Council into disrepute. The reputation of the Council depends on his/her conduct and what the public believes about his/her conduct. It is not enough to avoid actual impropriety, he/she should at all times avoid any occasion for suspicion or appearance of improper conduct.

9. Whilst he/she may be strongly influenced by the views of others, it is his/her responsibility alone to decide what view to take on any question which Members have to decide.
10. Do nothing as a Member which he/she could not justify to the public.
11. It is his/her responsibility to comply with the provisions of this Code.

### **Registration of interests**

Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register all interests which fall within the categories set out in Appendices A and B.

Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register any interests in Appendices A and B.

A member shall register any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.

A member need only declare on the public register of interests the existence but not the details of any interest which the Monitoring Officer at East Devon District Council agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

### **Declaration of interests**

Where a matter arises at a meeting which relates to an interest in Appendix A (a Disclosable Pecuniary Interest) the member shall not participate in the discussion or vote on the matter. The member must declare that they have an interest and shall withdraw from the room at the commencement of the consideration of that business.

Where a matter arises at a meeting which relates to an interest in Appendix A (a Disclosable Pecuniary Interest) which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. The member must declare that they have an interest and shall withdraw from the room at the commencement of the consideration of that business.

Where a matter arises at a meeting which relates to an interest in Appendix B (a Personal Interest), the member can participate in the discussion and vote on the matter but must declare that they have a Personal Interest.

### **Dispensations**

On a written request made to the Council's Proper Officer (an official delegation to the Town Clerk), the Council may grant a member a

dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendices A and B.

Dispensations can be granted where it is considered that:

- a) Without the dispensation, the number of persons who could not take part due to their disclosable pecuniary interest would be so great as to impede the transaction of the business;
- b) Without the dispensation, the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;
- c) Granting the dispensation is in the interests of persons living in the authority's area;
- d) Without the dispensation, each executive member would be prohibited from participating in any particular business to be transacted by the authority's executive as they would have a disclosable pecuniary interest ; or
- e) It is otherwise appropriate to grant a dispensation

The reason for the dispensation and the period for which it has effect will be formally minuted. The period specified may not exceed four years."

## APPENDIX A

**Disclosable Pecuniary Interests (DPI's)** are things that affect you, your spouse, civil partner or person with whom you are living as if you were husband and wife or civil partners, in the following ways:

<b>Subject</b>	<b>Prescribed description</b>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain (i.e. profit, salary or benefit in kind)
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by him/her in carrying out duties as a member, or towards the election expenses of him/her
	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992
Contracts	Any contract which is made between the relevant person (or body in which the relevant person has a beneficial interest) and the relevant authority -
	(a) Under which goods or services are to be provided or works are to be executed; and
	(b) Which has not been fully discharged
Land	Any beneficial interest in land which is within the area of the relevant authority
Licences	Any licence (along or jointly with others) to occupy land in the area of the relevant authority for a month or longer
Corporate tenancies	Any tenancy where (to the members knowledge) -
	(a) The landlord is the relevant authority; and
	(b) The tenant is a body in which the relevant person has a beneficial interest
Securities	Any beneficial interest in securities of a body where -
	(a) That body (to the member's knowledge) has a place of business or land in the area of the relevant authority; and
	(b) Either -

<b><i>Subject</i></b>	<b><i>Prescribed description</i></b>
	(i) The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
	(ii) If the share capital of that body is of more than one class, the total nominated value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issues share capital of that class

**It is a criminal offence to participate in any business before the Council in which you have a DPI. If you have a DPI, the law requires you to declare the DPI and leave the room immediately without saying anything for that item of business**

## APPENDIX B

### Personal Interests

Please give details of your membership of, or any position of general control or management, of any bodies in the categories listed below and of any gifts and hospitality received worth over £25.

An interest which relates to, or is likely to affect:

1. Membership of any Body or Organisation to which you have been appointed or nominated by Seaton Town Council as its representative
2. Membership of any other body exercising functions of a public nature  
*(e.g. Devon County Council or East Devon District Council; Health, Police or Fire Authority or Quasi Autonomous Non-Governmental Body)*
3. Membership of any body directed to charitable purposes  
*(e.g., an Industrial and Provident Society or Charitable Body)*
4. Membership of any Body whose principal purpose is to influence public opinion or policy or which, in your view, might create a conflict of interest in carrying out their duties as a Seaton Town Councillor.  
*(e.g. Political Party; Trade Union, Professional Association, Local Action Forum, Civic Society or Interest Group (e.g. National Trust; RSPB; Greenpeace or membership of the Freemasons or similar body)*
5. Any land where the landlord is Seaton Town Council, and you are, or a firm in which you are a partner or a company of which you are a paid director is the tenant
6. Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income. [This includes options to purchase which you have on land in Seaton]
7. Any gifts or hospitality worth more than an estimated value of £25 which you have received by virtue of your office

## **COUNCIL ANNUAL GENERAL MEETING Risk Management Policy**

### **1.0 BACKGROUND**

- 1.1 This Risk Management Policy outlines Seaton Town Council's framework for managing risk.
- 1.2 The Association of Chartered Certified Accountants (ACCA) defines risk as:  
*"An unrealised future loss arising from a present action or inaction. Risks are the opportunities and dangers associated with uncertain future events".*
- 1.3 Risk Management can be defined as:  
*"The process of identifying risks, evaluating their potential consequences and determining and implementing the most effective way of controlling and monitoring them. The objective of the process is to reduce adverse consequences by reducing the likelihood of the event or its impact"*

### **2.0 AIMS AND OBJECTIVES**

- 2.1 The aim of the Seaton Town Council Risk Management Policy is to adopt best practice in the identification and evaluation of risks and the cost-effective control of risks to ensure that they are reduced to an acceptable level.
- 2.2 It is acknowledged that some risks will always exist and will never be eliminated. All employees must understand the nature of risk and accept responsibility for risks associated with their role and responsibility.
- 2.3 The risk management objectives of the Council are to:
- Embed risk management into the culture of the Council
  - Fully incorporate risk management as an integral part of setting and delivering the Council's corporate objectives, the Council's day to day operations and any projects or events that the Council undertakes
  - Manage risk in accordance with best practice and in particular in accordance with the requirements of the Annual Governance Statement
  - Consider legal compliance as a minimum
  - Prevent injury and damage and reduce the cost of risk
  - Raise awareness of the need for risk management
- 2.4 These objectives will be achieved by:
- Establishing a clear Risk Management Policy that is communicated to all officers and Councillors
  - Establish a clear Risk Assessment procedure to ensure that all risks are assessed to a certain standard
  - Clearly define roles and responsibilities for risk management in staff job descriptions and the staff handbook
  - Maintaining and reviewing a register of corporate, operational and project risks
  - Regularly report risks to the Finance and General Purposes Committee along with progress reports on how risks are being managed

### **3.0 ROLES AND RESPONSIBILITIES**

- 3.1 The following groups and individuals have the following roles and responsibilities for



risk and opportunity management within the Council.

- 3.2 The **Council** will approve this Risk Management Policy and any subsequent revisions at least annually at the Annual General Meeting.
- 3.3 The **Finance and General Purposes Committee** will be the Committee delegated to regularly review the Council's Risk Management arrangements and to ensure that it is meeting what is set out in this Policy. The Committee will receive regular risk reports. Where the Finance and General Purposes Committee feel that an issue needs to be escalated it will be referred to Council for consideration. The Committee will also oversee the work of the Town Clerk to ensure that she is completing risk assessments and managing risk appropriately.
- 3.4 The **Town Clerk and Responsible Financial Officer (RFO)** is responsible for providing assurance to the Council through ensuring that risks are being identified, evaluated and managed appropriately. The Town Clerk will use the Local Council Risk System as the Councils Risk Register. The Town Clerk and RFO will regularly provide updates to the Finance and General Purposes Committee.
- 3.5 All **employees** need to have an awareness of risk management and are responsible for ensuring that they manage risk effectively in their jobs and report hazards and risks to the Town Clerk and RFO.

#### **4.0 STRATEGIC, OPERATIONAL AND PROJECT RISKS**

- 4.1 Broadly speaking risks can be divided into three categories:

**Strategic** – risks which need to be taken into account in judgements about the medium to long term goals and objectives of the Council whilst at the same time considering the opportunities; and

**Operational** – risks and opportunities which the Council will encounter in the day to day operational aspects of their work.

**Project** - risks and opportunities which will be encountered during specific tasks/projects being undertaken

- 4.2 **Strategic Risks**

The major categories of strategic risk includes:

**Political** – associated with failure to deliver either local or central government policy. The Council could also potentially be at risk from the actions of other agencies, other Councils, partner organisations, etc.

**Economic** – affecting the ability of the council to meet its financial commitments. These include internal budgetary pressures as well as external factors affecting the economy as a whole.

**Social** – relating to the effects of changes in demographic, residential or socio-economic trends on the council's ability to deliver its objectives.

**Technological** – associated with the capacity of the council to deal with the pace/scale of technological change, or its ability to use technology to address changing demands.

**Reputational** – associated with any actions or inaction of the Council where its reputation suffers as a result

**Data Protection/Information Security** – this includes the consequences of data/information transfer between the Council and other Bodies i.e. with Devon County Council, East Devon District Council, etc.

**Legislative** – associated with current or potential changes in national or European Law.

**Health and Safety** – This includes all aspects of Health & Safety as well as the Corporate Manslaughter legislation

**Environmental** – relating to the environmental consequences of progressing the council's strategic objectives (e.g. in terms of climate change including energy efficiency, pollution, recycling, flooding, etc).

**Competitive** – affecting the competitiveness of the Council (in terms of cost or quality) and/or its ability to deliver Value for Money.

**Customer/Citizen** – associated with failure to meet the current and changing needs and expectations of customers and citizens.

**Partnership** – associated with working in partnership with another local Council or partner

#### 4.3 **Operational Risks**

These may be:

**Professional** – associated with being able to recruit the right people into the right roles

**Financial** – associated with financial planning and control and the adequacy of insurance cover.

**Legal** – related to possible breaches of legislation e.g. Health and Safety at work Act, General Data Protection Regulations, etc.

**Personal Safety** – related to lone working and the potential to encounter aggressive or confrontational people whilst carrying out their duties.

**Physical** – related to fire, security, accident prevention and health and safety (e.g. hazards/risk associated with buildings, vehicles, plant and equipment, etc).

**Contractual** – associated with the failure of contractors to deliver services or products to the agreed cost and specification.

**Technological** – relating to reliance on operational equipment and the potential for technological failure (e.g. IT systems or equipment and machinery)

#### 4.4 **Project Risks**

These may be:

**People** – associated with whether we have the right people with the right skills involved in the task/project.

**Technical** – associated with the Council's reliance on the software provider to deliver what has been agreed in the contract and that they provide support for dealing with any

systems problems or issues

**Cost** – associated with the potential for the project to go over budget if the people and technical matters are not delivered as per the Business Case and Project Plan

**Time** – ensure that the right amount of time is allocated to the project as well as sufficient contingency as slippage can cause to project delay/failure and this can also have an impact on cost and quality

**Quality** – depending on what goes into the project will determine the quality of the output

The categories are neither prescriptive nor exhaustive. However, they should provide a framework for identifying and categorising a broad range of risks for the Council.

## 5.0 RISK MANAGEMENT PROCESS

5.1 The **four**-step process below will cover all areas of risk management including making decisions, managing strategic, operational and project risks and opportunities.

### Step 1 – Identify Risks

All sources of risk need to be identified. These should include strategic, operational and project risks.

### Step 2 – Analysing Risks

Once the risks have been identified they then need to be analysed to consider the impact/severity and likelihood of any risks occurring using the risk assessment template.

The assessment process uses a 3x3 scoring matrix (see below) where the scores of impact x likelihood equal the total risk score. Risks scoring between 6 and 9 would be classed as the high risk (red). Risks scoring between 3 and 4 would be classed as medium risk (amber) and risks scoring between 1 and 3 would be low risk (green).

<b>Impact</b>	<b>3. High</b>	<b>3</b>	<b>6</b>	<b>9</b>
	<b>2. Medium</b>	<b>2</b>	<b>4</b>	<b>6</b>
	<b>1. Low</b>	<b>1</b>	<b>2</b>	<b>3</b>
		<b>1. Low</b>	<b>2. Medium</b>	<b>3. High</b>
		<b>Likelihood</b>		

Once analysed the risks need to be ranked and prioritised according to their likelihood and severity i.e. those scoring 9 will be at the top of the list and those scoring 1 will be at the bottom of the list.

### **Step 3 – Control the Risks**

This involves taking action to minimise the likelihood of a risk occurring and/or reducing the severity of the consequences should the risk occur. Actions need to be allocated to responsible officers along with a realistic target date for implementation.

Determine the best course of action for the Council. There are 4 key action strategies to managing risk:

- **Transference** - Transfer the risk to the third party e.g. use of insurance
- **Avoidance** – Risk decreased as much as possible by avoiding risky areas
- **Reduction** – Limit exposure to risk or decrease effects of risk should it occur
- **Acceptance** – Accept risk may occur and choose to deal with it if it does occur.

### **Step 4 – Monitor and Report Progress**

Progress in managing risks should be monitored and reported so that losses are minimised and intended actions and opportunities are achieved. Risk Management is an on-going process that should be constantly revisited and reviewed to ensure that new and emerging risks and opportunities are picked up and acted upon.

- 5.2 It is important to recognise these four steps as part of a cycle. Risk Management is dynamic and so the identification phase needs to be done continuously. It is also important to consider whether the nature of the risk has changed over time.

## **COUNCIL ANNUAL GENERAL MEETING Complaints Policy**

### **1.0 Introduction**

- 1.1 Seaton Town Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council, or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.
- 1.2 Complaints received from members of the public about the administration or procedures of Seaton Town Council are not subject to the jurisdiction of the Local Government Ombudsman. There are few remedies available in this regard outside of the four-yearly elections to the Town Council. The Government has taken the view that town and parish councils are accountable to their electorate principally through the ballot box.
- 1.3 However, for the transparency in local government and for the benefit of good local administration, Seaton Town Council has adopted a formal procedure for considering complaints.
- 1.4 It is essential that complaints are dealt with positively. The Town Council is anxious to hear people's comments and is committed to making full use of complaints information to contribute to continuous service improvement.
- 1.5 The Town Council's Complaints Policy applies to the following three areas of complaint:-
  1. Complaints about a Town Council service or function
  2. Complaints about a member of staff
  3. Complaints about a Town Councillor
- 1.6 In addition every elector has the right to raise any matter affecting parish business at the annual parish meeting. Member of the public are also able to come along and ask questions or raise issues in Public Question Time at the start of Council and Committee meetings (please refer to the agenda).
- 1.7 Also, where electors consider there has been a possible waste or inefficiency or think that their council has spent money unlawfully, they can refer a complaint to their local district auditor.

### **2.0 Definition of a complaint**

*A complaint is any expression of dissatisfaction, however made, about the standard of service, action or lack of action by the Town Council, its elected members or staff, which affects an individual customer or group of customers.*

### **3.0 What the Complaints Procedure will deal with:-**

- Neglect or unjustified delay
- Malice, bias, or unfair discrimination
- Failure to provide advice or information when reasonably requested
- Providing misleading or inaccurate advice
- Inefficiency, ineffectiveness, bad and unprofessional practice or conduct.

### **4.0 What the complaints procedure will not deal with**

- Complaints for which there is a legal remedy or where legal proceedings already

exists

- Complaints about employment matters, these will be dealt with by the Town Council's internal grievance procedure.
- Complaints about an incident or matter which took place longer than 12 months ago.

#### **5.0 This Complaints Procedure does not apply to:**

- Complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
- Complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council on 8<sup>th</sup> May 2017 and, if a
- complaint against a councillor is received by the council, it will be referred to the Monitoring Officer at East Devon District Council for investigation. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer at East Devon District Council

#### **6.0 Equal Opportunities**

- 6.1 The Town Council is committed to equal opportunities. Complaints/feedback will be used to highlight discriminatory practices, and to promote equality of opportunity.
- 6.2 Complaints by members of the public of discrimination and/or harassment against the Town Council will be dealt with through the complaints procedure unless it is a complaint that should be dealt with through a statutory procedure.

#### **7.0 Stages of the Procedure**

- 7.1 The stages of the procedure are designed to provide the complainant with a thorough and fair means of redress and to provide a framework for officers to work within. However, there may be occasions when a complainant makes an approach in a different manner and it is important that the procedure does not in itself become a barrier to effective communication.

#### **8.0 Informal Complaints**

- 8.1 During the course of daily business, minor complaints are made to officers regarding the service we provide. The appropriate officer or Town Clerk will usually deal with these. It is not appropriate for every comment received to be treated as a formal complaint. Every effort should be made to deal with these problems immediately, either by providing information, instigating the appropriate action or explaining a decision.

#### **9.0 Procedure to follow for Handling Formal Complaints**

##### **Stage 1**

- 9.1 A complainant may notify a complaint orally to a Councillor or the Town Clerk (as the Proper Officer of the Council), This will be recorded as a complaint and passed to the appropriate officer to investigate.
- 9.2 If the complainant remains unsatisfied with the response they shall be requested to put his/her complaint in writing to the Town Clerk. An acknowledgement will be sent within 2 working days
- 9.3 If a complainant indicates that he/she would prefer not to put the complaint to the Town Clerk then he/she should be advised to put it to the Chairman of the Council (The Mayor).

An acknowledgement will be sent within 2 working days.

### **Stage 2**

- 9.4 The Town Clerk or the Chairman of the Council, shall try to settle the complaint directly with the complainant within 14 working days of receipt of complaint, but shall not do so without notifying the person complained of and giving him/her an opportunity to comment on the manner in which it is intended to attempt to settle the complaint.
- 9.5 If the investigation of the complaint is likely to take more than 14 working days, the complainant will be notified together with a reason for the extended investigation period.
- 9.6 Where the Town Clerk receives a written complaint about his/her own actions, he/she shall immediately refer the complaint to the Mayor as Chairman of the Council.

### **Stage 3**

- 9.7 The formal response to the complaint must also advise the complainant that, if having received a full response to the complaint, the issue remains unresolved, the complainant has the right to request, within 28 working days, that the matter should be referred to
  - a) The Committee responsible for the service or function
  - b) The Personnel Committee in the case of a member of staff
- 9.8 A decision made by (a) or (b) shall be considered final and the complaint will be considered closed.
- 9.9 If the complainant does not respond within 28 working days, the complaint may be considered closed.

### **Stage 4**

- 9.10 If the Complainant responds and requests the matter to be referred to the relevant committee or the Personnel Committee, or the Mayor, as detailed above, the Town Clerk shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and the public. If the matter is such that the Town Council or the Town Clerk believes that the matter may lead to a disciplinary hearing then the matter must be heard with the press and public excluded.
- 9.11 If the complaint is against any employee, even if the matter is being dealt with initially out of the context of the formal disciplinary hearing, then the employee is entitled to have a representative present to act as set out in the Employment Relations Act 1999 s.10. The matter before the Council in this case will be to establish whether there is a factual basis to the complaint and the action that should then be taken. The proceedings at this stage cannot be a formal disciplinary hearing, which must be convened on a separate occasion in the proper manner.
- 9.12 If the complaint is against any elected member, which cannot be resolved at a local level, this will be referred to the Monitoring Officer at East Devon District Council.

### **Stage 5**

- 9.13 The Complainant will be notified, in writing, of the final decision within 14 working days of the meeting.

## **10.0 Unreasonable and Vexatious Complaints**

- 10.1 In the event of serial facetious, vexatious or malicious complaints from a member of the public the council will consider taking legal advice before writing any letters to the complainant. If new evidence is provided, it will be evaluated in case the subject matter is sufficiently different from any previous facetious, vexatious or malicious complaint as to justify consideration as a new complaint.

## **11.0 Anonymous Complaints**

- 11.1 Anonymous complaints should be referred to the Town Clerk, and may be acted on at his/her discretion, according to the type and seriousness of the allegation.



**COUNCIL ANNUAL GENERAL MEETING**  
**Freedom of Information**

**1.0 Introduction**

- 1.1 The model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.
- 1.2 This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.
- 1.3 The scheme commits an authority to:
- Proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
  - Specify the information which is held by the authority and falls within the classifications below.
  - Proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
  - Produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
  - Review and update on a regular basis the information the authority makes available under this scheme.
  - Produce a schedule of any fees charged for access to information which is made proactively available.
  - Make this publication scheme available to the public.

**2.0 Classes of information Who we are and what we do.**

- 2.1 Organisational information, locations and contacts, constitutional and legal governance.

**3.0 What we spend and how we spend it.**

- 3.1 Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

**4.0 What our priorities are and how we are doing.**

- 4.1 Strategy and performance information, plans, assessments, inspections and reviews.

**5.0 How we make decisions.**

- 5.1 Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

## **6.0 Our policies and procedures.**

6.1 Current written protocols for delivering our functions and responsibilities.

## **7.0 Lists and registers.**

7.1 Information held in registers required by law and other lists and registers relating to the functions of the authority.

## **8.0 The services we offer.**

8.1 Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

8.2 The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

## **9.0 The method by which information published under this scheme will be made available**

9.1 The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

9.2 Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means.

9.3 In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

9.4 Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.

9.5 Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

## **10.0 Charges which may be made for information published under this scheme**

10.1 The purpose of this scheme is to make the maximum amount of information

readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

10.2 Material which is published and accessed on a website will be provided free of charge. Charges may be made for information subject to a charging regime specified by Parliament. Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

10.3 Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

10.4 If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

### **11.0 Written requests**

11.1 Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

11.2 The Council will respond to the request within 20 working days. If the Council is unable to share the information the letter will explain why.

**COUNCIL ANNUAL GENERAL MEETING**  
**Freedom of Information Supplementary information**

**Information available from Seaton Town Council under the model publication scheme**

<b>Information to be published</b>	<b>How the information can be obtained</b>	<b>Cost</b>
<b><i>Class 1 – Who are we and what we do (organisational information, structures, locations and contacts)</i></b>		
Who's who on the Council and its Committees	Hard Copy and website	N/A
Contact details for the Town Clerk and Council members (named contacts where possible with telephone number and email address (if used))	Hard Copy and website	N/A
Location of main Council office and accessibility details	Hard Copy and website	N/A
Staffing structure	Hard Copy and website	N/A
<b><i>Class 2 – What we spend and how we spend it (financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)</i></b>		
Annual return form and report by auditor	Hard Copy	3p per sheet
Finalised budget	Hard Copy	3p per sheet
Precept	Hard Copy	3p per sheet
Borrowing Approval letter	N/A	N/A
Financial Standing Orders and Regulations	Hard Copy	3p per sheet
Grants given and received	Hard Copy	3p per sheet
List of current contracts awarded and value of contract	Hard Copy	3p per sheet
Members' allowances and expenses	Hard Copy	3p per sheet
<b><i>Class 3 – What our priorities are and how we are doing (strategies, plans, performance indicators, audits, inspections and reviews)</i></b>		
Parish Plan (current and previous year as a minimum)	N/A	N/A

<b>Information to be published</b>	<b>How the information can be obtained</b>	<b>Cost</b>
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	Hard Copy and website	N/A
Local Council Award Scheme	N/A	N/A
Local charters drawn up in accordance with DCLG guidelines	N/A	N/A
<b><i>Class 4 – How we make decisions (decision making process and records of decisions)</i></b>		
Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)	Hard Copy and website	3p per sheet
Agendas of meetings (as above)	Hard Copy and website	3p per sheet
Minutes of meetings (as above) note this will exclude information that is properly regarded as private to the meeting	Hard Copy and website	3p per sheet
Reports presented to council meetings - note this will exclude information that is properly regarded as private to the meeting.	Hard Copy	3p per sheet
Responses to consultation papers	Hard Copy	3p per sheet
Responses to planning applications	Hard Copy	3p per sheet
Bye-laws	N/A	N/A
<b><i>Class 5 – Our policies and procedures (current written protocols, policies and procedures for delivering our services and responsibilities)</i></b>		
Policies and procedures for the conduct of council business:		
Procedural standing orders	Hard copy & website	3p per sheet
Committee and sub-committee terms of reference	Hard copy & website	3p per sheet
Delegated authority in respect of officers	Hard copy & website	3p per sheet
Code of Conduct	Hard copy & website	3p per sheet
Policy statements	Hard copy & website	3p per sheet

Information to be published	How the information can be obtained	Cost
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 Complaints procedures (including those covering requests for information and operating the publication scheme)	Hard copy & website Hard copy & website Hard copy & website Hard copy & website Hard copy & website Hard copy & website	3p per sheet 3p per sheet 3p per sheet 3p per sheet 3p per sheet 3p per sheet
Information security policy	N/A	N/A
Records management policies (records retention, destruction and archive)	N/A	N/A
Data protection policies	Hard copy & website	3p per sheet
Schedule of charges (for the publication of information)	Hard copy & website	3p per sheet
<b><i>Class 6 – Lists and Registers (currently maintained lists and registers only)</i></b>		
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)	Hard Copy	3p per sheet
Assets Register	Hard Copy	3p per sheet
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils)	Hard Copy	3p per sheet
Register of members' interests	Hard Copy & website	3p per sheet
Register of gifts and hospitality	Hard Copy	3p per sheet

Information to be published	How the information can be obtained	Cost
<b><i>Class 7 – The services we offer (information about the services we offer including leaflets, guidance and newsletters produced for the public and businesses)</i></b>		
Allotments	Hard Copy	3p per sheet
Cliff Field Gardens	Hard Copy	3p per sheet
Elizabeth Road Play Area	Hard Copy	3p per sheet
Marshlands	Hard Copy & website	3p per sheet
Seaton Down Hill	Hard Copy	3p per sheet
Underfleet Play Area	Hard Copy	3p per sheet

**COUNCIL ANNUAL GENERAL MEETING  
Data Protection**

**Agenda Item: 23**



**COUNCIL ANNUAL GENERAL MEETING**  
**Communications and Media Policy and Guidelines**

**1.0 Introduction**

- 1.1 Seaton Town Council receives enquiries from the media, constituents and wider members of the public every year.
- 1.2 Good communication helps an organisation function effectively. The aim of the policy is to ensure that the Council is seen to communicate in a professional and objective manner. In all cases, the Council's outside communications should be:
- Open and honest
  - Proactive
  - Responsive and timely
  - Clear, easily understood and written in Plain English
- 1.3 The purpose of this policy is to clarify the roles and responsibilities of the Town Clerk, Mayor, all employees and all Councillors and to provide guidance on how to handle media interest.
- 1.4 This policy acts as a reference tool for any employee or Councillor who engages with the media or communicates with members of the public. It includes guidance on:
- Internal Communication
  - External Communication
  - Publicity
  - Media
  - Social Media
- 1.5 This policy applies to all Town Council employees and Councillors.

**2.0 Internal communication**

- 2.1 Internal communication ensures that officer have the right information to do their job properly, have sufficient opportunities to communicate their views and can help them feel involved and valued by their employer.
- 2.2 Well informed and engaged staff are more likely to provide excellent customer service in terms of their attitude and knowledge. All staff should operate according to the Staff Handbook.
- 2.3 Councillors need to be well informed about the council, particularly regarding issues affecting their constituents. Likewise, Councillors are encouraged to keep the Town Clerk informed of local projects activities and initiatives that they are involved in. All Councillors should operate according to the Member Code of Conduct.

- 2.4 To develop and maintain effective two-way communication between officers and Councillors (to encourage trust, loyalty, understanding and a 'one council' approach to our work), we will:
- share information widely, but targeting it to avoid 'information overload'
  - let Councillors and officers know about issues and developments that affect them or the council as soon as possible and listen to their responses
  - consulting with Councillors and officer, through formal and informal methods, on important issues that affect them
  - encourage Councillors and officers to take individual and collective responsibility for improving communication.

### **3.0 External communication**

- 3.1 External communication ensures that all stakeholders (including residents, businesses, visitors, voluntary and community groups and other partner organisations) have the right information about council services and sufficient opportunities to communicate their views to the council.
- 3.2 We will do this by:
- sharing information widely, but targeting it to avoid 'information overload'
  - using a variety of different communication methods (such as the website, social media, press releases and public consultation) and formats to reach different stakeholders
  - seeking the views of the public and other stakeholders on important issues that affect them.
- 3.3 External communication should:
- encourage understanding and contribute to transparency and openness
  - keep stakeholders well informed about the future direction of the council and about issues that affect them
  - give the public and other stakeholders opportunities to express opinions, contribute to decision making and voice complaints
  - demonstrate our commitment to adequate, reliable, trustworthy and timely communication
  - be 'joined up' and present the organisation as 'one council'.

### **4.0 Publicity**

- 4.1 The media play a huge role in informing residents about what the Council does and how it spends their money (at all tiers of Government). It is therefore vital that the Council communicates effectively with the media and wherever possible will take a positive approach to meeting media requests for information and interviews.
- 4.2 This approach will help achieve the following objectives:
- Ensure that the Council is recognised as one which is open, accountable, accessible and which listens
  - Share and celebrate the Council's successes

- Give information about policies and services and about the democratic process so that people feel more informed about the Council's work
- Handle negative issues clearly and decisively

#### Publicity in Election Periods

- 4.3 The rules governing publicity change when an election has been announced. In the period between the notice of an election and the election itself all proactive publicity from the Council about candidates or other politicians is halted. This applies to local, national or European elections.
- 4.4 During this period council publicity should not deal with controversial issues or report views, proposals or recommendations in a way that identifies them with individual Councillors or groups of Councillors. This is to make sure that no individual or political party gains an unfair advantage by appearing in corporate publicity.
- 4.5 In these circumstances, where a quote is required, the relevant officer may be quoted, in accordance with the guidelines in this Policy.

### **5.0 The Media**

- 5.1 The local press generally only covers stories relevant to people living and working in Seaton and the immediate surrounding areas for example the Midweek Herald and Devon Live (formerly the Express and Echo). Other local media include radio stations such as BBC Devon, Heart FM, and Radio Exe all of which have specific target audiences.
- 5.2 Regional media includes newspapers like the Express and Echo and Western Morning News.
- 5.3 It is rare that Seaton Town Council would be involved in media communications at a national, international or specialist level however, this policy remains pertinent in these cases.

### **6.0 Identifying Newsworthy Items and Handling Media Enquiries**

- 6.1 It is the responsibility of everyone working within the Council to identify worthy news items and this should be done as early as possible. These might include Mayoral engagements, local events or promoting successes of the Council. Ideas for news items should be sent to the Town Clerk and these will be shared with the Council's Marketing Contractor, One Voice Media and PR Ltd.
- 6.2 The Town Clerk will co-ordinate all media enquiries into the office. In certain circumstances it may be appropriate for the lead officer, Councillor or the Mayor to respond to the enquiry, in line with this Policy.
- 6.3 Council officers who are directly approached by a member of the media should not attempt to answer questions themselves without gleaning the full facts and should confer with the Town Clerk before responding. However simple, factual queries will be dealt with appropriately by the office.

- 6.4 Councillors who are directly approached by a member of the media may respond in accordance with the guidance contained in this Policy. However, they should make the Town Clerk aware of the media request and the details that they have given the media.
- 6.5 The Council should not pass comment on leaks, anonymous allegations or allegations about individual officers and Councillors. Leaking of confidential information, exempt agenda items and minutes to the media is viewed very seriously by the Council. The Freedom of Information Act does allow certain information to be available to any person who requests such information including the media, unless the council has justifiable reasons for not releasing the information. The Council is open and accountable and should always explain if there is a reason why it cannot answer a specific enquiry.

## **7.0 Press Releases**

- 7.1 Press releases are designed to inform and raise awareness about Council services and activities, highlight achievements, explain reasons for particular policies and priorities and improve local accountability and transparency. They need to catch the attention of the media and ensure good positive coverage about the Council.
- 7.2 There are two types of press releases – Official Council Press Releases and Councillor Press Releases.

### Official Council Press Releases:

- 7.3 An official Council release is made on behalf of the Council as a whole; it will be written by either the Town Clerk or an officer and authorised by the Town Clerk. It is non-party political and will normally include a quote from the relevant Councillor(s). This is usually the Mayor or Committee Chair.
- 7.4 Official Council press releases will follow a corporate style appropriate for the media being targeted and a central record will be maintained. All releases will accurately reflect the corporate view of the Council, contain relevant facts and include an approved quotation from the appropriate Councillor. Matters of style, presentation, punctuation, grammar etc are the responsibility of the author.
- 7.5 Releases will not promote the views of specific political groups, publicise the activities of individual Councillors, identify a political party or persuade the general public to hold a particular view.
- 7.6 All official Council news/press releases will be placed on the Council's website within three working days of issue.
- 7.7 It should be borne in mind that a news or press release is not always the best way to publicise an activity or event and alternative ways of advertising it should be considered e.g. posters, mailings, websites, social networking etc.
- 7.8 At the end of each press release relevant contact details will be provided.

- 7.9 Wherever possible, press releases will be accompanied by either the offer of a photo opportunity which is likely to be of interest to the media or a relevant photograph.

Councillor Press Releases:

- 7.10 Councillors can issue personal press releases, and these should be signed in a personal capacity without the word Councillor attached to the name. Such press releases are personal and are written and issued by the Councillor responsible. This release may or may not be political and must not include the name of any officer, use the Council logo or the Council telephone number as a point of contact. It would be beneficial for copies of intended releases, especially those of a factual nature, to be provided to the Town Clerk. Councillors seeking advice can contact the Town Clerk.

**8.0 Interviews**

- 8.1 Any officer contacted by a journalist requesting an interview should refer the journalist to the Town Clerk, the Mayor or the appropriate Committee Chair. The person put forward for interview will depend on the situation and the information required by the journalist.
- 8.2 Officers should never give their opinion on specific Council policy but must keep to the corporate line and key messages. Their role is to provide expertise and factual knowledge only, in support of the Council's approved and agreed policies.

**9.0 Media Activity Ahead of Meetings**

- 9.1 The media pick up many stories from agendas and reports ahead of meetings. All Council and Committee agendas are automatically published on the Seaton Town Council website at least three clear days before the meeting.
- 9.2 Members of the media are welcome to attend and regularly do attend Council and Committee meetings. During meetings Councillors should be mindful that any comments and messages are put across in a manner which gives the journalist an accurate picture, rather than relying on the journalist's interpretation of what can be a complex issue or report.

**10.0 Non-Council Related Media Activity**

- 10.1 Officers and Councillors of the Council who have contact with the media in a personal capacity or as members of non-Council related organisations must not refer to their Council posts and must make it clear to the journalist concerned that they are speaking in a personal capacity or on behalf of the non-Council related organisation.

## **11.0 Managing Negative Issues**

- 11.1 From time to time the Council has to respond to negative issues. It is important that these situations are managed carefully so as to limit the potential for negative publicity and the reputational risk to the Council.
- 11.2 Councillors and Officers must alert the Town Clerk as soon as a potentially negative issue which may attract media interest comes to light. They should not wait until contact is made by the media.
- 11.3 Councillors and Officers must be prepared to work together to prepare holding statements, other information and carry out research even if no media have contacted the Council about an issue.

## **12.0 Correcting Inaccurate Reporting**

- 12.1 Should the media (a newspaper or broadcaster) publish/broadcast something inaccurate about the Council, a quick decision needs to be taken on any action necessary to correct it.
- 12.2 The issue should be discussed with the Town Clerk to decide what action is appropriate. This could be a letter or news release, a conversation with the journalist concerned, a personal letter to the editor or legal advice. Also to decide who the most appropriate person is to take the necessary agreed action i.e. the Mayor, Committee Chairman or Lead Officer.
- 12.3 It should be noted that in the case of minor inaccuracies which have little or no impact on the message being conveyed, it can sometimes be counterproductive to complain. Each case must be judged individually.
- 12.4 Occasionally the Council will get something wrong. In these cases damage limitation is the key – this can usually be achieved by holding hands up, apologising, and stating how we are going to learn from the error or put it right.

## **13.0 Social Media**

- 13.1 'Social media' is the term commonly given to web-based tools which allow users to interact with each other in some way – by sharing information, opinions, knowledge and interests. As the name implies, social media involves the building of communities or networks, encouraging participation and engagement.
- 13.2 Current examples include, blogs, vlogs, message boards, social networking sites (such as Facebook, Twitter, Linked In, Google+), and content sharing websites (such as Instagram, Snapchat, Flickr and YouTube). This is not an exhaustive list.
- 13.3 This Policy will also apply to any new or emerging technologies or systems which may develop in the future.

13.4 It is important to remember that you are responsible for what you post on social media. Users need to be acutely aware that anything published on an official site, published on behalf of the Council, reflects upon the Council and its reputation. Councillors and Officers using social media must follow the Council's social media guidelines.

13.5 The aims of this Policy are:

- To ensure that social media used to communicate with the public, partners or other stakeholders by all Town Council officers in the performance of their duties are aligned to the view of the Town Council.
- To ensure that all Town Council social media sites are easily identifiable as originating from the Town Council and correctly apply the council's logo and brand guidelines.
- To protect the reputation of the Town Council while embracing the possibilities of this channel or communication.
- To ensure that any Council communication through social media meets legal requirements and is consistent with other communication activities.
- To prevent the unauthorised use of Town Council branding on employees' or Councillors personal social media sites.

13.6 Applying this Policy: Council-run social media accounts

- Town Council officers and Councillors considering the use of, or wishing to use, social media as a channel for a project or campaign must first discuss and agree this with the Town Clerk and Mayor.
- Social media channels already featuring the Council's logo or branding must comply with brand guidelines.
- The unauthorised use of the Town Council logo or branding on social media channels may result in action under the disciplinary procedure.
- The Town Clerk and/or the Assistant to the Town Clerk & Mayor will be responsible for maintaining the Council's profile on the relevant social media sites.
- Officers and Councillors may assist the Town Clerk and/or the Assistant to the Town Clerk & Mayor at the Town Clerk's discretion.
- Care must be taken by multiple account users when posting to social media sites, to ensure activity is being assigned to the correct account.
- It is recommended that posts to social media are reviewed by a colleague or Councillor before publication to avoid unintentional errors being posted.
- Social media will be used to enable the Council to:
  - Engage with individuals and communities
  - Promote Council services
  - Announce the date of forthcoming meetings
  - Provide information on local events, council initiatives and achievements
  - Advise on maintenance work due to be carried out
  - Bring relevant local information to the attention of the community

13.7 Applying this Policy: personal use of social media

If you already make reference to your employment/involvement in the Council on a personal internet site as defined above, or you intend to create such a site, you

should inform the Town Clerk who will advise you of the appropriateness of doing this in line with the advice below:

- Do not engage in activities on the internet that might bring the Council into disrepute.
- Do not use the Council logo on personal web pages.
- Do not reveal information which is confidential to the Council - consult the Town Clerk if you are unsure.
- Do not include contact details or photographs of service users or officers without their permission.
- Under no circumstance should offensive comments be made about the Council, Councillors, or colleagues on the Internet. This may amount to cyber-bullying or defamation and could be deemed a disciplinary offence.

#### 13.8 Social media campaigns

Employees or Councillors who are considering social media campaigns should firstly consult the Town Clerk for guidance. Coordinating efforts and using a corporate account can ensure that the project has a clear purpose, fits into the existing Town Council views and is suitable for the target audience they wish to reach.

#### 13.9 Social Media Tips and Advice

Social Media or Social Networking is both a broadcast medium and a receiving medium.

#### 13.10 From the business point of view:

- It can be used as a receiving medium to gather opinions about the Council which have appeared on the social media networks. As such it is an invaluable tool to add to our understanding of what people think about us. As such this is a benign and useful tool.
- It is possible to broadcast using the same social media networks to engage with and talk to those who are interested enough to have a view. As such it is a useful and powerful tool.

#### 13.11 From a personal point of view:

- Individuals employed by the council are entitled to use whatever system they like outside of their working time and working persona, to engage in the social aspects of the media – both broadcasting and receiving.
- However great care should be taken to ensure the private/work line is not crossed.
- It is good practice to follow the stricture of never mentioning work, your opinions of your colleagues or processes and projects on your own private Social Media Networks. This aspect is covered in '*LEGAL ISSUES*'.

### 14.0 Freedom of Information and Data Protection

14.1 Councillors are reminded that they must not misuse Council resources for political or other inappropriate purposes. Should the Council receive a request for information under the Freedom of Information Act 2000 on a topic on which there is correspondence (email or written), normally that correspondence would



have to be disclosed, unless it was exempt. The fact that the disclosure of the correspondence may prove embarrassing would not, in itself, prevent disclosure.

- 14.2 In addition, care should be taken when processing personal data. The General Data Protection Regulations prevent the use of personal information other than for the purposes for which it was supplied. Councillors should bear this in mind when using any personal data which may be supplied to them by their constituents.

## **15.0 Internet Acceptable Use Policy**

- 15.1 Internet use covers all websites (including the Seaton Town Council website), networking sites such as Facebook, Twitter, Bebo etc, forums and blogs which may be used by both Officers and Councillors.
- 15.2 If the above are used in an official capacity or on Council related business, the guidance in this Policy must be adhered to and they must be used in a responsible and appropriate manner.
- 15.3 Under the consideration of Acceptable Use, when acting in the capacity of Seaton Town Council, websites should not:
- contain content that may result in actions for libel, defamation or other claims for damages
  - be used to process personal data other than for the purpose stated at the time of capture
  - promote any political party or used for campaigning
  - promote personal financial interests or commercial ventures
  - be used for personal campaigns
  - be used in an abusive, hateful or disrespectful manner
- 15.4 If social media is used in an unofficial capacity, Councillors and Officers should restrain from making remarks that could be construed as bringing the Council into disrepute. Please see section 13 on Social Media.

## **16.0 Legal Issues**

- 16.1 There are circumstances under which employers can be held legally responsible for content published by their employees. This may include action taken as part of their role for the organisation and material published on official organisation channels or somewhere that has been previously sanctioned by the Town Council. It is therefore important to make all employees aware of the potential legal issues with regards to communication.
- 16.2 It is important that employees are aware that communicating information about the Council cannot be isolated from their working life. For example any information published online can be accessed around the world within seconds and will be publicly available for all to see.
- 16.3 Employees and Councillors should take the following into consideration when using social media:

- Be aware of the Council guidelines for using social media, whether this is for personal use or as a part of their working role (See section 13 on social media).
- Be familiar with the legal areas outlined below before writing or speaking about colleagues or sharing information about the Council.
- Ensure that verbal or written information does not disclose privileged or confidential information.

## **17.0 Libel and defamation**

17.1 Defamation is the act of making a statement about a person or company that is considered to harm reputation, for example, by lowering others' estimation of the person or company, or by causing them to lose their rank or professional standing. If the defamatory statement is written down (in print or online) it is known as libel. If it is spoken, it is known as slander. There are exceptions to this - posting a defamatory statement online or recording it on a podcast would both be examples of libel.

## **18.0 Other points to note**

18.1 An organisation may be held responsible for something an employee has written or said if it is on behalf of the company or on a company - sanctioned space. Action can also be taken against anyone repeating libelous information from another source, so careful checks are needed before quoting statements from websites. This can also apply to linking to defamatory information. You should consider whether a statement can be proved before writing or using it – in law, the onus is on the person making the statement to establish its truth.

## **19.0 Young People and Publicity**

19.1 If commissioning photographs of children (i.e. under 18 years of age) or if planning photography of children at events and using visual media for publicity purposes you must get consent from the child's parents or school. If you need further guidance please speak to the Town Clerk.

**COUNCIL ANNUAL GENERAL MEETING  
Governance Arrangements**

**Agenda Item: 25**