

FINANCE AND GENERAL PURPOSES

SUBJECT:	Financial Regulations
REPORT BY:	Anna Lawson / Matthew Gleadell

1. Recommendations

- 1.1 That members of the committee recommend to Full Council the adoption of an updated Financial Regulations policy document that brings together in one document regulations that are presently spread across 4 separate documents.
- 1.2 That members approve relevant content of new Financial Regulations as detailed in the attached draft policy.
- 1.3 That members approve the removal of Standing Orders number 36, 37 and 38 which will be replaced by provisions within new Financial Regulations.

2. Background

- 2.1 Financial Regulations are rules that regulate and control the financial affairs and accounting procedures of a local council.

They give instructions to the finance officer on how to conduct the financial administration of the council; for instance, they will set out the process for making and approving payments.

These regulations should also set out the procedure for purchasing goods and services above a certain value and may delegate certain expenditure within limits to the Clerk/RFO.

To comply with the requirements, councils should set within their Financial Regulations a limit for the purchase of goods and services above which estimates, quotes or tenders should be invited.

- 2.2 Financial regulations are essential tools for local councils of all sizes. They establish the framework within which the council ensures responsible and sustainable management of its finances.

The regulations cover various aspects, including risk management, internal control, accounts and audit, budgeting, procurement, banking, payments, and more. These elements are explained a little further below.

1. **Budgeting and Precepts:** Councils must set budgets and precepts based on thorough financial analysis and forecasts. These budgets outline planned income and expenditure, ensuring accountability and sustainability.
2. **Risk Management:** Identifying and managing financial risks is crucial. Councils should assess risks related to investments, borrowing, and other financial activities.
3. **Internal Control:** Establishing robust internal controls ensures proper financial management. This includes segregation of duties, authorisation processes, and regular reviews.
4. **Accounts and Audit:** Proper accounting practices are essential. Councils maintain accurate records, prepare annual financial statements, and undergo external audits.

5. **Procurement and Contract Management:** Regulations guide procurement processes, ensuring transparency, competition, and value for money.
6. **Banking and Payments:** Councils manage their funds through bank accounts, adhering to regulations related to payments, investments, and interest.

2.3 NTC currently operate with 4 separate documents that collectively form the Councils contribute to the Councils full Financial Regulations. They are:

1. Code of Financial Procedures
2. Financial Regulations,
3. Financial Standing Orders
4. Standing Orders

You can view the existing documents by visiting the Councils website:

<https://www.newark.gov.uk/the-council/policies-procedures/>

You can also request a hard copy from the Town Clerk. ***(Those that have retained their New Councillor Welcome Packs from 2023 will already have hard copies of these documents).***

For simplicity it is proposed and recommended that the Council move forward with a single document that covers all financial regulations. If approved this will require the removal of some elements of the Standing Orders which deal with financial regulation issues.

Broadly the content of the new draft policy is very similar in nature to the Councils existing rules and regulations albeit combined into 1 document. For the most part the content is routine and applicable to all Councils. The document is based on model industry policy.

3.0 Financial, Legal, Equality, Environmental & Risk Issues

3.1 Contained in the report.

Background Papers:	Working papers
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Newark
TOWN COUNCIL

Newark Town Council

Financial Regulations

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Reference to the Accounts and Audit Regulations or ‘the regulations’ shall mean the Accounts and Audit Regulations currently in force and issued under the Local Audit and Accountability Act 2014.

For the purposes of these Regulations the Responsible Financial Officer will be the Town Clerk.

GENERAL

1.1 These financial regulations govern the conduct of the financial transactions of the Council and may only be amended or varied by resolution of the Council.

1.2 The Responsible Financial Officer (RFO), under the policy direction of the Council, shall be responsible for the proper administration of the Council's financial affairs.

1.3 The RFO shall be responsible for the production of financial management information.

1.4 The Finance and General Purposes Committee (F & GP) are responsible for financial oversight and relevant decisions within the Council in accordance with agreed policies, procedures and schemes of delegation.

ANNUAL ESTIMATES

2.1 Each Committee, Sub Committee or Working Group shall where appropriate formulate and submit proposals to the F & GP Committee in respect of revenue and capital costs for the following financial year not later than the end of October each year or by such a time as necessary to ensure proposals are considered as part of annual budget setting processes.

2.2 Detailed estimates of all income and expenditure for the year shall be prepared each year by the RFO.

2.3 The F & GP Committee shall review the estimates at the meeting to be held in November/December and, using these, shall recommend to Council in January each year the level of Precept to be levied for the following financial year. The Town Council shall decide the level, of Precept. The RFO shall supply each member with a copy of the approved estimates.

2.4 The annual budgets shall form the basis of financial control for the ensuing year.

2.5 The Council may prepare and have regard to a three-year forecast of Revenue and Capital Income and Expenditure.

2.6 The F & GP Committee may, by resolution, increase a committee budget to:

- a. Add an **income budget** for a loan and expenditure budget for works covered by the loan.
- b. Increase **expenditure budget** for planned spending drawn from a previous year budget underspend.
- c. Add **budget expenditure** for approved spending from reserves. Subject to the following conditions:
 - i. A Committee shall before incurring any expenditure not included in an approved estimate submit to the Finance and General Purposes Committee a supplementary estimate accompanied by a detailed statement in support of the expenditure.
 - ii. No amendment shall be made other than following a report from the Responsible Financial Officer justifying the need for a change.
 - iii. The budget holding committee shall be informed of the change at its next ordinary meeting.

When setting the budget for the next financial year, the relevant committee, F & GP Committee and Council shall be presented with a report showing the agreed and amended budget for ease of comparison.

BUDGETARY CONTROL

3.1 Expenditure on revenue items may be incurred up to the amounts included in the approved budgets.

3.2 No expenditure should be incurred which cannot be met from the amount provided in the appropriate budget unless a virement has been approved by the F & GP Committee or the Town Council. From time to time expenditure may be incurred which results in expenditure that exceeds the approved budget. This will

be reported to the FGP committee as part of quarterly budget reports submitted by the RFO with suitable explanations.

3.3 F & GP Committee shall receive quarterly reports identifying the 'year-to-date' financial information comparing actual expenditure against that planned; this shall include a commentary by the RFO to explain any significant variances.

3.4 The Town Clerk may, having informed the Leader and Chairman of the Finance and General Purposes Committee, incur expenditure on behalf of the Council which is necessary to carry out any repair replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £5000.

Such action will be reported to the FGP committee as soon as practicable.

3.5 The Town Clerk may further incur expenditure for the procurement of equipment, supplies and services required for the operation and delivery and effective management of the council's services, events, and assets subject to adequate budget provision.

3.6 The Town Clerk may also **incur expenditure** in other instances as per delegated authority from the Council or committees.

3.7 Unspent provisions in the **revenue budget** shall not be carried forward to a subsequent year unless such expenditure relates to commitments made or invoices not yet received.

3.8 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving **capital expenditure** unless the Council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained.

3.9 All capital works shall be administered in accordance with the Council's Standing Orders and Financial Regulations relating to contracts.

ACCOUNTING AND AUDIT

4.1 All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance, and proper practices.

4.2 The RFO shall complete the annual statement of accounts, annual report and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year. Having certified the accounts, they must be submitted and reported to the F & GP Committee and subsequently to Council within the timescales set by the Accounts and Audit Regulations applicable at the time.

4.3 The RFO shall be responsible for ensuring that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with the Accounts and Audit Regulations applicable at the time. Any officer or member of the Council shall, if the RFO or Internal Auditor requires, make available such documents of the Council which appear to the RFO or Internal Auditor to be necessary for the purpose of the internal audit and shall supply the RFO or Internal Auditor with such information and explanation as the RFO or Internal Auditor considers necessary for that purpose.

4.4 The Internal Auditor shall conduct the work required by the RFO, or by the Council, with a view to satisfactory completion of the Internal Auditor's Report section of the Annual Return. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to Council in writing on a regular basis with a minimum of one annual report in respect of each financial year. The RFO shall decide for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by any legislation and the Accounts and Audit Regulations. The RFO shall, as soon as practicable, bring to the attention of all members of the Finance Committee any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter. Where to the opinion of the RFO there is a matter of a serious nature all councillors should be informed.

4.5 The Town Council's Finance and General Purposes Committee shall undertake routine reviews of the council's internal financial controls.

4.6. Current legislation requires authorities where the gross income or expenditure for the year (whichever is the higher) has exceeded the threshold of £200,000 for a period of three continuous years, to report their financial details on an income and expenditure (I&E) basis, from the third year onwards. The RFO must prepare year-end adjustments, retaining a record of adjustments that were made in preparing the income and expenditure accounts for the previous financial year; examining entries in the cash book before 31 March for possible receipts in advance and prepayments, entries after 31 March for possible debtors and creditors and examining invoices after 31 March for possible debtors and creditors.

BANKING ARRANGEMENTS AND CHEQUES

5.1 The Council's banking arrangements shall be made by the RFO and approved by the Finance Committee. They shall be reviewed following each ordinary election (every 4 years).

5.2 A monthly payment schedule detailing all payments of any kind made during that calendar month shall be prepared by the RFO and submitted to and considered by the F & GP Committee. The RFO shall respond to any queries raised in respect of any payments made.

5.3 Cheques drawn on the bank account in accordance with the schedule referred to in paragraph 5.2 or in accordance with paragraph 6.4 shall be signed/authorised by any two of the signatories. The Council shall appoint four signatories annually at least 2 of which must be Councillors.

5.4 Online bank payments shall only be made after authorisation of 2 registered online banking users.

5.5 To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil. Signatories shall satisfy themselves that payments being made accord with the approved payments.

5.6 Money received by Members and Officers by virtue of their official position but not being official Council money shall be properly recorded in a form to be agreed by the RFO.

5.7 All official receipt books, tickets and tokens etc. relating to the collection of income shall be ordered, controlled, and issued by the RFO unless otherwise agreed.

5.8 Where income received is in the form of a cheque, this shall be cross-referenced on the bank paying in slip to the drawer by invoice number or accounting reference.

5.9 All monies received by an officer shall be banked as promptly as possible.

5.10 Monies received outside normal banking hours may be left on the premises provided that no alternative arrangements can be made, and it is secured in a safe, or suitable locked container.

5.11 Monies received outside normal banking hours may be left on the premises provided that no alternative arrangements can be made, and it is secured in a safe, or suitable locked container.

5.12 If an officer fails to comply with the above guidelines and a loss occurs, the RFO or Town Clerk may consider this as misconduct.

5.13 Instructions for the stoppage of cheques shall be notified to the Bank in writing. No replacement cheques can be issued until the Bank confirms this stop.

5.14 The RFO shall maintain a record of all items of income in accordance with GDPR and Data Retention Policies.

5.15 No more than £85,000 should be held in any one bank or Building Society wherever possible.

PAYMENT OF ACCOUNTS

6.1 All payments will be made by BACS transfer, cheque or by credit card.

6.2 All invoices for payment shall be examined, verified, and certified by the Town Clerk or relevant service manager. The Town Clerk or service manager shall satisfy himself that the work, goods, or services to which the invoice relates shall have been received, conducted, examined, and approved.

6.3 The Town Clerk shall ensure that checks have been undertaken to verify the supplier bank account details presented on the invoice.

6.4 Changes to account details for suppliers which are used for internet banking may only be changed on **written hard copy notification by the supplier** and supported by **hard copy authority for change signed by the Town Clerk**.

6.5 The RFO shall examine invoices in relation to arithmetic accuracy and shall analyse them to the appropriate expenditure heading. The Town Clerk shall take all steps to settle all invoices submitted, and which are in order, at the next available Council or Finance Committee Meeting.

6.6 Except where otherwise authorised the Town Clerk shall have delegated authority to authorise the payment of items **only** in the following circumstances:

- a. If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, or required under the Public Contracts Regulations 2015, and the due date for payment is before the next scheduled meeting of the Council or F & GP Committee where the RFO certifies that there is no dispute or other reason to delay payment, the RFO may (notwithstanding para 6.3) take all steps necessary to settle such invoices provided that a list of such payments shall be submitted to the next appropriate meeting.
- b. Transfer funds within the council's banking and investment arrangements.
- c. Payments to be made using council credit cards.
- d. Payment of salaries in accordance with the payments agreed by the Personnel Committee
- e. Where a payment is urgent in accordance with 3.4.
- f. The reimbursement of out-of-pocket expenses for staff.

6.8 All payments made by Direct Debit or BACS transfer must form part of the payment schedules submitted to the F & GP Committee.

6.9 All payments by Credit Card shall be in accordance with the Council's use of Credit Cards policy.

6.10 BACS payments shall be made in accordance with the procedure set out in Annex 2.

6.11 The council's banking arrangements, including the bank mandate, shall be made by the RFO, and authorised by the council; banking arrangements shall not be delegated to a committee. The council has resolved to bank with NatWest Bank. The arrangements shall be reviewed after each ordinary election.

6.12 The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised, and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.

6.13 All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods, or services were received, checked, and represent expenditure previously authorised by the council before being certified by the Clerk & RFO.

6.14 Personal payments (including salaries, wages, expenses, and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.

6.15 All payments shall be made by online banking/cheque, in accordance with a resolution of the council or a delegated decision by an officer, unless the council resolves to use a different payment method.

6.16 For each financial year the Clerk & RFO may draw up a schedule of regular payments due in relation to a continuing contract or obligation (such as Salaries, PAYE, National Insurance, pension contributions, rent, rates, regular maintenance contracts and similar items), which the council may authorise in advance for the year.

PAYMENT OF SALARIES

7.1 The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salaries shall be as agreed by council.

7.2 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance, and pension contributions, must be made in accordance with the payroll records and on the appropriate dates, provided that each payment is reported to the next available Council Meeting.

7.3 Salary payments are checked by two people when uploaded on to the banking system for payment.

7.4 Salary payments are calculated by use of appropriate payroll software.

LOANS AND INVESTMENTS

8.1 All loans and investments shall be negotiated and held in the name of the Council and shall be for a set period in accordance with Council policy.

8.2 The Council's Investment Policy shall be in accordance with the Guidance on Local Government Investments issued by the Department for Communities and Local Government and reviewed at least annually.

a. Any borrowings shall be subject to the necessary borrowing approval and any application for the same shall be subject to approval by Council.

b. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

INCOME

9.1 The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.

9.2 Particulars of all charges to be made for work done, services rendered, or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO, along with the delegated officers shall be responsible for the collection of all accounts due to the Council. (Subject to 9.3 below)

9.3 The F & GP Committee shall ensure rent reviews are conducted for leased properties in accordance with the terms of the lease. F & GP Committee will review all fees and charges at least annually, following a report of the Town Clerk. The Allotment Fees will be considered each September for implementation 12 months later in accordance with the Allotments Act 1950.

9.4 Any sums found to be irrecoverable, and any bad debts shall be dealt with in accordance with the Debt Recovery Policy and reported to the Council. The outstanding invoice may be written off once all avenues relating to the recovery of the debt have been pursued.

9.5 All sums received on behalf of the Council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the Council's bankers with such frequency as the RFO considers necessary.

9.6 The origin of each receipt shall be entered on the paying-in slip.

9.7 Personal cheques **must** not be cashed out of money held on behalf of the Council.

9.8 The RFO shall promptly complete any VAT Return that is required.

9.9 Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps as are agreed by the Council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

ORDERS FOR WORK, GOODS AND SERVICES

10.1 An official purchase order or written correspondence shall be issued for all work, goods, and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of purchase orders shall be retained.

10.2 Purchase order records shall be controlled by the RFO.

10.3 All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three quotations or estimates from appropriate suppliers,

subject to any de minimis provisions in Regulation 11 (l) below. **A member may not issue an official order or make any contract on behalf of the council.**

10.4 The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

10.5 The Council wishes to promote the local economy and where possible maximise the amount of money it spends locally. Such aspirations will not override considerations related to best value being achieved. Where possible quotes and tenders will be sought from a range of local suppliers.

10.6. The determining principle of the Code and Purchasing Guide is that where orders are to be placed, competitive quotes are sought, and that:

- a) The Council secures the best value for money.
- b) The Council is seen to act fairly in giving all interested parties an opportunity to tender on equal terms.
- c) Government legislation and EC Directives are complied with.
- d) The interests of the Council and its employees are properly safeguarded.

10.7 Goods and services shall be procured using a **Purchase Order Number issued by the Council Finance software**. Official orders and order variations shall be signed only by the RFO.

10.8 All officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction.

10.9 Before placing an order:

- a) Items costing up to £3,000 should where possible secure at least 2 quotations.
- b) Items costing £3,000 - £20,000 where possible three written quotations should be obtained.
- c) For items costing above £20,000 the Council should go out to tender
- d) Where it is not possible due to lack of suitable firms prepared to quote or for other valid reasons a record of the details of why a sufficient number of quotes has not been obtained should be made by the Town Clerk or reported to the Town Clerk where procurement is being undertaken by other officers.
- e) The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.
- f) Every contract shall comply with these the council's Standing Orders and these Financial Regulations, and no exceptions shall be made, except in an emergency.
- g) For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Public Contracts Regulations 2015 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award, and notification of that contract.
- h) For smaller purchases, the clerk & RFO shall seek to achieve value for money. Contracts must not be split into smaller lots to avoid compliance with these rules. The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:
 - i. specialist services, such as legal professionals acting in disputes.
 - ii. repairs to, or parts for, existing machinery or equipment.
 - iii. works, goods or services that constitute an extension of an existing contract.
 - iv. goods or services that are only available from one supplier or are sold at a fixed price.

CONTRACTS

11.1 Procedures as to contracts are laid down as follows and supplemented by the guidance at Annex 1:

a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that these regulations shall not apply to contracts which relate to items (i) to (vi) below:

- i. for the supply of water and sewerage services
- ii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant.
- iii. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council.
- iv. for additional audit work of the External Auditor up to an estimated value of £2000 (in excess of this sum the RFO shall act after consultation with the Chairman of the FGP committee)
- v. for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.

b) Where it is intended to enter into a contract exceeding £20,000 (ex-VAT) in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Town Clerk shall invite tenders from at least three suppliers. For avoidance of doubt the Town Clerk should use all reasonable endeavours to ensure the council shall have three tenders for consideration.

c) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the F & GP Committee.

d) Such invitation to tender shall state the general nature of the intended contract and the Town Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Town Clerk and clearly labelled for the tender in question.

1. Where the value of the procurement exceeds the current Public Contracts Regulations threshold, the additional legal requirements on tendering shall apply.
2. If the tender is submitted via email this must be in a password protected folder. The password for which shall be sent to a separate designated email address.

e) All sealed tenders shall be opened at the same time on the prescribed date by the Town Clerk in the presence of at least one officer or member of Council or in accordance with such other arrangements agreed by the Finance and General Purposes Committee.

f) If less than three tenders are received for contracts above £20,000 (ex-VAT) or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.

g) The Council shall not be obliged to accept the lowest or any tender, quote, or estimate.

PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).

12.2 Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work conducted under a contract, excluding agreed variations, will exceed the contract sum a report shall be submitted to the F & GP committee.

12.3 Any variation to a contract or addition to or omission from a contract must be approved by the council or appropriate committee and Town Clerk to the Contractor in writing, the appropriate committee and the Finance Committee being informed where the final cost is likely to exceed the financial provision.

STORES AND EQUIPMENT

13.1 The Town Clerk shall be responsible for the care and custody of stores and equipment in that section.

13.2 Stocks shall be kept at the minimum levels consistent with operational requirements.

13.3 The RFO shall be responsible for periodic checks of stocks and stores at least annually.

PROPERTIES AND ESTATES

14.1 The Clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council and shall ensure a record is maintained of all properties owned by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with the Accounts and Audit Regulations.

14.2 No property shall be sold, leased, or otherwise disposed of without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £500.

14.3 The business case for any substantial building works (e.g. redevelopment and works above that which are required following the condition survey) shall include an assessment of the projected value of the asset.

14.4 Upkeep and repair is required at the following assets.

Allotments

Cemetery

Newark Royal Market

Parks & Open Spaces

IT and Computers

Office Equipment

Public Conveniences

Town Hall

Museum

A report on the level of funds held in respect of the Repairs and Renewals Fund is to be included in the summary statements presented by the RFO to the F&GP Committee, including the yearend Out Turn figures.

As part of the annual budgetary process, Managers must review the financial position of each fund within the relevant service committee and make detailed recommendations to the RFO in respect of estimated future expenditure. Such information will be considered when discussing the annual contribution to each individual fund during the next financial year.

CAPITAL RECEIPTS

15.1 Any capital receipts shall be held in a separately identified Capital Receipts Reserve

15.2 Expenditure from the Capital Receipts Reserve must be approved by Full Council in advance of any commitment on the funds being made.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

16.1 Any community infrastructure levy receipts shall be held in a separately identified Community Infrastructure Levy Reserve

16.2 The RFO shall publish an annual CIL report in accordance with the Community Infrastructure Levy Regulations. The report shall be submitted to the Finance Committee, published on the council's website, and submitted to Newark and Sherwood District Council by 31st October each year.

INSURANCE

17.1 Following an annual risk assessment, the RFO shall affect all insurances and negotiate all claims on the Council's insurers.

17.2 The RFO shall identify promptly all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.

17.3 The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.

17.4 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim and shall report these to council or the appropriate committee at the next suitable meeting. Matters shall also be reported to the Finance Committee at its next suitable meeting.

17.5 All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council.

CHARITIES and TRUSTS

18.1 Where the Council is sole trustee of a charitable body the RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The RFO shall arrange for any Audit or Independent Examination as may be required by Charity Law or any Governing Document.

RISK MANAGEMENT

19.1 The RFO shall prepare and promote risk management policy statements in respect of all activities of the Council.

19.2 When considering any new or significantly altered activity/function (including processes or procedures) the RFO shall prepare a draft Risk Assessment for the activity and shall bring a draft addressing the legal and financial liabilities and Risk Management issues that arise to the F & GP Committee for consideration and, if thought appropriate, adoption.

REVISION OF FINANCIAL REGULATIONS

20.1 It shall be the duty of the FGP Committee to review the Financial Regulations of the Council from time to time.

ANNEXES

ANNEX 1 – SUPPLEMENTARY PROCUREMENT GUIDANCE

Purpose

This procedural document is designed to bring further clarity to the procurement processes set out in Financial Regulations. This will aid members in their understanding of audit procedures and aid officers through providing the necessary clarification of the internal processes to be adhered to. The table below sets out the general procedures to be adopted by Officers which are overseen by Members.

Value	Action Required	Evidence retained
Over Public Contracts Regulations Threshold**	Tender via Find a Tender and in line with relevant Government directives	All documents and correspondence to be retained
20k to Public Contracts Regulations threshold	Compliance with internal tender process. Opportunity to be advertised as widely as possible.	All tender documents to be retained
3k to 20k	At least three written formal quotes to be obtained	Quotes retained alongside reasons for choice of supplier.
£0 to £3k	Two written quotes/estimates where prudent to do so.	Quotes retained

Exceptions and Exemptions – An exception is a one-off deviation from the procedure that may occur due to reasons such as an emergency or the requirement being so unique as to make locating other supplies impossible. An exemption is a permanent deviation from processes such as costs associated with utilities, rents etc.

Officers who are unable to meet the procurement requirements for a transaction should seek guidance from the RFO.

****Current thresholds £214,904 for services/supplies contracts, £5,372,609 for works. Next due to be updated 01/01/2025 but Officers should be able to justify actions such as those taken in emergency or immediate need.**

ANNEX 2 – BACS PAYMENT PROCESSES

Online Banking Users

The Town Council in taking advantage of online banking has two classes of user:

CLASS A - Full admin with complete rights.

CLASS B - Ability to create payments for processing and create transactions but requires separate independent authorisation

- 2) The Town Clerk shall be a **CLASS A** user.
- 3) Nominated administrative staff shall be **CLASS B** users.
- 4) No other users shall be permitted on the council's online banking system.
- 5) All payments require the online authorisation of 2 users.

MAKING BACS PAYMENTS

- 1) No payments of any nature can be processed without prior approval of the Town Clerk or relevant service manager.

ANNEX 3 – BUDGET SETTING TIMETABLE

The timetable below is to guide the budget setting process, which commences in the summer and concludes in January when Full Council approves a budget, reserves, and precept requirement. The Town Clerk will ensure the council's meeting cycle facilitates decision making meetings within the required time limit.

Month Activity.

October / November Officers develop an initial draft budget based on previous spending, proposed revisions to service fees, anticipated commitments/projects and the council's approved strategies, management plans and maintenance plans. This will include a first draft projected outturn for the current financial year.

November/ December FGP Committee to consider a full draft budget and to review reserve requirements. The committee will agree a recommended budget to Full Council including a recommendation as to the precept required.

Late December Town Clerk to refine projected outturn and review budget allocations ahead of Full Council meeting. Amendments will be made to projections with significant changes reported in the budget report to Full Council; any amendments to budgets must be detailed in the budget report to Full Council.

January Full Council will approve a budget, reserves allocation and precept requirement. The same week, the Town Clerk will inform Newark and Sherwood District Council of the precept required.

FINANCE AND GENERAL PURPOSES

SUBJECT:	WORKS APPROVAL SCHEDULE
REPORT BY:	Matthew Gleadell

1. Recommendations

- 1.1 That members note the report and attached schedule.

2. Background

- 2.1 At the FGP meeting on 27th March 2024 members received a report identifying various estate maintenance, repair and investment needs. Members resolved to provide devolved authority to the Clerk, Leader and Chairman of Finance and General Purposes to progress relevant works and determine the appropriate way to account for the cost.

- 2.2 Following that meeting the Clerk developed an internal approval document for use by the Operations Manager to seek appropriate consent for works to be undertaken.

- 2.3 The Leader also suggested that a monthly report and update be provided to members to show the works which are being progressed.

The attached schedule provides the detail of approved works since the beginning of the current financial year, and when those works were presented to the Finance & General Purposes Committee.

3.0 Financial, Legal, Equality, Environmental & Risk Issues

- 3.1 Contained in the report.

Background Papers:	Working papers
Lead Officer:	Matthew Gleadell Tel: 01636 684801 Email: matthew.gleadell@newark.gov.uk

Works Approval Notes Submitted**Taken to FGP 17th April 2024****Description / Reason for Works**

Essential safety repairs to Syerston Way play area arising from annual full safety check.

Replacement perspex and seals in glass domed units.

Repairs to fencing at Riverside Park

Drone survey of Town Hall roof to aid access solutions assessment.

Taken to FGP 19th June 2024

Town Hall Balcony Screens

Public Convenience Contactless Payment Systems and Barrier

Riverside Park Play Area Multiplay Unit Walkboards

Taken to FGP 4th September 2024

Replacement water heater within second floor kitchen.
 Current water heater has been inspected and large areas of rust have been identified within.
 Concerns raised by Legionella monitoring regarding the increased risk of bacterial growth.

Quotes Received	Officer Recommended Quote Cost	Reason for fewer quotes if less than number required	Authorisations from Clerk, Leader and FGP Chair
2 received.	£2,225.00	N/A	YES
1 received.	£4,332.92	8 other companies approached for further quote but have all declined.	YES
2 received.	£770.00	N/A	YES
1 received.	£1,900.00	Specialist work.	YES
1 received.	£3,680.46	Specialist work. 1 other company investigated but no quote provided.	YES
2 received.	£13,515.00	Over 10 companies contacted. Urgent works required, major damage to play equipment	YES
1 received.	£780.00		YES
1 received.	£1,234.56	Works identified as a priority due to Legionella concerns and deterioration of water tank during inspection.	YES

FINANCE AND GENERAL PURPOSES

SUBJECT:	Christmas Lights Tender
REPORT BY:	Matthew Gleadell

1. Recommendations

- 1.1 That members appoint the Leader, Chair of FGP and the Mayor to a tender panel that will review and score tenders received for Christmas Lights and to agree the winning bid on behalf of the Council.

2. Background

- 2.1 The Councils previous Christmas Lights contract ended at Christmas 2023. It was a contract for 3 years covering the 2021, 2022 and 2023 Christmas periods. There was no tender process ahead of the 2021 Christmas as the Council resolved to stay with their contractor at that time.
- 2.2 A tender opportunity has been advertised for the 2024, 2025 and 2026 Christmas Lights provision. The deadline for bids is the 6th September 2024.
- 2.3 It is proposed that the panel will open the bids on the 9th September and will then either make a recommendation to Town Council on the 18th September or be given devolved authority to make the final decision on the award of the contract.
- 2.4 Contractors are not expecting a decision until the 18th September however, if members are content to give devolved authority to the panel the additional time for the winning bidder to prepare for the end of November will be welcomed.
- 2.5 Members can view the tender pack for Christmas Lights contract on the Councils website.
<https://www.newark.gov.uk/the-council/governance/tenders-and-contracts/>

3.0 Financial, Legal, Equality, Environmental & Risk Issues

- 3.1 Contained in the report.

Background Papers:	Working papers
Lead Officer:	Matthew Gleadell Tel: 01636 684801 Email: matthew.gleadell@newark.gov.uk

FINANCE AND GENERAL PURPOSES

SUBJECT:	Political Balance
REPORT BY:	Matthew Gleadell

1. Recommendations

- 1.1 That members determine if they wish to change the Committee, Sub Committee and Working Group appointments in response to a change in the overall political balance of the Council.

2. Background

- 2.1 A member has recently declared themselves to now be a Green party member having previously been a Labour party member.
- 2.2 As closely as possible the Council currently seeks to appoint its committees, sub committees and working groups in a way that is proportionate to the overall political make up of the Full Council although it should be noted there is no legal duty to do this. This report identifies the impacts of the recent change on the Full Council, and the current political make up of the various committees, sub committees and working groups.
- 2.3 The political balance of the **Full Council** is now as follows (**18 seats**) :

Party/Group	Number of Seats	Percentage of Seats
IFND	8	44.44%
Labour	4	22.22%
Unaligned Independents *	3	16.66%
Conservative	2	11.11%
Green	1	5.55%

*The Unaligned Independents have historically been grouped together. Each member however is arguably a group of 1 in their own right and each occupies 5.55% of the available seats on the Council.

- 2.4 The allocation of seats on the Committees, Sub Committees and Working Groups is as follows:

Planning (Committee of 9)

Party / Group	Number of Seats	Percentage of Seats
IFND	5	55.5%
Labour	3	33.3%
Unaligned Independents	0	0%

Conservative	1	11.1%
Green	0	0%

2.5

Personnel (Sub Committee of 5)

<i>Party / Group</i>	<i>Number of Seats</i>	<i>Percentage of Seats</i>
IFND	1	20%
Labour	1	20%
Unaligned Independents	2	40%
Conservative	1	20%
Green	0	0%

Events, Arts, Culture and Twinning (Sub Committee of 5)

<i>Party / Group</i>	<i>Number of Seats</i>	<i>Percentage of Seats</i>
IFND	3	60%
Labour	1	20%
Unaligned Independents	0	0%
Conservative	1	20%
Green	0	0%

Environmental Stewardship (Sub Committee of 5)

<i>Party / Group</i>	<i>Number of Seats</i>	<i>Percentage of Seats</i>
IFND	2	40%
Labour	1	20%
Unaligned Independents	1	20%
Conservative	1	20%
Green	0	0%

Cemetery Development Working Group (Sub Committee of 5)

<i>Party / Group</i>	<i>Number of Seats</i>	<i>Percentage of Seats</i>
IFND	2	40%
Labour	1	20%

Unaligned Independents	1	20%
Conservative	1	20%
Green	0	0%

3.0 Financial, Legal, Equality, Environmental & Risk Issues

3.1 Contained in the report.

Background Papers:	Working papers
Lead Officer:	Matthew Gleadell Tel: 01636 684801 Email: matthew.gleadell@newark.gov.uk

FINANCE AND GENERAL PURPOSES

SUBJECT:	Transport Sub Committee
REPORT BY:	Matthew Gleadell

1. Recommendations

- 1.1 That members determine their response to a motion deferred to FGP by Full Council which seeks the creation of a Transport Sub Committee.

2. Background

- 2.1 Cllr. Paul Taylor proposed a motion at the July Full Council meeting for the creation of a Transport Sub Committee which was deferred to the next FGP meeting.

- 2.2 Since the Full Council meeting the Clerk has sought further clarity from Cllr. Taylor as to his vision for any Sub Committee.

- 2.3 The following elements are being proposed:

- 2.4 The Sub Committee will be the voice of Newark people on Transport issues effecting the Town.

It recognises that the County Council holds responsibility for transportation and the East Midlands Mayor has a significant role in regional Transport.

The Sub Committee will highlight concerns and lobby relevant organisations and individuals on the following:

- The condition of our roads and footpaths.
- Strategic Transport issues.
- Public Transport needs including bus, rail, river, taxi and private hire.
- Highways enforcement activities or lack of enforcement.
- Parking issues.
- Disabled accessibility.
- Traffic congestion.

- 2.5 If members do wish to pursue a Transport Sub Committee the following will need to be agreed:

1. Number of members to form the Sub Committee.
2. The members that will be appointed to the Sub Committee.
3. The appointment of a Chairman and Vice Chairman.
4. A formal terms of reference which could be developed by a Sub Committee at its first meeting and referred to FGP for consideration and adoption. The broad principles are however set out above however clarity will be required on the extent of any devolved powers granted to the sub committee on particular

issues, and/or any restrictions on issues that must be referred to the FGP committee for approval with or without a recommendation from the Sub Committee.

3.0 Financial, Legal, Equality, Environmental & Risk Issues

3.1 Financial: There are no direct costs foreseen save for the value of officer time involved in serving the meetings.

Background Papers:	Working papers and e-mails
Lead Officer:	Matthew Gleadell Tel: 01636 684801 Email: matthew.gleadell@newark.gov.uk

FINANCE AND GENERAL PURPOSES

SUBJECT:	Town Council Facebook / Social Media Policy
REPORT BY:	Matthew Gleadell

1. Recommendations

- 1.1 That members adopt the Social Media policy as detailed in this report and support the creation of a general Council Facebook page.

2. Background

- 2.1 The Town Council has historically not operated social media as a Council directly. The markets department has however successfully operated with social media in recent years and more recently the Town Hall Hospitality department has launched a new venue specific Facebook page.
- 2.2 The Clerk has been desirous of introducing Facebook for the Council but has lacked the resource to do it justice. With more resource now available to support the maintenance of a Facebook page there is no reason not to pursue accordingly.
- 2.3 Before launching a Council specific page, it is considered appropriate to introduce a Social Media policy that covers how the page is managed and how officers and members may interact with it. A draft policy for members to review, consider and hopefully adopt is attached to this report as Appendix 1.

3. Financial, Legal, Equality, Environmental & Risk Issues

- 3.1 **Risk Issues** – Members will be well aware that Social Media creates a platform for debate and sometimes for publication of misinformation by people commenting on posts.

At times social media can often be quite negative. The Council will create a platform for that negativity by introducing a Council specific social media page. Equally there can be positive contributions as well as the negative. The ability to promote what the Council does, share useful community information, promote the Councils meetings, celebrate local good news etc is considered to far outweigh the negative.

It should be noted that the Council does not have dedicated communications officers. It may not always be possible to monitor comments, respond and correct inaccurate information. Any page will be set up so that any comments are automatically responded to with a message that we do not monitor comments and that any queries should be directed through other communication channels.

Background Papers:	Working papers
Lead Officer:	Matthew Gleadell Tel: 01636 684801 Email: matthew.gleadell@newark.gov.uk



**USE OF SOCIAL MEDIA AND
ELECTRONIC
COMMUNICATIONS STATEMENT
AND USE POLICY
September 2024**

***Town Hall, Newark,
Nottinghamshire, NG24 1DU***

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SOCIAL MEDIA AND ELECTRONIC COMMUNICATIONS STATEMENT AND USE POLICY

INTRODUCTION

The use of digital and social media, and electronic communication enables the Town Council to interact in a way that improves the communications both within the Council and between the Council and the people, businesses, and agencies it works with and serves.

The Council has a website, three Facebook pages and uses email to communicate. The Council will always try to use the most effective channel for its communications. Over time the Council may add to the channels of communication that it uses as it seeks to improve and expand the services it delivers. When these changes occur, this Policy will be updated to reflect the new arrangements.

Newark Town Council, Newark Town Hall and Newark Royal Market Place Facebook pages intend to provide information and updates regarding activities and opportunities within our Town as well as promote our community and facilities in a positive manner. We may also use these forums to provide information about other key services or activities operating in the Parish considered of benefit to residents.

What is Social Media?

The term is commonly given to websites and online tools which allow users to interact with each other in some way - by sharing information, opinions, knowledge, and interests. This interaction may be through computers, mobile phones, and new generation technology such as i-Pads.

Examples of social media websites include: -
Social networking – (e.g. www.facebook.com),
logs, Video sharing – (e.g. www.youtube.com),
Micro-blogging - (e.g. www.X.com)

GENERIC ISSUES TO CONSIDER – WHETHER OFFICER OR MEMBER

Any communication is capable of being misinterpreted. While the use of social media should not be more susceptible to this problem than any other form of communication, something about the immediacy of social media seems to magnify the problem.

By the nature of such media, misinterpretation, or misrepresentation, particularly with regard to something that is perceived as being more controversial than it was expected to be, is likely to lead to rapid and wide broadcasting of that apparently “controversial” item.

Although the best use of social media is conversational in tone, publishing to the internet is still publishing. What you have said online is recorded and it is permanent. Most pitfalls will be avoided if your online content is accurate, informative, and thought through. Think of it as speaking in public. Think before you commit each word.

The site is not monitored 24/7 and we will not be able to reply individually to messages or comments received. However, we will endeavour to ensure that any emerging themes or helpful suggestions are passed to the relevant people or authorities.

Sending a message/post via Facebook will not be considered as contacting the Council for official purposes and we will not be obliged to monitor or respond to requests for information through these channels. Instead, please make direct contact with the Town Clerk by emailing the Council directly.

We retain the right to remove comments or content that includes:

- Obscene or racist content
- Personal attacks, insults, or threatening language
- Potentially libellous statements
- Plagiarised material; any material in violation of any laws, including copyright
- Private, personal information published without consent.
- Information or links unrelated to the content of the forum
- Commercial promotions or spam
- Alleges a breach of a Council's policy or the law

The Council's response to any communication received not meeting the above criteria will be to either ignore, inform the sender of our policy, or send a brief response as appropriate. This will be at the Council's discretion based on the message received, given our limited resources available. Any information posted on the Facebook pages not in line with the above criteria will be removed as quickly as possible. Repeat offenders will be blocked from the Facebook page. The Council may post a statement that 'A post breaching the Council's Social Media Policy has been removed.' If the post alleges a breach of a Council's policy or the law the person who posted it will be asked to submit a formal complaint to the Council or report the matter to the Police as soon as possible to allow due process.

STAFF/OFFICER USE OF COUNCIL SOCIAL MEDIA

The Town Clerk is the Council's nominated Press Officer with the authority to issue official press releases. No other member of staff nor Councillor have the authority to issue public statements on behalf of the Council (other than Deputy Town Clerk if deputising for the Town Clerk or other officers duly authorised by the Town Clerk).

A member of staff or Councillor may, however, be nominated to upload posts onto Facebook, (when already agreed by) and as requested by the Clerk.

The Newark Town Council social media pages should not be used for political campaigning, nor be perceived as being used for this purpose.

Staff must remember that they will be seen as ambassadors for the Council and should always act in a politically neutral, responsible, and socially aware manner.

Officers should be familiar with the terms of use on third party websites – e.g. Facebook – and adhere to these at all times.

Information would not be published where already known to be in the public domain – i.e. available on the Council's website, contained in minutes of meetings, stated in Council publicised policies and procedures, etc. - except where considered beneficial to do so.

- Information that is published should be factual, fair, thorough, and transparent.
- Everyone must be mindful that information published in this way may stay in the public domain indefinitely, without the opportunity for retrieval/deletion.
- Copyright laws must be respected.
- Conversations or reports that are meant to be private or internal must not be published without permission.
- Other organisations should not be referenced without their approval – when referencing, link back to the original source wherever possible.
- Do not publish anything that would be regarded in the workplace as unacceptable.

Communications from the Council will meet the following criteria:

- Be civil, tasteful, and relevant.
- Not contain content that is knowingly unlawful, libellous, harassing, defamatory, abusive, threatening, harmful, obscene, profane, sexually oriented, or racially offensive.
- Not contain content knowingly copied from elsewhere, for which we do not own the copyright.
- Not contain any personal information.
- Social media will not be used for the dissemination of any political advertising.

SOCIAL MEDIA PROTOCOL FOR MEMBERS

The Council welcomes Members' use of social media and would like to support this by giving guidance so that Members have greater clarity as to what is and is not acceptable usage of social media. This protocol is intended to provide such guidance and complements the general rules under the Code of Conduct for Members.

It is not a requirement for Members to have a Facebook or Twitter account or to use other forms of social media to fulfil their job as a member. However, if you are using or planning to use social media in connection with your work as a Councillor or are already using such media in your private capacity, these guidelines will be relevant. Remember that, whenever you act or appear to act in your official capacity, you must comply with the Code of Conduct.

Social media can be used:

- To support councillors in performing their community leadership role.
- To stay connected with or obtain local views and opinions.
- For political campaigning.
- For campaigning on local issues.

Things to Consider

There are no special, additional legal or ethical burdens relating to the use of social media. The same rules apply here that govern the rest of your behaviour as a councillor – you just need to think about them in this new context – their immediacy and ease of dissemination.

This does not mean that members cannot, in the appropriate context, communicate politically. This is expected of a councillor, but you should be careful not to say anything that you would not be comfortable repeating or justifying, for example, at a public meeting.

Legal Issues:

Libel – If you publish an untrue statement about a person which is damaging to their reputation, they may consider it as defamatory and consider legal action. The same thing may happen if, for example, someone else publishes something defamatory on your website; you know about it and do not take swift action to remove it. A successful legal claim could result in the award of damages against you.

Defamation – A complainant would need to prove that comments actually caused damage to a member's reputation. This may be exceedingly difficult to quantify, and the council is unable to commit resources to an action for defamation by an individual or group of members but would provide supporting evidence to those wishing to take such action.

Copyright – Placing images or text on your site / channel from a copyrighted source (for example extracts from publications or photos), without obtaining permission, is likely to breach copyright laws. Therefore, do not publish anything you are unsure about, or obtain prior permission. Again, a successful claim for breach of copyright would be likely to lead to an award of damages against you.

Data Protection – Do not publish the personal data of individuals unless you have their express permission. Personal information in an email or personal exchange should not be presumed to imply any consent to pass it on to others. If you place personal information on a public forum you should expect it to be published by others.

Bias and Predetermination – if you participate in making planning, licensing, or other quasi-judicial decisions, do not say anything through social media (or indeed anywhere) that suggests you have made your mind up on an issue that is due to be formally decided. While your likely view on a particular application may be well known, you need to be able to show that you attended the committee or hearing prepared to take on board and weigh all the evidence, and were genuinely persuadable to a different view, otherwise, the decision may be later challenged as invalid. If a person has suffered some sort of detriment as a result of such an invalid decision, they may have a claim against the council for damages.

Social Media and the Code of Conduct for Members Generally:

Aspects of the Code of Conduct for Members will apply to your online activity in the same way as they do to any other communication you may use. The key to whether your online activity is subject to the Code is whether you are, or appear to be, acting in your capacity as a councillor rather than as a private individual. If you have a Facebook or Twitter account which includes your role as a councillor, you should keep this separate from your personal accounts or you risk being subject to the code of conduct.

It can be presumed by others that you are speaking as a councillor. This can happen where you have a social media account where you comment both as a councillor and as an individual. Although you may be clear in your mind that you are acting in a private capacity it may be less clear to others. This can also mean that your views can be taken as being those of your organisation or party (rather than you personally) when this may not be the case.

The presumption can arise simply because you are commenting on council business, because you are known to be a councillor or refer to this.

One way of avoiding this and avoiding some of the potential problems related to the Code of Conduct, may be to consider keeping your online accounts as a councillor separate from those where you communicate in a personal capacity. Another is to spell it out in the text (e.g. "speaking entirely personally..."). This is a decision for each member and some Members may find the convenience of having one account outweighs the advantages of separate accounts.

Relevant Elements of the Members' Code of Conduct:

You must treat others with respect - do not use social media to make personal attacks or indulge in rude, disrespectful, or offensive comments.

You must comply with equality laws – do not publish anything that might be seen as racist, sexist, ageist, homophobic or anti-faith.

You must not bully or harass anyone – do not say anything, particularly if it is part of a series of similar comments about a person or on a theme that might be construed as bullying or intimidation.

You must not bring the council into disrepute – you should not publish anything that could be perceived as reflecting badly upon or lowering the reputation of you or the Council.

You must not disclose confidential information - you must not, in your use of social media, just as in any other circumstances, disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature. Inadvertent leaks of the council's confidential information are more likely to take place when a councillor is using social media, rather than, say, when they are carefully drafting a letter for publication in the local paper. This may be because of the more immediate, conversational, off-the-cuff nature of much social media communication. Members must be careful to apply exactly the same standards to their social media communications as they would to statements made in a more formal context.

Staying out of Trouble - Some Do's and Don'ts

Some Do's

Do - set appropriate privacy and security settings for your blog or networking site –especially if you have a private, non-political blog.

Do -keep an eye out for defamatory or obscene posts from others on your blog or page and remove them as soon as possible to avoid the perception that you condone such views. Be aware that the higher your profile as an elected member, the more likely it is you will be seen as acting in your official capacity when you blog or network.

Do -consider keeping your personal and elected member profile on social networking sites separate and maintain appropriate professional boundaries.

Do -ensure you use council facilities appropriately; if you use a council provided blog site or social networking area, any posts you make will be viewed made in your official capacity.

Do -be aware that you will be seen as acting in your official capacity if you publish information that you could only have accessed by being an elected member.

Do -feel able to make political points but be careful about being too specific or personal if referring to individuals. An attack on individuals may be seen as disrespectful, whereas general comments about another party or comments on policy are less likely to be viewed as disrespect.

Some Don'ts

Don't - Blog in haste, particularly in circumstances where your judgement might be impaired; for example, if you are tired or have consumed alcohol.

Don't - post comments that you would not be prepared to make on paper or face to face.

Don't - request or accept a Council employee or contractor providing services to the council as a "friend" on a social networking site where this suggests close personal association. For the avoidance of doubt, this does not apply to sites which are intended as a neutral, professional connections registry (such as LinkedIn.)

Don't - use social media in any way to attack, insult, abuse, defame or otherwise make negative, offensive, or discriminatory comments about council staff, service users, their family or friends, colleagues, other professionals, other organisations, or the council.

Don't - publish confidential information that you may have learned or had access to as part of your role as an elected member. This includes personal information about service users, their families, friends, or others e.g. contractors, council staff as well as council related information.

Don't - present your personal views, or those of any political party or interest group you belong to, as being those of the council, on any social medium.

Don't - browse, download, upload or distribute any material that could be considered inappropriate, offensive, defamatory, illegal, or discriminatory.

Don't - make conspicuous or excessive use of social media technology during the course of a Council or committee meeting so that you give the impression to the public of not being respectful of the proceedings and, more seriously, taking decisions that are not based on full engagement with the facts and arguments.

General

The Council wishes to encourage Members' use of new technology, including social media. This guidance is intended to help Members use social media in a way that avoids legal and reputational risk.

The Town Clerk is happy to help Members by providing addition advice and guidance as appropriate.

When posting, or commenting on social media, councillors need to consider whether they are acting in a private capacity, or whether any impression might be conveyed that they are acting for and on behalf of Newark Town Council.

The Council has adopted a Code of Conduct which is binding on all members. If you use social media in your official capacity as a councillor, you should always be mindful of the Code, and of the seven Nolan principles applicable to holding public office – **selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.**

Differing opinions and discussion of diverse ideas are encouraged, but personal attacks on anyone, including the Council members or staff, will not be permitted.

ELECTRONIC COMMUNICATIONS

Town Council Website.

Where necessary, we may direct those contacting us to our website to see the required information.

Town Council email.

For general enquiries please use post@newark.gov.uk. The email account is monitored during office hours, Monday to Friday, and we aim to reply to all questions sent as soon as we can. An 'out of office' message will be used when appropriate.

Council officers are responsible for dealing with email received and passing on any relevant mail to members or external agencies for information and/or action. All communications on behalf of the Council will usually come from the Clerk (or an appropriate Council Officer), and/or otherwise will always be copied to the Clerk. All new emails requiring data to be passed on, will be followed up with a Data consent request before action is taken with that correspondence.

Individual Councillors are at liberty to communicate directly with parishioners via their Town Council issued email addresses, in relation to their own personal views, if appropriate, copy to the Clerk. Any emails sent via Town Council email addresses or personal e-mail addresses that contain Town Council business are official and will be subject to the Freedom of Information Act 2000.

These procedures will ensure that a complete and proper record of all correspondence is kept. Do not, without prior consent, forward personal information on to other people or groups outside of the Council, this includes names, addresses, email, IP addresses and cookie identifiers.

SMS (texting).

Members and Officers may use SMS as a convenient way to communicate at times. All are reminded that this policy also applies to such messages.

Video Conferencing e.g. Teams.

If this medium is used to communicate, please note that this policy also applies to the use of video conferencing.

Internal communication and access to information within the Council.

The Council is continually looking at ways to improve its working and the use of social media and electronic communications is a major factor in delivering improvement.

Councillors are expected to abide by the Code of Conduct and the Data Protection Act in all their work on behalf of the Council.

As more information becomes available at the press of a button, it is vital that all information is treated sensitively and securely. Councillors are expected to maintain an awareness of the confidentiality of information that they have access to and not to share confidential information with anyone. Failure to properly observe confidentiality may be seen as a breach of the Council's Code of Conduct and will be dealt with through its prescribed procedures (at the extreme it may also involve a criminal investigation). Members should also be careful only to cc essential recipients on emails i.e., to avoid use of the 'Reply to All' option, if possible, but of course copying in all who need to know and ensuring that email trails have been removed.

FINANCE AND GENERAL PURPOSES

SUBJECT:	Environmental Stewardship Sub Committee Remit
REPORT BY:	Matthew Gleadell

1. Recommendations

- 1.1 That the Committee adopts recommended remit for the Environmental Stewardship Sub Committee.

2. Background

- 2.1 At the last meeting of the FGP committee the Environmental Stewardship Sub Committee was created and tasked with making a recommendation as to its remit. The proposed remit is set out in 2.2 below.

- 2.2 ***The sub committee shall consist of 5 Town Council members.***

Meetings of the sub committee shall be quorate with at least 3 members present.

The existence and remit of the sub committee and the membership thereof shall be reviewed annually at the first FGP meeting of each Civic year and as necessary the Chairman and Deputy Chairman shall be appointed at the same meeting.

The subcommittee shall meet as often as it deems necessary for the effective discharge of the business of the sub committee.

MISSION

The mission of the ESSC is to minimise the town's impact on climate change and to protect the natural environment.

AIMS

In pursuance of the stated mission, the ESSC has the following long-term aims

- 1. To reduce the kw of fossil fuel energy consumed in the Town Hall and in other buildings owned by the Town Council.***
- 3 To encourage and facilitate planting of carbon absorbing trees throughout Newark as a means of increasing the absorption of CO2 from the atmosphere and of providing shade to mitigate the impact of the warming climate.***
- 4 To encourage and facilitate the reduction of harmful greenhouse gases and particulates released by vehicles in the centre of Newark and within the wider town.***
- 5 To develop a Green Neighbourhood Plan.***

EVALUATION

On an ongoing basis, the ESSC will develop projects, using SMART methodology to evaluate the merit of project proposals within the parameters of the strategic aims of the programme.

The test of proposals will be if they have quantifiable outcomes that are:

Specific

Measurable

Achievable

Realistic

Time Bound

FURTHER REMIT

The sub committee shall be responsible for:

- 1. Monitoring and evaluating the Councils impact on Climate Change.*
- 2. Seeking to reduce the Council's carbon footprint.*
- 3. Addressing the Councils statutory obligations for biodiversity consideration.*
- 4. Delivering and evaluating projects adopted by the sub committee that are designed to reduce the Councils carbon footprint or promote other organisations / members of the public to reduce their own carbon footprint.*
- 5. Working with other partners as necessary in pursuance of the objectives of the sub committee.*
- 6. Actively promoting operational changes across all Council undertakings that will help to deliver the objectives of the sub committee.*
- 7. Taking and promoting action within the Council that delivers good environmental stewardship.*

REPORTING AND GOVERNANCE

The subcommittee will deliver a minimum of quarterly reports as to its actions and undertakings to the FGP committee but where necessary may provide updates or recommendations to the FGP committee at any time.

In all areas of the groups work and remit, the group will seek to ensure appropriate governance and financial management is applied for any financial commitment towards the undertakings of the sub committee and will seek to ensure that in all areas of undertakings the Council is obtaining best value for public funds and resources.

3.0 Financial, Legal, Equality, Environmental & Risk Issues

3.1 Contained in the report.

Background Papers:	Working papers
Lead Officer:	Matthew Gleadell Tel: 01636 684801 Email: matthew.gleadell@newark.gov.uk

FINANCE & GENERAL PURPOSES COMMITTEE

SUBJECT:	NOTICE OF MOTION – BROADCASTING OF MEETINGS
REPORT BY:	TOWN CLERK

1. Recommendations

- 1.1 That Members consider the motion below that was referred to this Committee from the meeting of the Full Town Council held on Wednesday 24th July 2024

The motion was received in accordance with Standing Order 6 (1):

2. Background

- 2.1 **MOTION PROPOSED BY COUNCILLOR MATHEW SKINNER**
SECONDED BY COUNCILLOR JACK KELLAS

TOWN COUNCIL MOTION

That this council is committed to broadcasting our meetings online so that they are accessible to all. We will look into how much it will cost to live stream our meetings in a similar way that NSDC do online, to allow members of the public to view our proceedings, see the debates and careful consideration that take place whilst exercising our duties as members of this council. If this can't be achieved at a reasonable cost (at the discretion of the Town Clerk as RFO), then consideration will be given to explore alternative venues to host our meetings and costings obtained. A report for consideration and decision on this item will be produced and presented at a meeting of Finance and General Purposed Committee within six months.

(Hard copy with signatures in office file).

3. Financial, Legal, Equality, Risk and Environmental Issues

- 3.1 None.

Background Papers:	Hard copy with signatures in office file
Lead Officer:	Matthew Gleadell Tel: 01636 684800 Email: matthew.gleadell@newark.gov.uk

FINANCE & GENERAL PURPOSES COMMITTEE

SUBJECT:	NOTICE OF MOTION – WINTER FUEL
REPORT BY:	TOWN CLERK

1. Recommendations

- 1.1 That Members consider the motion below that has been received in accordance with Standing Order 6 (1):

2. Background

- 2.1 **MOTION PROPOSED BY COUNCILLOR MATHEW SKINNER
SECONDED BY COUNCILLOR DIANE LEDGER**

MOTION TO FINANCE & GENERAL PURPOSES COMMITTEE

This council will support local charities and other appropriate organisations raise the awareness of the changes recently announced by the Government with regards to Winter Fuel payments.

The Government has decided to withdraw the universal winter fuel payment that is made to pensioners, instead it will now be given to those who are in receipt of eligible benefits. Energy prices are also set to increase from October.

We will pro-actively work with Age UK and other appropriate organisations such as Citizens Advice Bureaux to help advise the many thousands of Newark residents who are entitled to Pension Credit for example but whom are not currently in receipt of it. It is understood that 880,000 people nationally (around 13% of the population) are entitled to this credit but not currently in receipt – which in turn would make them eligible to retain their winter fuel allowance.

We will offer free of charge use of space within our market square, use of market stalls and make space available downstairs within the Town Hall - which is perfectly positioned within the town to allow them make Newark residents aware of the changes and (if applicable) possibly advise on what they could be entitled to.

As a council we will do all we can to promote other well being schemes and initiatives locally to ensure that people have access to warm spaces this winter.

(Hard copy with signatures in office file).

3. Financial, Legal, Equality, Risk and Environmental Issues

3.1 None.

Background Papers:	Hard copy with signatures in office file
Lead Officer:	Matthew Gleadell Tel: 01636 684800 Email: matthew.gleadell@newark.gov.uk