

Policies and procedures Handbook

PATRICIA STUART-MOGG – TOWN CLERK (2021)

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Stamford Town Council Mission Statement

It is the duty of Stamford Town Council, on behalf of its electorate, to maximise the efficiency, productivity and revenue generating potential of all its assets to provide a platform from which it can effectively discharge its community role and functions in an economic and sustainable fashion and at optimal cost to the communities it serves.

In fulfilling this responsibility, the Town Council will:

1. Work with other principal authorities and organisations to provide greater benefits for the Town.
2. Open doors of opportunity and seek investment to increase the Town's success
3. Value the civic role and recognise its potential for the Town
4. Encourage equal opportunities for all citizens within the community
5. Network with those who can bring benefit and prestige to the Town
6. Recognise those individuals and organisations who have brought credit to the Town
7. Receive visitors to the Town promoting its historic past and exciting future
8. Create opportunities for the Town Mayor to represent the Town at home, nationally and internationally acting as an "Ambassador" for Stamford.
9. Promote public involvement in the Council's activities
10. Uphold and promote the purposes of the Town Council's Constitution (Standing Orders)

In addition to their ceremonial role, the Mayor will be responsible for presiding over meetings of the Town Council and will ensure that the meetings follow the procedures set out in Standing Orders, and that they serve as forums for debate on matters of concern to the local community.

Code of Conduct

Stamford Town Council has adopted this Code which sets out the expected behaviour required of its members, or co-opted members, and acknowledge that they each have a responsibility to represent the community and work constructively with staff and partner organisations to secure better social, economic, and environmental outcomes for all.

In accordance with the Localism Act 2011, all members of Stamford Town Council must be committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this Authority.

SELFLESSNESS: Holders of public office should act solely in terms of the public interest. They should not act 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 which might seek to influence them in the 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 alone.

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 that they take. They should give reasons for their decisions 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 protects the public interest.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example. In particular, members should always treat people with respect including those working for this Authority, other organisations and members of the public.

Dress Code for Councillors

Councillors are politely requested to adhere to the Dress Code when attending Stamford Town Council Meetings. Informal Dress may be worn at outside events where appropriate.

Dress Code Definitions:

Men's Formal Dress: Suit or jacket with collared shirt, [tie optional], smart trousers and appropriate footwear. Trainers are not permitted.

Ladies' Formal Dress: Please use this as a guide, avoiding extremes and overly revealing forms of dress. Smart sandals and T-shirt style tops are permitted.

Men's Informal Dress: Polo shirts and smart trousers including untorn jeans and trainers are permitted. Sandals, rubberized flip-flops, sports attire or overtly branded attire are not permitted.

Exceptionally, tailored shorts and T-shirts are permitted until Monday 4th October 2021.

Ladies Informal Dress: Please use this as a guide, avoiding extremes and overly revealing forms of dress. Smart sandals and T-shirt style tops are permitted.

Town Hall Meetings – Formal Dress.

Events - When attending an event with no specified dress code, you may wear Informal Dress

Health and Safety Policy Statement

Health and Safety at Work Act 1974 and other relevant legislation imposes statutory duties on employers and employees. The Policy of the Council, so far as is reasonably practicable is to ensure that the responsibilities for Health & Safety are properly assigned, accepted and fulfilled at all management levels. The Council will ensure that all practical steps are taken to safeguard the Health, Safety and Welfare of all employees and visitors to the premises or operations under the control of the Council.

We will, so far as is reasonably practicable ensure that:

- The provision and maintenance of plant and systems of work are safe and without risk to health.
- Arrangements for use, handling, storage and transport of articles and substances for use at work are safe and without risk to health.
- Adequate information is available in the form of a COSHH Register and Safety data sheets with respect to articles and substances used at work, detailing conditions and precautions necessary to ensure that when properly used they will be safe and without risk to health.
- The maintenance of all plant, machinery and equipment at any premises or operations under our control are safe to employees, contractors and any other person who may be affected.
- The working environments are safe and without risk to health and that adequate provision are made with regard to the facilities and arrangements for their welfare at work.

The Health and Safety Policy is reviewed as and when necessary, following liaison with Health & Safety consultant/s. Communication of any such changes will be made to all employees.

It shall be the duty of every employee at work:

- To take reasonable steps for health and safety of themselves and of other persons who may be affected by their acts or omissions at work.
- To co-operate with the management so far as is necessary to enable the duty or requirements to be performed or complied with.
- Not to interfere with or misuse, intentionally or recklessly, anything provided in the interests of safety.

ORGANISATION AND RESPONSIBILITIES

TORNEY LTD

HEALTH, SAFETY & ENVIRONMENTAL

Tom Bardwell CMIOSH CMaPS, Director (Safety Advisor)

The Health & Safety Advisor should:

- Be aware of the chief requirements of the Health and Safety at Work etc Act 1974 (HaSWA) and other legislation relevant to the council and be able to keep abreast of any changes in the law.
- Be responsible for keeping the health and safety policy documentation up to date.
- Report legal developments, best practice management methods to the Council.
- Be the main point of contact with any health and safety consultant to be employed to carry out special duties.
- Be able to carry out regular health and safety audits and produce audit reports.
- Report the finding of audits to relevant committee appointed for health and safety purposes.
- Provide Health and Safety advice as necessary.

Responsibilities for the Health & Safety Competent Person as co-ordinator:

- Where several members of staff are involved with assisting the employer to carry out their health and safety duties, then one should be appointed as co-ordinator.
- Initiatives and planned action will be based on legal duties, outcomes of risk assessments and recommendations / decisions.

Is responsible for:

- Ensuring that the Health & Safety Policy is fully understood and observed by all levels of management and employees.
- Continually monitoring the effectiveness of the Health & Safety Policy and procedures and ensuring that any necessary changes are made and maintained in line with development.
- Ensuring that adequate provision and communication channels are maintained so that information concerning health & safety matters which may affect any or all employees is communicated to the appropriate Town Council Committee and any matter concerning health and safety brought up by an employee is directed to the appropriate member of the Town Council so that any necessary action can be taken.
- Ensuring that the Chairman of the relevant Finance Committee of the Council is advised of any item deemed to be unsafe or any breach of statutory requirement, which cannot be effectively remedied.
- Ensuring that arrangements are made to select new employees such that they can act safely within the Council's premises and other locations where council employees carry out their duties.
- Investigating along with supervision, all accidents or near misses to determine the cause or causes and to ensure that remedial action is taken.
- Ensuring adequate stocks of suitable protective equipment (if necessary) are available.
- Maintaining legally required registers concerning Health & Safety as set out in the following appendices within this section.
- Liaison with the Council's Health & Safety advisor who in turn can consult with the Health and Safety Executive and other government and independent bodies on matters concerning Health & Safety and welfare of all employees.
- Ensuring, so far as reasonably practicable, the compliance of the Council with all relevant statutory Fire Prevention and allied precautionary measures.
- Take charge of and co-ordinate health and safety monitoring activities with the support of the Administration Officer.
- Maintain the central training records file documenting when staff have had safety training.
- Organise first aid training to meet the legal requirements.
- Collate risk assessment results into a summary report for the health and safety policy manual.
- Act as a focus for communicating the health and safety message.

APPENDIX 1.

EMPLOYEES

Have responsibility for:

- Observing all safety rules at all times and conforming with all safety instructions given by supervisors and anyone with responsibility for safety.
- Conforming with the council’s policy for Health and Safety at Work Act 1974 and associated legislation.
- Taking reasonable care for the health and safety of themselves and others who may be affected by their acts or omissions.
- Not recklessly or intentionally to interfere or misuse anything provided in the interests of Health and Safety or Welfare.
- Reporting all accidents and near miss incidents to the Town Clerk.
- Co-operating with the Town Clerk in investigating all accidents and incidents.
- Wearing protective clothing and equipment provided.
- Properly using any ‘Permits to work’ or safety devices involved in their work.
- Ensuring that good housekeeping rules are followed and to minimise possible risk to Health and Safety, e.g. all work areas should be kept tidy during and after work has been completed.
- Not allowing themselves, while on duty, to be under the influence of any mind-altering substances, i.e. alcohol, drugs, etc.
- To ensure records of use and servicing of equipment are updated as necessary

REMEMBER YOU DO NOT HAVE PERMISSION TO CONDUCT YOURSELF IN AN UNSAFE MANNER.

APPENDIX 2.

VISITORS

Visitors are owed a 'Duty of Care' by the Town Council and it is the council's responsibility to ensure that visitors access and egress is controlled, that they are made aware of the council's Health and Safety rules and it is made difficult for them to come to harm.

This is achieved by restricting access through procedural control and accompanying them when possible.

The Health and Safety at Work Act 1974, Management of Health and Safety at Work Regulations 1999 and Occupiers Liability Act 1984 applies to visitors to the Council's premises.

The policy regarding the control of visitors to our premises is as follows:

1. We must be aware that the visitor is on our premises.
2. Groups or parties of visitors to the reception are to be briefed on the position of fire exits.
3. As far as possible, visitors will be accompanied by an employee. Visitors will not be permitted to wander freely around council premises. This is important for both safety and security reasons.

In the event of a fire occurring, the person who is accompanying the visitor will take him/her to the fire assembly point.

In the event of an incident involving the visitor that results in injury, this will be recorded in the Accident Book and a thorough investigation carried out as soon as possible. If the injury is of a serious nature or is fatal, the incident must be reported to the enforcing authority and Councils reporting system must be followed.

APPENDIX 3.

CONTRACTORS

ELECTRICAL / MECHANICAL / CONSTRUCTION / MAINTENANCE

Are responsible for:

- Carrying out of such testing and examinations as may be necessary to satisfy themselves that any equipment engineered and constructed is safe and without risk to health when properly used.
- Ensuring that all new machinery and processes are safe before being installed in the workplace, considering safety precautions at the design and planning stages also discussing proposed plant out lay or equipment changes with the managers responsible, to ensure that statutory obligations are not overlooked. Ensuring that council tooling and equipment is maintained as far as is reasonably practicable, in a condition that is safe and without risk to health.
- Co-operating with the management on all issues relating to Health, Safety and Welfare. Providing information to management on any issue, which might affect the Health, Safety and Welfare of any person directly or indirectly, involved with a project involving the council.
- Complying with any directions including Health & Safety rules given by staff in authority.
- Promptly provide staff in authority with any information that relates to any accident, injury or near miss, which the Town Council may need to report to the Health and Safety Executive.
- Conducting themselves safely at all times, for understanding and complying with the Town Council's Health and Safety rules as for employees.
- Understanding, signing and conducting themselves within the rules laid down within the Town Council's Health and Safety Policy.
- Not allowing themselves to be under the influence of mind-altering substances, i.e alcohol, drugs, etc.
- Notifying the Town Council of further Health & Safety implications of any work carried out.

FIRE EVACUATION PROCEDURE

In the event of a fire the alarm should be raised by pressing the nearest Call Point. If it is safe to do so the fire may be attacked by the appropriate fire appliance, but only if there is no risk to personal safety.

Everyone should make his or her way to the Fire Assembly Point in St. Mary's Place. The appointed Fire Warden should collect the visitor's book as they leave the building. You should not stop to collect personal belongings. Do not panic or run but leave the building in an orderly manner. If you are using anything electrical when the fire alarm is sounded, turn off the power before leaving if it is safe to do so.

In the event of an evacuation, under no circumstances should any one re-enter the building until the safety officer has declared the building safe.

Sweeping of Town Hall before assembling at St. Mary's Place*

Fire Warden 1st Floor – Civic Officer (Mark Murtagh or designated deputy) Court Room/ Phillips Room / Kitchen/Ladies Toilets

Fire Warden Ground Floor – Administration Officer (Richard Tracey or designated deputy) Gents & Disabled Toilet /Council Chamber/Robing Room/ Malcolm Sargent Room

Fire Warden Basement – Town Clerk (Patricia Stuart-Mogg or designated deputy) Staff offices and Rest Room/ Filing Room/ Basement Gaol/ Archive/ Cleaning Store / Garden and Courtyard

Fire Warden – Receptionist - (Coral Johnson-Veal or designated deputy) Summon Emergency Services / Mayor's Parlour/ Entrance Hall/ Collect Visitor Register

* Review when any event occurring within the Town Hall.

Lone Working Policy and Procedure

The Council's lone workers fall into the following two groups:

1. People in fixed establishments where:
 - Potentially one person works on the premises, e.g. the Council Offices, Cemetery or Allotment
 - People work separately from others at home or other remote locations.
 - People work outside normal hours.
2. Mobile Workers working away from their fixed base:
 - Service workers, e.g. cemeteries, parks, street cleaning.

Safe working arrangements for lone workers:

Risks assessments¹ are conducted for routine activities which involve workers who work alone.

The Risk Assessments will address:

1. Can the risks of the job be adequately controlled by one person?
 - Is there a safe way in and a way out for one person? Can any temporary access equipment which is necessary, such as portable ladders or trestles, be safely handled by one person?
 - Can all plant, substances and goods involved in the work be safely handled by one person?
 - Is there a risk of violence?
 - Are women especially at risk if they work alone?
 - Are young workers especially at risk if they work alone?
2. Is the person medically fit and suitable to work alone?
3. What training is required to ensure competency in safety matters?
4. How will the person be supervised?
 - Are there any safeguarding issues and whether checks need to be made with Disclosure and Barring service.
 - Supervisors periodically visiting and observing people working alone?
 - Regular contact between the lone worker and supervisor using either a telephone or radio?
 - Automatic warning devices which operate if specific signals are not received periodically from the lone worker, e.g. systems for security staff?
 - Other devices designed to raise the alarm in the event of an emergency, and which are operated manually or automatically by the absence of activity?
 - Checks that a lone worker has returned to their base or home on completion of a task.
5. What happens if a person becomes ill, has an accident, or there is an emergency?
 - Lone workers should have access to adequate first aid facilities and mobile workers should carry a first aid kit suitable for treating minor injuries.
 - Occasionally risk assessment may indicate that lone workers need training in first aid.
6. Awareness of the surrounding environment when visiting Bank, Cemetery or other remote sites – i.e. unusual surveillance by unknown people, suspicious vehicles, which could lead to theft of equipment or threats to workers.

¹ See Risk Assessment file

Appraisal Policy and Procedure

You will receive an annual Appraisal/ Development Review. Should there be any concern about your performance, other than matters of a disciplinary nature, the Council undertakes to work with you to seek to ensure that necessary training, mentoring, and support is provided to ensure that agreed standards of performance are reached in a reasonable agreed time frame.

The Council undertakes appraisals with all staff on a regular basis. The purpose of appraisals is to monitor and evaluate staff performance and development at an individual level as part of the Council's normal managerial function. The review enables the Council to:

- Consistently measure individual performance against departmental/organisational objectives
- Focus staff performance on organisational objectives
- Encourage continuous improvement

The Council's policy is that each member of staff will attend a 6 and 12 monthly review meeting to evaluate his/her performance and development, based on an exchange of views between the individual and their Immediate Manager. At the end of the review meeting, staff should have an agreed individual action plan (with targets and timescales), and where appropriate an individual training plan (with objectives and resources). The plans will be referred to as working documents throughout the year and will be updated accordingly.

The Appraisal System has been designed to meet the following specific objectives:

- To ensure all job descriptions are current and accurate and that they align to the Council's objectives.
- To ensure staff have clear targets aligned to the objectives, which are time bound, and such targets are able to be revised/updated as required.
- To ensure that staff have the opportunity to know what performance is expected of them at an individual level and to receive feedback.
- To ensure that staff are able to discuss training, development and support within their role, in order to fulfil their maximum potential.
- To assist staff in understanding the contribution their role makes in meeting the Council's overall objectives.
- To assist staff in their involvement and participation in the Council's commitment to continuous improvement.

PROCEDURE

Appraisals usually take place in April/October. Appraisals follow a standard format and a report is produced to reflect an accurate summary of the discussion.

New members of staff will be briefed on the Appraisal System as part of their Induction. The Clerk will agree the timings with you for Appraisal meetings and ensure that an interim action plan and a training plan are completed during your probationary period.

At Appraisal meetings, a standard reporting format is followed as the basis for discussion. The duties within your job description will be thoroughly assessed, and potential areas for development may be identified and addressed through training and/or supervision. Your training needs will be identified and agreed and included in your individual 'Training Plan'. Training undertaken in the 6 and 12 months prior to each review meeting, as detailed in your 'Training Record' will be evaluated to ascertain effectiveness and value.

The Appraisal will highlight the Council's objectives along with your team objectives and therefore provides the opportunity to agree your individual objectives on a short-term and long-term basis.

Immediately after the meeting, the Clerk will produce the summary report and you will receive a copy of the document to agree and sign. A copy will also be kept on your personnel file for reference and future review meetings.

The Council should take into account that employees have good ideas, as well as aspirations, and should make it a two-way process.

[APPRAISAL FORM](#)

Data Protection Policy and Procedure

The Council is aware of its obligations under the General Data Protection Regulation (GDPR) and is committed to processing your data securely and transparently. This privacy notice sets out, in line with GDPR, the types of data that we hold on you as an employee of the Council. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

This notice applies to current and former employees, workers and contractors.

DATA CONTROLLER DETAILS

The Council is a data controller, meaning that it determines the processes to be used when using your personal data. Our contact details are as follows:

Stamford Town Council
Town Hall
St Mary's Hill
Stamford PE9 2DR

DATA PROTECTION PRINCIPLES

In relation to your personal data, we will:

- Process it fairly, lawfully and in a clear, transparent way
- Collect your data only for reasons that we find proper for the course of your employment in ways that have been explained to you
- Only use it in the way that we have told you about
- Ensure it is correct and up to date
- Keep your data for only as long as we need it
- Process it in a way that ensures it will not be used for anything that you are not aware of or have consented to (as appropriate), lost or destroyed

TYPES OF DATA WE PROCESS

We hold many types of data about you, including [delete and add points from the list as appropriate]:

- Your personal details including your name, address, date of birth, email address, phone numbers
- Your photograph
- Gender
- Marital status
- Dependants, next of kin and their contact numbers
- Medical or health information including whether or not you have a disability
- Information used for equal opportunities monitoring about your sexual orientation, religion or belief and ethnic origin
- Information included on your cv including references, education history and employment history
- Documentation relating to your right to work in the UK
- Driving licence
- Bank details
- Tax codes
- National insurance number
- Current and previous job titles, job descriptions, pay grades, pension entitlement, hours of work and other terms and conditions relating to your employment with us

- Letters of concern, formal warnings and other documentation with regard to any disciplinary proceedings
- Internal performance information including measurements against targets, formal warnings and related documentation with regard to capability procedures, appraisal forms
- Leave records including annual leave, family leave, sickness absence etc
- Details of your criminal record
- Training details
- Cctv footage
- Building entry card records.

HOW WE COLLECT YOUR DATA

We collect data about you in a variety of ways and this will usually start when we undertake a recruitment exercise where we will collect the data from you directly. This includes the information you would normally include in a CV or a recruitment cover letter, or notes made by our recruiting officers during a recruitment interview. Further information will be collected directly from you when you complete forms at the start of your employment, for example, your bank and next of kin details. Other details may be collected directly from you in the form of official documentation such as your driving licence, passport or other right to work evidence.

In some cases, we will collect data about you from third parties, such as employment agencies, former employers when gathering references or credit reference agencies.

Personal data is kept in personnel files or within the Council's HR and IT systems.

WHY WE PROCESS YOUR DATA

The law on data protection allows us to process your data for certain reasons only:

- In order to perform the employment contract that we are party to
- In order to carry out legally required duties
- In order for us to carry out our legitimate interests
- To protect your interests and
- Where something is done in the public interest.

All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data. For example, we need to collect your personal data in order to:

- Carry out the employment contract that we have entered into with you and
- Ensure you are paid.

We also need to collect your data to ensure we are complying with legal requirements such as:

- Ensuring tax and National Insurance is paid
- Carrying out checks in relation to your right to work in the UK and
- Making reasonable adjustments for disabled employees.

We also collect data so that we can carry out activities which are in the legitimate interests of the Council. We have set these out below:

- Making decisions about who to offer initial employment to, and subsequent internal appointments, promotions etc
- Making decisions about salary and other benefits
- Providing contractual benefits to you
- Maintaining comprehensive up to date personnel records about you to ensure, amongst other things, effective correspondence can be achieved and appropriate contact points in the event of an emergency are maintained
- Effectively monitoring both your conduct and your performance and to undertake procedures with regard to both of these if the need arises
- Offering a method of recourse for you against decisions made about you via a grievance procedure
- Assessing training needs
- Implementing an effective sickness absence management system including monitoring the amount of leave and subsequent actions to be taken including the making of reasonable adjustments
- Gaining expert medical opinion when making decisions about your fitness for work
- Managing statutory leave and pay systems such as maternity leave and pay etc
- Business planning and restructuring exercises
- Dealing with legal claims made against us
- Preventing fraud
- Ensuring our administrative and IT systems are secure and robust against unauthorised access

SPECIAL CATEGORIES OF DATA

Special categories of data are data relating to your:

- Health
- Sex life
- Sexual orientation
- Race
- Ethnic origin
- Political opinion
- Religion
- Trade union membership
- Genetic and biometric data.

We must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when the following applies:

- You have given explicit consent to the processing
- We must process the data in order to carry out our legal obligations
- We must process data for reasons of substantial public interest
- You have already made the data public.

We will use your special category data:

- For the purposes of equal opportunities monitoring
- In our sickness absence management procedures
- To determine reasonable adjustments

We do not need your consent if we use special categories of personal data in order to carry out our legal obligations or exercise specific rights under employment law. However, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made fully aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

CRIMINAL CONVICTION DATA

We will only collect criminal conviction data where it is appropriate given the nature of your role and where the law permits us. This data will usually be collected at the recruitment stage, however, may also be collected during your employment. We use criminal conviction data in the following ways:

- In the event of an offer of employment or renewing of a contract

We process this data because of our legal obligation to satisfy our employment Policy.

IF YOU DO NOT PROVIDE YOUR DATA TO US

One of the reasons for processing your data is to allow us to carry out our duties in line with your contract of employment. If you do not provide us with the data needed to do this, we will be unable to perform those duties e.g. ensuring you are paid correctly. We may also be prevented from confirming, or continuing with, your employment with us in relation to our legal obligations if you do not provide us with this information e.g. confirming your right to work in the UK or, where appropriate, confirming your legal status for carrying out your work via a criminal records check.

SHARING YOUR DATA

Your data will be shared with colleagues within the Council where it is necessary for them to undertake their duties. This includes, for example, your line manager for their management of you, for maintaining personnel records and the payroll department for administering payment under your contract of employment.

We share your data with third parties in order to obtain references as part of the recruitment process or to process data on your behalf e.g. payroll and pension companies in order to comply with any legal obligations.

We may also share your data with third parties as part of a Council sale or restructure, or for other reasons to comply with a legal obligation upon us.

We do not share your data with bodies outside of the European Economic Area.

PROTECTING YOUR DATA

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such. Passwords and two factor authentication security measures in respect of IT, emails & hard copies.

Where we share your data with third parties, we provide written instructions to them to ensure that your data is held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

HOW LONG WE KEEP YOUR DATA FOR

In line with data protection principles, we only keep your data for as long as we need it for, which will be at least for the duration of your employment with us though in some cases we will keep your data for a period after your employment has ended. Retention periods can vary depending on why we need your data, as set out in the Council's Document Retention Policy

AUTOMATED DECISION MAKING

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

YOUR RIGHTS IN RELATION TO YOUR DATA

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

- The right to be informed. This means that we must tell you how we use your data, and this is the purpose of this privacy notice
- The right of access. You have the right to access the data that we hold on you. To do so, you should make a subject access request.
- The right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it
- The right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it
- The right to restrict the processing of the data. For example, if you believe the data, we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct
- The right to portability. You may transfer the data that we hold on you for your own purposes
- The right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests
- The right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. There will be no consequences for withdrawing your consent. However, in some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so.

If you wish to exercise any of the rights explained above, please contact:

Chairman of the Council
Stamford Town Council
Town Hall
St. Mary's Hill
Stamford PE9 2DR

MAKING A COMPLAINT

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO.

DATA PROTECTION OFFICER

The Council's Data Protection Officer is Town Clerk, who can be contacted at:

Stamford Town Council, Town Hall, St Mary's Hill, Stamford, PE9 2DR

Allotment Policy

This policy applies to all allotments sites operated by Stamford Town Council. It is the responsibility of the Amenities Committee to manage the allotment sites on behalf of Stamford Town Council

Other allotment sites within the Parish are owned are in private ownership. This policy does not apply to these sites.

AIMS OF POLICY

- To improve the quality of the allotment environment for plot holders, neighbours, and residents
- To address long waiting lists and the high demand for allotment plots
- To ensure that the allotments service is totally funded by those who use the service
- To uphold the Council's Environmental Policy

BACKGROUND

Stamford Town Council has 271 plots available for rental at 6 sites. Allotments have become very popular for the healthy lifestyle and community benefits they provide. The demand for allotment plots has however resulted in waiting lists particularly in areas where there are fewer plots.

Local Authorities have a legal obligation to provide sufficient allotments to meet demand under the Small Holdings and Allotment Act 1908. It is however the responsibility of a Town Council to provide allotments within its boundary in line with the Local Government Act 1972. Statutory allotments are those where the land was originally acquired specifically for this purpose. The Allotment Act 1925 stipulates that the sale or disposal of statutory allotments requires the consent of the Secretary of State. All other allotments are temporary but can be re-designated as statutory if required.

RULES AND REGULATIONS

1. TERMS AND INTERPRETATION

In these rules the words used are to have the following meaning:

- 1.1 **Allotment:** A plot of land that is let by the council for the cultivation of herb, flower, fruit and vegetable crops.
- 1.2 **The council:** Stamford Town Council.
- 1.3 **Tenant:** A person who holds an agreement for the tenancy of an allotment.
- 1.4 **Co-worker:** A person or persons identified in a co-worker agreement who help a tenant cultivate an allotment plot. Refer to appendix for further information.
- 1.5 **Site:** Any area of allotments that are grouped together at one location
- 1.6 **Rent:** The annual rent payable for the tenancy of an allotment.
- 1.7 **Review notice:** Any notice of reviewed rental charges.
- 1.8 **Site representative:** An allotment tenant who works as a middle person between the council and the tenants and helps oversee the allotment.
- 1.9 **Tenancy agreement:** A legally binding written document which records the terms and conditions of letting, of a particular allotment(s), to an individual tenant or group.
- 1.10 **Roadway:** A common route within the site for vehicular and pedestrian access to allotments.

- 1.11 **Headland:** The area of land between an allotment plot and any road way or perimeter fence.
- 1.12 **Authorised officer:** A member of staff of Stamford Town Council.
- 1.13 **Other authorised persons:** The tenant, co-worker or invited guest, site representative, STC Councillor.
- 1.14 **Cultivation:** Keeping the plot in good productive order by: the maintenance and improvement of soil; the control and prevention of flowering weeds, ornamental plants, and herb, flower, fruit and vegetable crops.
- 1.15 **Paths:** Dividing paths between allotments.
- 1.16 **The non-cultivated leisure area:** Small area (no larger than 25% of plot) of grass, patio or built structures, for pastimes, eating and/or relaxing.

2. THE COUNCIL'S RESPONSIBILITIES

- 2.1 **Administration:** Keeping waiting lists, letting plots, rent collection, terminations and enforcement of rules.
- 2.2 **Repairs and Maintenance:** Repairs to site perimeter fences, gates and water infrastructure; maintenance of roadways; vacant plot management; hedges and tree management.
- 2.3 **Rubbish clearance:** To remove rubbish which has been fly-tipped
- 2.4 **Liability:** The council is not liable for loss by accident, fire, theft or damage of any structures, tools, plants or contents on allotment.

3. APPLICATION

- 3.1 These rules are made pursuant to Allotment Acts 1908 to 1950 and apply to all rented allotments.
- 3.2 Where allotment tenancies are rented to a group they are collectively subject to additional rules issued by the allotment officer.
- 3.3 In the event of a plot not being available a waiting list is strictly maintained by the Town Council.

4. RENT

- 4.1 The tenant must pay the invoiced rent within 40 days of the due date.
- 4.2 The rent year runs from the 1st October to 30th September of the following year.
- 4.3 A tenant may voluntarily relinquish their allotment at any time, or have their tenancy terminated for breach of the tenancy agreement before year end but no rebate will be payable unless the plot is surrendered within the initial 3-month probationary period.
- 4.4 New tenants will be responsible for recording initial plot condition by taking photographs of the plot at the time of accepting tenancy.
- 4.5 The departing tenant shall remove any items or derelict structures from their plot before the end of the tenancy. The council will dispose of any such material not removed by the tenant. The full cost of disposal shall be charged to the outgoing tenant.

- 4.6 Rent may increase at any time provided the council takes reasonable steps to give at least six-months' notice by way of signs on notice boards and gates, or by letters etc. Failure to give notice to any individual tenant will not invalidate the tenants rent increase.
- 4.7 The tenant will be charged for water and waste at a per square metre rate.
- 4.8 The rental charges will be charged at full price from 1st October to 31st March annually. Half annual rental price applicable from 1st April to 30th September. The deposit and water charges will remain at full price throughout the season.
- 4.9 Within the first three months the tenant is within a probationary period. If the tenant chooses to return the allotment to the council during this period, the tenant will have rental returned minus a £20.00 administration fee. If the tenant undertakes no significant work (no less than 40% cultivation) on the plot within the first three months of receiving the plot, then the tenancy will be terminated and the plot returned to council for re-letting.
- 4.10 Allotments will only be offered rent free, for the first season only, when the waiting list has been exhausted and no one is willing to take on plots in an excessively overgrown condition. The annual rental charge for the following season beginning in October will be applicable.

5. ASSIGNMENT, SUB-LETTING & CO-WORKING

- 5.1 The tenancy of an allotment is personal to the tenant named in the agreement.
- 5.2 The tenant may not assign, sublet or part with possession or control of all or any part of their allotment.
- 5.3 The tenant may share cultivation by registering a co-worker. Co-workers must sign an agreement, countersigned by the tenant and sent to the council. For further information on co-workers refer to supplementary guidance notes.
- 5.4 Co-workers will only be considered to take on an allotment where the main tenant has relinquished their tenancy and they have been registered as co-worker for at least two-year and/or as long as the person at the top of the waiting list.

6. CULTIVATION AND WEED CONTROL

- 6.1 The cultivated area is defined as the area that is cultivated for crop or flower production. Cultivation requires the tenant to regularly dig or mulch, or prune and weed 75% of the plot. Compost bins, glass houses, water butts, poly-tunnels and fruit cages are also included within the cultivated area, as are ornamental flower crops. Areas of lawn or meadow are not included within the cultivated area.
- 6.2 Allotments must be kept clean and maintained in a good state of cultivation (minimum 75% in cultivation) and fertility throughout the year. An area that is annually cleared of weeds yet remains un-cropped or un-planted during any one year will be considered as non-cultivated. The whole plot, including any uncultivated/leisure areas, must be kept tidy, safe and free from flowering weeds.
- 6.3 Allotments that have areas that are not suitable for production - such as heavily shaded areas, excessively sloping land or impoverished or polluted soils - may be allowed extended lawn and wildflower conservation areas. Extended grass areas must be agreed in writing with a council officer.

- 6.4 It is the tenant's responsibility to keep the plot free of weeds that cause a nuisance to adjoining tenants. Where on inspection or as the result of complaints, a plot with weeds is identified the tenant will be sent a weed notice letter. A further inspection will be carried out up to 8 weeks after the notice period has expired, and if there are no improvements in cultivation a notice of termination will be sent.

7. PLOT USE AND STORAGE

- 7.1 Tenants must use their allotment and any structures on it for their own personal use and must not carry out any business or sell produce from it. Tenants may not use their allotment as a place of residence and/or sleep overnight.
- 7.2 The allotment is rented to the tenant for the purpose of cultivation of herb, flower, fruit and vegetable crops.
- 7.3 Only materials for use on the plot may be stored there, such as beanpoles, cloches, pots and netting for seasonal use.
- 7.4 Construction materials, paving and timber for infrastructure work must be used within 12 months.
- 7.5 Quantities in excess of the above will be regarded as unacceptable and the tenant ordered to remove them. Failure to do so will result in the materials being removed by the council, the tenant charged with the cost and notice of termination given.

8. TREES AND INVASIVE PLANTS

- 8.1 Tenants must not, without consent of the Council allotment officer, plant any trees.
- 8.2 Fruit trees are permitted but will normally be included within the 25% of non-cultivated area and must grow no higher than 2 metres in height. Where fruit trees are planted outside of the 25% non-cultivated leisure area, the soil beneath fruit trees must be planted with productive crops or other plants in accordance with cultivation rules.
- 8.3 The council reserves the right to enter any plot, with or without the consent of the tenant, to remove oversized trees and as well as cut down excessive and seeding weed growth or overgrown grass. If the removed vegetation has been planted by the tenant, then removal costs will be charged to the tenant. Failure to pay for removal costs will result in tenancy termination.
- 8.4 Invasive plants such as Bamboo, all types of willow and conifers (including Christmas trees) are not permitted to be planted by the tenant. If the invasive plants are not removed by the tenant, then the tenancy will be terminated and plants removed at cost to the tenant.

9. HEDGES, FENCES AND PONDS

- 9.1 Tenants are responsible for maintaining any hedge or fences on or abutting their plot. They should be kept to a maximum height of 1.5 metres and the sides shall be trimmed at least once per year so as not to obstruct pedestrian or vehicular access.
- 9.2 Where hedges abut a perimeter boundary road the council is responsible for maintaining the outside elevation and topmost.
- 9.3 Hedges should not be cut back during the bird nesting season, which runs from 1st March - 1st September.
- 9.4 No conifers or invasive screening plants such as bamboo or willow may be planted as hedging on allotment land.

- 9.5 It is an offence to attach or hang any materials to any council fencing.
- 9.6 The maximum surface area for a pond is 1.5 metres square and will be no deeper than 50cm. The pond area will be included as part of the non-cultivated area.
- 9.7 Ponds must be temporary and should not be constructed out of concrete or any other hard landscape material. All ponds should be sited at least 2 metres distance from any road way or path. Tenants are advised to provide secure fencing or cover to prevent drowning.
- 9.8 The use of sunken baths as ponds or for water storage is not permitted on safety grounds. Baths being brought onto the allotment space by an existing tenant will be seen as unwanted waste and will result in a tenant being put on notice.

10. WATER, BONFIRES & OTHER RESTRICTIONS

- 10.1 Sprinklers are prohibited. Hose pipes may be used to water directly if handheld with a trigger hose. This is to prevent hoses being left running unattended causing water wastage.
- 10.2 All tenant's hoses must be disconnected from the taps after use. This will reduce the risk of contamination from backflow should a check valve fail to operate.
- 10.3 No water fittings shall be replaced without the Town Council's approval, in line with Anglian Water's specifications. No taps or hoses should be replaced/used without ensuring they are of an acceptable type or standard.
- 10.4 Allotment holder's failure to comply with these rules will result in Anglian Water cutting off the water supply to that whole site. The whole site will then be responsible for any fines that Anglian Water impose because of the allotment tenant's failure to comply with the rules. If tenants infringe these rules they will result in an instant notice & may lead to tenancy termination.
- 10.5 Water supply is subject to season restrictions and hosepipe bans.
- 10.6 Any form of unattended mains connected irrigation - be it open hose flood irrigation or seep hose irrigation - is forbidden and will lead to notice of termination.
- 10.7 All standpipes and water butts beneath standpipes will be considered as a common resource to be shared with surrounding tenants.
- 10.8 All Stamford Town Council standpipes are fitted with taps which have a threaded nozzle as well as a double check valve as approved standard by Anglian Water board.
- 10.9 Bonfires are permitted for the burning of un-treated or un-painted woody waste only. The burning of any other materials – such as plastics, tyres, carpet, MDF, laminated wood - is strictly prohibited and will lead to immediate termination and referral for prosecution.
- 10.10 All open fires between 1st April and 31st October must be contained within an incinerator barrel and permission must be granted by the allotment officer. Any open fires without permission will result in an instant notice & may lead to tenancy termination.
- 10.11 Smoke from a bonfire, which could be a nuisance to neighbours by interfering with the use and enjoyment of their garden or property or could affect the comfort or quality of life of the public, could result in action under the Environment Protection Act of 1990. Tenants who light a fire within 50ft (15.24m) of the centre of a highway may be guilty of an offence under the Highways Act 1980.

- 10.12 Fires must be attended at all times until all material has burnt and the fire extinguished. Fires must be kept to a manageable size to ensure safe burning and a minimum of smoke production. Any fire managed in an unsafe manner or producing excessive smoke will result in an instant notice and may lead to tenancy termination.
- 10.13 All potentially toxic materials should be removed from the allotment site and disposed of in the relevant civic amenity site. Failure to remove said materials will lead to termination and recovery of removal costs.
- 10.14 The council reserves the right to prohibit bonfires on a specific plot and/or group of plots.
- 10.15 Tenants may not remove any mineral, sand, gravel, earth or clay from the allotment gardens without the written permission from the council.

11. WASTE MATERIALS AND POLLUTANTS

- 11.1 Waste regulations apply to materials brought on site by existing tenants. It is the responsibility of the new tenant to instruct the council to take away waste left on site within the first month of taking a plot. The new tenant may also gather photographic evidence of any potential polluting materials on site when they take on the plot.
- 11.2 Waste from external sources, including green waste, may not be deposited on the allotment or any other part of the site. Abuse will result in immediate tenancy termination and prosecution.
- 11.3 The bringing on site and use of polluting materials such as tyres, asbestos, glass and carpet shall be treated as illegal disposal of waste and will result in immediate notification and referral for prosecution.
- 11.4 The bringing on site and use of rubble and hardcore for paths and other forms of construction is prohibited. The bringing on site of tyres, plastic or metal materials such as shelving, angle iron or bathtubs - as well as other timber and plastic materials not relating to crop production is prohibited. Bringing such materials on site will result in a notice and possible termination.
- 11.5 The creation of concrete pad footings for sheds or green houses, or concrete pads for paving, or any solid brick and cement structures is prohibited. Narrow temporary concrete and brick footings will be allowed for a glass house.
- 11.6 The use of glass bottles for any form of construction or raised bed is forbidden and will result in a notice and possible termination.
- 11.7 All non-diseased vegetative matter shall be composted and used on the tenant's allotment. Diseased plants and perennial weeds can be burned in an incinerator following the bonfires policy.
- 11.8 The council reserves the right to clear overgrown plots that are currently tenanted and are causing a nuisance. The tenant will be charged the full cost on each occasion that this occurs.
- 11.9 In the event that a tenant is put on notice for excessive materials such as timber, metal, carpet or tyres being left on plot, and if the tenant does not clear such materials, then the council reserves the right to clear such materials and reclaim costs from the tenant.

- 11.10 If tenants witness someone illegally fly tipping rubbish onto allotment land they should immediately contact the police via 101 & inform the allotment officer of the incident and incident number.

12. STRUCTURES

- 12.1 Sheds and sided structures shall be included within the 25% area allowed for non-cultivation. Poly tunnels, glasshouses and fruit cages will be included within the cultivated area.
- 12.2 Any structure on the allotment must be temporary and maintained in safe order with an appropriate external appearance and condition. If the council is not satisfied with the state of the structure the tenant must either repair, it to the council's satisfaction or remove the structure within one month of instruction to do so. If the structure is not removed, the council may remove it and charge the tenant the full cost of removal and disposal.
- 12.3 Tenants may put up no more than two sheds and no more than two greenhouses (including poly-tunnels) on their plot. Glasshouses and poly-tunnels should cover no more than 20% of the allotment. Permission from the allotment officer is required for poly tunnels, sheds, greenhouses, with the size and layout agreed. Which shall not be installed until permission is granted.
- 12.4 Where a tenant is given a plot with a structure then the tenant should take photographs of structures to disprove liability if structures are seen to be unsafe.
- 12.5 Any structures erected on the allotment shall not be made from hazardous materials (e.g. asbestos).
- 12.6 All structures must be adequately secured to the ground to prevent uplift with sheds and glass houses requiring a footing on slabs bedded on sand.
- 12.7 All structures must be kept within the boundary of the allotment and must not be constructed over underground utilities (e.g. water supply pipes).

13. PATHS & ROADWAYS

- 13.1 Access to your allotment will be solely via the main access gate. No access point will be permitted from back gardens or through any other point.
- 13.2 Paths within allotments must be kept free from flowering weeds and long overgrown grass that exceeds 15cm (over 6 inches high).
- 13.3 Shared paths between two allotments must be maintained and kept cut and clipped up to the nearest half width by each adjoining tenant; paths must be kept clear of obstructions at all times.
- 13.4 All paths should be wide enough for easy pedestrian access to neighbouring tenants' plots.
- 13.5 Where car parking or vehicle access is permitted on an allotment site, the tenant must ensure that all roadways have free access for other users.
- 13.6 Roadways must not be obstructed - or parked on - by vehicles. Roadways may be parked upon for loading and unloading only. Vehicles which frequently and persistently block roadways may be barred from allotment sites.

14. DOGS, LIVESTOCK AND BEES

- 14.1 Dogs must not be brought onto allotments or any part of the site unless they are kept on a short lead or otherwise restrained **at all times** you must remove all excrement. Tenants who fail to keep dogs on leads will receive a notice.
- 14.2 Tenants with persistently barking dogs or dogs that harass allotment tenants will be put on notice and shall have dogs barred from allotment sites.
- 14.3 The burial of any pets or animals on any allotment land is strictly forbidden and will result in termination.
- 14.4 The placing of beehives on an allotment is only permitted to registered Beekeepers who must obtain the Council's written permission and provide proof of registration.
- 14.5 No animals or livestock may be kept on or left overnight on allotment land.

15. OBSERVANCE OF RULES

- 15.1 Tenants must observe and comply with current rules, regulations and policies, and those which the council may make at any time in the future (e.g. statutory law changes, local restrictions - such as bonfire restrictions).
- 15.2 Rules will be posted online on the council website www.stamfordtowncouncil.gov.uk or sent with rent invoices/new tenancy agreements. Failure to observe rules will lead to tenants being put on notice and possible tenancy termination. In certain extreme instances a breach of site rules can lead to immediate termination of tenancy.
- 15.3 Tenants must comply with any reasonable or legitimate directions given by an authorised officer in relation to an allotment or site.

16. SITE SAFETY, SECURITY AND DUTY OF CARE

- 16.1 Tenants must not discriminate against, harass, bully or victimise any other person/s on the grounds of race, colour, ethnic or national origin, social origin, language, religion, political or other opinion, belief, gender, marital status, age, sexual orientation, sexuality, medical condition, disability, or disadvantaged by any condition which cannot be shown to be justified.
- 16.2 No tenant must cause another tenant harassment, alarm or distress. Any use of violence or threats of violence or damage to another's property will be grounds for immediate termination of tenancy and possible prosecution.
- 16.3 The allotments and site or any structures thereon may not be used for any illegal, immoral or anti-social purpose. Tenants found to have committed an illegal or immoral act will be subject to immediate tenancy termination.
- 16.4 In the case of two tenants having an unresolved dispute and no one party can be proven as being in breach of any site rules then the council reserves the right to end the tenancy of both parties. The council reserves the right to consult with the site representative regarding any such disputes.
- 16.5 Tenants have a duty of care to everyone, including visitors, trespassers and themselves.
- 16.6 Any structure or any other item considered hazardous should be removed after instruction from a council officer. Failure to do so will see the council remove the structure or item with costs charged to the tenant and may result in termination.

- 16.7 Storage of hazardous materials is prohibited such as petrol, car batteries, tyres. Usage hazardous materials should be undertaken with caution. If hazardous materials such as asbestos are found on your allotment, then please inform the allotment officer.
- 16.8 Particular care should be taken when using strimmers, rotovators and other mechanical/powered equipment both in relation to the user and any third-party person. Appropriate personal protective equipment should be worn at all times.
- 16.9 Unsafe working practices may result in plot termination and the tenant shall be liable for any damage or injury caused by unsafe working practices.
- 16.10 Tenants may not bring, use or allow the use of barbed or razor wire on the allotment any historic barbed wire on the plot must be accompanied by a barbed wire warning sign.
- 16.11 All tenants and authorised persons must lock gates **on entry and departure** to prevent access by unauthorised persons or animals. This applies even if the gate is found to be already unlocked on arrival/departure.
- 16.12 The council is not liable for loss by accident, fire, theft or damage of any structures, tools, plants or contents on allotment. Tenants are advised not to store any items of value on the allotment, and to insure and mark any items kept at the allotment. Tenants should report incidents of theft and vandalism to the police.

17. UNAUTHORIZED PERSONS

- 17.1 Only the tenant, or a person authorised or accompanied by the tenant is allowed on the site.
- 17.2 The allotment officer or other authorised persons may order any unauthorised person on the site in breach of these rules to leave immediately.
- 17.3 The tenant is responsible for the behaviour of children and adults visiting the allotment. In an instance where a visitor breaches site rules then the tenant will be held equally responsible.

18. VEHICLES, TENTS AND CARAVANS

- 18.1 Motor vehicles may not be parked overnight or deposited on the allotment. Caravans and live-in vehicles are not permitted on any allotment land.
- 18.2 Overnight erection of tents, yurts and other temporary structures, as well as overnight camping, are not allowed on allotment land.

19. PLOT NUMBERING, PLOT SPLITTING AND NOTICES

- 19.1 Tenants must mark the allotment number on the outside of a shed or greenhouse, or on a post, and keep it clean and legible to be visible from the roadway or main access path.
- 19.2 Where plots do not have numbers clearly on display the council reserves the right to paint numbers on sheds, water butts or fencing. Plots without suitable numbering are in breach of tenancy and can be put on notice by the allotment officer.
- 19.3 If the council agree or decide that an allotment plot is suitable for dividing into two half plots, then the tenant is responsible for marking the boundary line with a minimum of two posts (do not put posts over water supply pipes) or by some other safe and visible method.
- 19.4 Council information may be displayed on notice boards where provided. No other notices or advertisements are allowed on the site except with written consent of the allotment officer.

20. CHANGE OF ADDRESS AND NOTICES

- 20.1 Tenants must immediately inform the council, in writing, of changes of address or status.
- 20.2 If a tenant moves to an address outside of the boundary of the parish of Stamford, they will have their rent adjusted to the fee applicable for tenants outside of parish. This rule exclude existing tenants prior to October 2018.
- 20.3 Notices to be served by the council on the tenant may be:
- a) Sent to the tenant's address in the Tenancy Agreement (or as notified to the council under these rules) by post, registered letter, recorded delivery or hand delivered; or
 - b) Served on the tenant personally; or
 - c) Placed on the plot.
- 20.4 Notices served under paragraph 21.3 will be treated as properly served even if not received
- 20.5 Emergency contact details of the appointed representative/relative will be retained for the purposes of communication in the event of an emergency.
- 20.6 Written information for the council should be sent to: Stamford Town Council, Town Hall, St Marys Hill, Stamford, PE9 2DR

21. TENANCY TERMINATION

The council may terminate allotment tenancies in any of the following ways:

- a) By giving 12 months written notice to quit expiring at any time between 29 September to 6 April inclusive.
- b) At any time after three calendar months written notice by the council that the allotment is required for a purpose other than agriculture to which it has been appropriated under any statutory provisions, or for building, mining or any other industrial purpose, or for roads or sewers necessary in connection with any of these purposes. Where possible, the Council will consult tenants and arrange relocation and appropriate compensation.
- c) By giving one month's written notice to quit if:
 - 1. The rent is in arrears for 40 days or more (whether formally demanded or not); or
 - 2. The tenant is in breach of any of these rules or of their tenancy agreement; or
 - 3. The tenant lives more than one mile outside Stamford. This rule excludes existing tenants prior to October 2018.
 - 4. Automatically on the death of the named tenant, (If the original tenancy ceases, co-workers will only be considered to take on the allotment if they have been registered as co-worker for at least two years and / or for as long as the next person to be offered a plot on the waiting list)

Any waste left on the allotments after the tenancy has been terminated is the responsibility of the tenant any cost for clearance of rubbish on allotments any cost implications to the council to remove the rubbish will be claimed back from the tenant.

22. THE COMPLAINTS PROCEDURE

- 22.1 The council aims to provide a high quality of allotment service. If, however, you are unhappy with the service, please follow the Council's Complaint procedure.

COMPLAINTS PROCEDURE AND HANDLING METHOD

To determine whether a complaint procedure is appropriate:

1. It will not be appropriate to deal with all complaints from members of the public under a complaints procedure. The Council will need to refer or use procedures / bodies in respect of the following types of complaint:

Type of Conduct	Refer to
Financial irregularity	Local electors' statutory right to make objections at audit pursuant to Sec. 16 of Audit Commission Act 1998. On other matters the Council may need to consult their appointed Internal Auditor or the Audit Commission
Criminal Activity	The Police
Member Conduct	A complaint relating to a member's failure to comply with the Code of Conduct must be submitted to the Monitoring Officer at South Kesteven District Council.
Employee Conduct	Internal disciplinary procedure

2. A member of the public may also consider a criticism about a service (e.g. an untidy park area, or unclean public toilet) or a fee (e.g. the level of charge for an allotment) to be a complaint, but these do not fall within the formal complaints procedure unless the Council acted improperly and should be treated as normal service requests.

It is to be noted that staff members are not responsible for any works or maintenance carried out by any Town Council appointed contractor (s). Such complaints must be made in writing to the Council. Person (s) making personal complaints against staff members may be subject to restrictions within the Town Council adopted Vexatious Policy.

Prior to a meeting where any complain is to be heard:

3. The complainant should be asked to put details of their complaint in writing to the Town Clerk. The complaint should be acknowledged within no more that three working days of receipt. The Town Clerk should provide reasonable assistance to the complainant, to accurately record the complaint, where the complainant cannot or has difficulty in setting out a written complaint.
4. If the complainant does not wish to put the complaint to the Town Clerk, they will be advised to address it to the Mayor (Chairman of the Council).
5. The Town Clerk shall inform the complainant when the matter will be considered by the appointed Hearing Panel to consider the complaint. The complainant should also be informed how the complaint will be treated once it has been investigated.
6. The complainant and defendant (in the event of there being a complaint against a member or employee) to attend a meeting and bring with them a representative if they wish.
7. The Town Clerk will gather all necessary and relevant information to substantiate the complaint. Within seven clear working days prior to the meeting, the complainant shall

provide the council with copies of any documentation or other evidence relied upon. The Town Clerk shall provide the complainant with copies of documentation upon which they wish to rely upon at the meeting, allowing the complainant (and defendant if applicable) the opportunity to read the material in good time for the meeting. The Hearing Panel shall provide reasonable assistance to the complainant in accessing any written documentation or materials.

At the Meeting

8. The Hearing Panel shall consider whether the circumstances of the meeting warrant the exclusion of the public and press. Any decision of a complaint shall be announced at the council meeting in public.
9. The Chairman should introduce everyone and explain the procedure.
10. The complainant should outline the grounds of the complaint and thereafter questions may be asked by the Hearing Panel. (If applicable the defendant will outline any defence to the complaint and thereafter questions may be asked by the Hearing Panel.)
11. The Hearing Panel will have an opportunity to explain the council's position and any further questions may be asked by complainant and respondent

Councillor Vacancy (Co-Option) Policy

For the purpose of openness and transparency, Stamford Town Council will endeavour to fill any vacancy (vacancies) at the earliest opportunity.

Qualifications

To be a Town Councillor, a candidate must be either:

1. British;
2. A Commonwealth National;
3. An Irish or European Union citizen;

and

18 years of age or over and fulfil one or both of the following criteria:

4. being on and remaining on the register of electors for the Parish: or, during the whole of the twelve months preceding the nomination;
5. have lived in or worked within 3 miles of the parish boundary.

Should a candidate only meet the criterion of point 4 above, on the nomination form and subsequently come off the register of electors, the qualification would lapse.

The other three qualifications remain valid for the four year term, so even if a successful candidate left the parish s/he would not be required to resign, although it might be considered appropriate to do so.

Resignation

A Councillor may resign at any time by giving written notice, addressed and delivered to the Chairman of the Town Council. The Chairman must accept the resignation and there is no legal procedure for withdrawing a notice of resignation once delivered and accepted.

Resignation takes effect immediately upon receipt and cannot be post-dated.

Disqualification

Reasons for disqualification include (but are not limited to) bankruptcy; being employed by or doing paid work for the Council (except as a contractor); a criminal conviction with a prison sentence of three months or more; illegal expenditure; or being found guilty of corrupt or illegal practices in election law.

Other Causes of Vacancy

- Death;
- Failure to sign a Declaration of Acceptance of Office;
- Failure to attend meetings for a period of six consecutive months.

Procedure for Filling Casual Vacancies

When a vacancy arises on the Town Council following:

- A Councillor's Resignation;
- Disqualification or Failure to remain qualified;
- Death

the process to fill the vacancy is as follows:

- 1) The Town Clerk must notify the Returning Officer at South Kesteven District Council of the vacancy;

then, either:

- 2) The Town Council must display a notice informing the residents of the parish of the vacancy. The notice will run for 14 working days (excluding weekends and bank holidays) from the date it is displayed on Town Council notice boards, giving the residents of the ward the opportunity to call for an election to fill the vacancy during this period. The Town Council will also post the notice on the Town Council website and, if the publication schedule allows, the Town Council newsletter.

or

- 3) If the vacancy occurs within six months of the next scheduled elections for the Town Council, there is no option to hold an election. The Town Council may fill the vacancy by co-option or leaves the seat vacant.

Calling an Election

During the period of fourteen days from the date the public notice of the vacancy was displayed, ten electors from the parish can call for an election to be held to fill the vacancy. They must make their request in writing to the Returning Officer (via the Town Clerk if required).

If such a request is received within the 14 days, the Returning Officer will set a date for the election (which must be within 60 days of the date of the vacancy notice).

Notices will be displayed announcing the election and explaining how to apply to be a candidate for election. The cost of any election is borne by South Kesteven District Council. If there are not enough nominated candidates at the election to fill the vacancies, a further election must be called. Co-option is not an option.

If an Election is Not Called

The Town Council will be notified by the Returning Officer and must fill the position by co-option as soon as practicable.

Vacancies after Ordinary Town Council Elections (every 4 years)

If fewer valid nominations were received for any ward within the Town Council boundaries at the four yearly elections, all those validly nominated will be declared elected.

If enough Councillors are elected to form a quorum (7), the Town Council should seek to fill any remaining vacant seats by co-option as soon as possible after the election date. Should it fail to fill the vacant seats within 35 working days (excluding bank holidays and weekends), or if not enough Councillors were elected to form a quorum, South Kesteven District Council may order another election.

Co-option

Although the process for co-option is not prescribed in law, District Councils and Local Council Associations provide best practice advice and guidelines.

It is especially important that all applicants be treated alike so that the arrangements are seen as open, fair and transparent.

The co-option process adopted by Stamford Town Council is as follows:

- i) The Town Council will consider any interested applicants who have gone through the nomination / election process in the first instance.

The Town Council reserves the right not to automatically co-opt such candidates, if those persons do not wish to be considered for co-option, or those candidates are considered unsuitable by the Town Council.

then:

- ii) The Town Council will advertise the vacancy (or vacancies) on the Town Council noticeboards, the Town Council website and, if the publication schedule allows the Town Council newsletter.

The notices will include:

- The contact details of the Town Clerk to enable prospective co-option candidates to obtain further information on the role of a Town Councillor.
- Details of the co-option process;
- The closing date for all expressions of interest;
- The date on which the Town Council intends to make a decision.

The Town Council (or parishioner) can legally approach individuals to suggest that they might wish to consider putting their names forward for co-option.

- i) When the applications are received, the Town Clerk will review all application details and carefully check that applicants meet the qualification requirements, and confirm that, if successful, their willingness to accept the Code of Conduct and other obligations of a Town Councillor.
- ii) Candidates may be asked to submit a short letter with a brief CV giving reasons why they should be considered for the vacancy. These letters will be circulated to Elected Councillors before the meeting at which the decision will be made.
- iii) Candidates will be informed of the date of the meeting at which the Town Council will make its decision on the co-option.

Co-option Meeting

Notice of the intention to co-opt must be given in the appropriate agenda for a meeting of the Town Council. Candidates may be invited to the meeting to introduce themselves and to provide Elected Councillors the opportunity to ask questions of them; the Town Council retain the right to rely on written submissions alone.

If candidates are not invited to speak at the co-option meeting, they are welcome to (but not required to) attend as members of the public.

The Town Council may only discuss each candidate's suitability for the role when s/he and members of the public are not present.

Co-option Voting Process

The Town Council will apply the following procedure:

If there are equal or fewer candidates than vacancies, the Town Council can vote on a composite motion, duly proposed and seconded, that all candidates be co-opted.

If there are more duly proposed and seconded candidates than seats, it will be necessary for existing Councillors present at the meeting to vote.

Arnold Baker on "Local Council Administration" (9th Edition) recommends that:

- i) A successful candidate should have received an absolute majority vote of those present and voting. If there are more than two candidates for one vacancy and none of them at the first count has an overall majority, the candidate with the fewest votes should be eliminated and the remainder put to the vote again. The process should be repeated as necessary until one candidate has an overall majority.

- ii) Each vacancy should be filled by a separate vote or series of votes. In a small council there is a distinct possibility that there could be a tie for last place in the first round of voting, leaving the candidate for elimination to be decided by the Chairman's casting vote.

After the Vote

- i) The Town Clerk will notify the candidates of the results by telephone and email, as soon as is reasonably possible (usually within 24 hours). This is the duty of the Town Clerk only and is not to be communicated by any Elected Member.
- ii) Successfully co-opted candidates become Councillors in their own right with immediate effect and are no different to any other member. As such, they must sign a Declaration of Acceptance of Office and complete and return a Register of Interests Form at their first meeting, or within 28 calendar days of election, whichever is the sooner. Their term of office runs until the next quadrennial elections for the Parish Council.

***Notes**

This content within this document is based upon a study of legislation and adopted practices of District and Parish / Town Councils (nationwide) and follows advice from the Lincolnshire Association of Local Councils.

It is intended as a summary of the most relevant points of procedure and legislation rather than a definitive exposition. Unless specified otherwise, periods of days given in this document refer to working days, that is, they exclude weekends and public holidays.

Legislation covering casual vacancies can be found at:

<http://www.legislation.gov.uk/uksi/2006/3305/article/5/made?view=plain>

Date calculation is given in Schedule 2 Part 1 paragraph 2 of Statutory Instrument 2006/3305 and can be found at:

<http://www.legislation.gov.uk/uksi/2006/3305/schedule/2/made>

COUNCILLOR INDUCTION POLICY

1. INTRODUCTION

Following the Local Government Elections, 21 new Councillors were elected on Stamford Town Council. In order to inform both newly elected and returning Councillors of their roles and the services provided by the Town Council, a Councillor Training Programme was created.

2. COUNCILLOR INDUCTION PROGRAMME

- i. A Councillor Induction Programme is essential for Councillors. It assists them to understand the structure and procedures of the Council, allows them to progress, improve and to carry out their role as Councillor as effectively as possible. Training is the process of acquiring the essential skills required for a certain role, especially for new councillors. It also puts emphasis on broader skills, which are applicable in a wide range of situations such as decision-making and creative thinking.
- ii. As a Quality Council Stamford Town Council expects all councillors and staff to be committed to on-going training and development.
- iii. Councillors will be requested to submit a 'Training Needs Analysis' to assist the Town Council in developing future Councillor / Staff Induction / Training Programmes.
- iv. Training sessions will be organised which include follow up sessions on each subject area provided. These sessions will be organised by Lincolnshire Association of Local Councils.
- v. If members have booked spaces on training sessions, they must attend as a priority. On occasions individuals have confirmed attendance for a training session but did not attend. This has resulted in low attendance and results in a cost to the Town Council.

3. FAMILIARISATION WITH AREAS OF RESPONSIBILITY

Councillors and staff have a duty to familiarise themselves with their areas of responsibility.

4. TRAINING SCHEDULE

- i. The Annual Training Scheme runs from April to March each year and a subscription fee is paid by Stamford Town Council, in addition to the LALC membership fee. As members of the training scheme – Stamford Town Council can book any number of training sessions for its Councillors and staff, at no further cost, other than for the provision of lunch, where applicable. **(See Lalc Schedule)**
- ii. It is difficult to ensure that all councillors attend training; however, every effort is made by ensuring that training sessions are held on different days and at different times to accommodate as many as possible. It is expected that each Councillor attends the training areas for each relevant term of office and they should not sit on specific Committees without certain specialist training.

5. EXPENSES

Councillors are entitled to claim travel expenses if they attend training sessions.

Freedom of Information Publication Scheme

General Information:

Authority: **Stamford Town Council**

Responsible Officer: **Mrs Patricia Stuart-Mogg – Town Clerk & RFO**

Maintaining Officer: **Mrs Patricia Stuart-Mogg – Town Clerk & RFO**

Council Members: **21 Members (including the Town Mayor)**

Website Address: www.stamfordtowncouncil.gov.uk

Class 1 – Who we are and what we do (Organisational information, structures, locations and contacts)	
Information to be published (This will be current information only)	How the information can be obtained
Who's on the Council and its Committees with Terms of Reference	Town Council Website
Contact details for Town Hall, Council members, Town Clerk and supporting Officers (named contacts where possible with telephone number and e-mail address if used)	Town Council Website

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)	
Information to be published	How the information can be obtained
Current and previous financial year	Town Council Website
Annual Return form and report by auditor	Hard copy from Town Hall or Website
Finalised budget	Town Council Website
Precept	Town Council Website
Financial Standing Orders and Regulations	Town Council Website
Grants given and received	Hard copy from Town Hall
List of current contracts	Hard copy from Town Hall
Members' allowances and expenses	Town Council Website (minutes of relevant Town Council meeting)

Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)	
Information to be published	How the information can be obtained
Annual Report to Town Meeting (current and previous year)	Town Council Website

Class 4 – How we make decisions (Decision making processes and records of decisions)	
Information to be published	How the information can be obtained
Timetable of meetings (Council, committee/sub-committee meetings and town meetings)	Town Hall or Town Council Website
Agendas of meetings (as above)	Posted on Town Council Website, Notice Boards at: Recreation Ground, High Street, Town Hall.

	Or Hard copy collected from Town Hall
Minutes of meetings (as above) (N.B. This will exclude information that is properly regarded as private to the meeting)	Town Council Website
Reports presented to Council meetings (N.B. This will exclude information that is properly regarded as private to the meeting)	Hard copy from Town Hall
Responses to consultation papers	Hard copy from Town Hall or Website
Responses to planning applications	Town Council Website (minutes of relevant Planning Committee meeting)

Class 5 – Our policies and procedures

(Current written protocols, policies and procedures for delivering our services and responsibilities)
Current information only

Information to be published	How the information can be obtained
Policies and procedures for the conduct of council business:	Town Council Website
Procedural standing orders	Town Council Website
Committee and sub-committee terms of reference	Town Council Website
Delegated authority in respect of officers	Town Council Website
Code of conduct	Town Council Website
Policy statements	Town Council Website

Class 6 – Lists and Registers

Currently maintained lists and registers only

Information to be published	How the information can be obtained
Assets Register	Available for viewing
Register of members' interests	Town Council Website
Register of gifts and hospitality	Hard copy from Town Hall or Website

Class 7 – The services we offer

(Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only

Information to be published	How the information can be obtained
Allotments	Town Council Website
Burial grounds and closed churchyards	Town Council Website
Town Hall room hire facilities	Town Council Website
Parks, playing fields and recreational facilities	Town Council Website
Seating, litter bins, memorials and lighting	Hard copy from Town Hall
Markets (Arts & Craft; French and Christmas)	Town Council Website
Public conveniences at the Recreation Ground	Town Council Website
Agency agreements (N.B. This will exclude information considered commercially confidential)	Hard copy from Town Hall
A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)	Hard copy from Town Hall and Town Council Website

Exempt Material:

- Personal information relating to Councillors (other than required to be declared in Register of Interests)
- Personal information relating to employees
- Tenders and bids from contractors and suppliers

(Note: Data Protection Legislation prohibits the publication of certain categories of Information.)

Charging Policy:

- Information can be inspected, by appointment, at the Town Hall free of charge.
- Information that can be photocopied without breaching copyright laws can be copied on the Council's photocopier at the cost of 20p per single sided A4 sheet.
- A detailed search of records (for example the Council Minutes or archive material) is subject to a charge of £30 per search plus the relevant photocopying charges.
- Any photocopies sent by post will be subject to the actual cost of postage and packaging.

The Town Council is registered with the Information Commissioner's Office.

Registration number: Z3088382 - Update annually

Review of Policy: This Policy is reviewed annually by the Review Panel and approved by the Town Council annually.

Note 1: Any information which is available on the Town Council's website is also available from the Town Hall subject to the charges set out above for printed copies.

Note 2: Under Data Protection Legislation, the Council is required to regularly review the information that it keeps and to destroy that which does not form part of its official records. Residents wishing to inspect information are therefore requested to telephone the Town Council's Office to ensure that the information they require is still available.

Contacts:

Town Clerk: 01780 759322 email: townclerk@stamfordtowncouncil.gov.uk

Town Hall: 01780 753808 email: townhall@stamfordtowncouncil.gov.uk

RECORDS RETENTION POLICY

Stamford Town Council recognises that the efficient records management is necessary to comply with its legal and statutory obligations and to contribute to the effective overall management of its business. This document provides the policy framework through which this effective management can be achieved and audited.

SCOPE:

This Policy applies to all records created, received and maintained by Stamford Town Council in the course of carrying out its business.

Records are defined as all those documents which facilitate the business carried out by Stamford Town Council and which are thereafter retained (for a set period) to provide evidence of transactions or activities undertaken to deliver its services. These records may be created, received or maintained in hard copy or electronically.

A small percentage of Stamford Town Council records may be selected for permanent preservation as part of the Council's archives and for historical research.

RESPONSIBILITIES:

Stamford Town Council has a corporate responsibility to maintain its records and record management system in accordance with the statutory requirement.

The person with overall responsibility for this policy is the Town Clerk / Responsible Finance Officer.

The person responsible for records management will give guidance for good record management practice and will promote compliance with this policy so that this information will be retrieved easily, appropriately and timely.

Individual staff and employees must ensure that records for which they are responsible are accurate, maintained and disposed of in accordance with Stamford Town Council's record management guidelines.

STAMFORD TOWN COUNCIL POLICIES AND PROCEDURE HANDBOOK

DOCUMENT	RETENTION PRIOD	REASON
Minute Books: Council and Committee meetings	Indefinite	Archive
Employment: Staff employment contracts Staff payroll information Staff references Application forms (Interviewed – unsuccessful) Application forms (Interviewed – successful) Disciplinary files Staff appraisals	6years after ceasing employment 3years 6years after ceasing employment 6months 6years after ceasing employment 6years after ceasing employment 6years after ceasing employment	Management Management Management Management Management Management Management Management
Finance: Scales of fees & charges Receipts and Payment accounts Bank Statements Bank paying-in books Cheque book stubs Paid Invoices Payroll records VAT Records Petty Cash and postage records Insurance Policies Certificates of Public Liability & Employee Liability	6years 6years Last completed audit year Last completed audit year Last completed audit year Last completed audit year 3 years 6 years Last completed audit year 6 years after policy ends 6 years after policy ends	Management VAT Audit Audit Audit VAT HMRC HMRC Audit Management Management

STAMFORD TOWN COUNCIL POLICIES AND PROCEDURE HANDBOOK

Health & Safety:		
Accident book	3years from date of last entry	Statutory
Risk Assessment	3 years	Management
General Management:		
Councillors contact details	Duration of membership	Management
Lease and Hire agreements	12years	Limitation Act 1980
Contracts	6 years	Limitation Act 1980
Emails	At end of useful life	Management
Consent forms	5 years	Management
GDPR Security compliance form	Duration of membership	Management