

STOTFOLD TOWN COUNCIL

Greenacre Centre, Valerian Way, Stotfold, SG5 4HG
01462 730064 enquiries@stotfoldtowncouncil.gov.uk



17 October 2024

Members of the Governance & Resources Committee: Cllr S Buck (Chairperson), Cllr J Smith (Vice-Chairperson), Cllr M Cooper, Cllr S Dhaliwal, Cllr S Hayes, Cllr J Headington, Cllr D Matthews, Cllr B Saunders, Cllr J Talbot

You are hereby summoned to attend the Governance & Resources Committee meeting to be held in the **Stotfold Council Chamber, Greenacre Centre, Valerian Way, Stotfold, SG5 4HG** on **23rd October 2024 at 7.00pm** for the purpose of transacting business detailed in the agenda.

Central Bedfordshire Council Ward Members, representative of the press and electorates of Stotfold, for information.

E Payne
Town Clerk

Members of the public:

In addition to attendance in person, you are now able to observe our meetings by joining via MS Teams. Join on your computer or mobile app [Click here to join the meeting](#) Please note, our meetings are recorded for minute taking purposes, and will be deleted after Minutes are approved.

Members of the public are invited to observe the meeting and may speak in the 'public section' agenda item. As per Standing Orders, if you wish to speak, you must notify the Town Clerk of your intention prior to the start of the meeting (contact in advance enquiries@stotfoldtowncouncil.gov.uk or 01462 730064 or you will be asked at the appropriate point in the agenda if unable to give prior indication).



IN COLLABORATION WITH SLCC, NALC, OVW, COUNTY ASSOCIATIONS

The seven principles of public life

Selflessness | Integrity | Objectivity | Accountability | Openness | Honesty | Leadership

AGENDA

1. APOLOGIES FOR ABSENCE

To receive and accept apologies for absence from Members of the Committee.

2. DISCLOSURES OF MEMBERS' INTERESTS AND DISPENSATIONS

Members are reminded of their obligations to declare interests in accordance with the Code of Conduct. The Town Clerk will report any dispensation requests received. Where a matter arises at a meeting which relates to a Councillor's interest, the Councillor has the responsibility to declare that interest in accordance with the adopted Code of Conduct.

- a. To receive Member's declarations of interest in items on the agenda.
- b. To consider any requests for dispensations.

3. PUBLIC SECTION

Members of the public to speak are entitled to be at this meeting in accordance with the Public Bodies (Admission to Meetings) Act 1960, Section 1, extended by the Local Government Act 1972, Section 100 unless precluded by the Council by resolution during the whole or part of the proceedings. on matters of concern, ask questions or make statements (maximum of 3 minutes per speaker), after giving notice of their wish to do so to the Town Clerk prior to the meeting. Order of speakers will be in order of notification. Public Participation Policy applies.

4. MINUTES OF PREVIOUS MEETING

To approve the minutes of the Governance & Resources Committee meeting held 2nd October 2024 as a true record of the meeting.

5. CLERK'S REPORT, CORRESPONDENCE RECEIVED & MATTERS ARISING FROM PREVIOUS COUNCIL MINUTES, FOR INFORMATION

6. REPORTS TO COMMITTEE

To receive the following reports:

6.1 Code of Conduct

To review the Code of Conduct.

6.2 Member & Officer Protocol

To consider the Adoption of a Member & Officer Protocol.

6.3 Budget 2025 - 2026

To review the proposed budget for 2025 - 2026.

7. MEMBERS' ITEMS FOR INFORMATION PURPOSES ONLY

8. WORK PROGRAMME 1

To receive this Committee's Work Programme.

9. DATE OF NEXT MEETING

18th December 2024.

10. CONFIDENTIAL ITEMS

That in accordance with section 1(2) of the Public Bodies (Admissions to Meetings) Act 1960, and as extended by Schedule 12A of the Local Government Act 1972, the public, including the press, be excluded from the meeting because of the confidential nature of the following business to be transacted.

10.1 VAT Liability

To consider the recommendation from the Town Council's Accountants regarding VAT.

11. SUPPORTING DOCUMENTS



**MINUTES OF THE MEETING OF GOVERNANCE & RESOURCES COMMITTEE
HELD ON WEDNESDAY 2 OCTOBER 2024, AT STOTFOLD TOWN COUNCIL,
GREENACRE CENTRE, VALERIAN WAY, STOTFOLD, SG5 4HG AT 19:20**

Present: Cllr S Buck (Chair), J Smith (Vice-Chair), M Cooper, S Dhaliwal, S Hayes, D Matthews, B Saunders and J Talbot.

Also in attendance:

Cllr J Hyde

Also present:

E. Payne – Town Clerk

1 APOLOGIES FOR ABSENCE

Apologies were received from Cllr Headington. It was **RESOLVED** to:

Accept the apologies

2 DISCLOSURES OF MEMBERS' INTERESTS AND DISPENSATIONS

Cllr Smith declared a personal, non-pecuniary interest in item 6.3 as a member of the Bowls Club.

3 PUBLIC SECTION

There were no Members of the Public present.

4 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 24 July 2024 were received. It was **RESOLVED** to:

Adopt the minutes of the meeting as a true record.

**5 CLERK'S REPORT, CORRESPONDENCE RECEIVED & MATTERS ARISING FROM
PREVIOUS COUNCIL MINUTES, FOR INFORMATION ONLY**

The Clerk's report was received. There were no updates. It was **RESOLVED** to:

Note the report.

6 REPORTS TO COMMITTEE

6.1 Fees & Charges 2025 - 2026

Members received the report on fees and charges with recommendations from Committees. It was **RESOLVED** that:

The fees and charges for 2025-26 are adopted with effect from 1 April 2025.



6.2 Budget 2025 - 2026

Members received a proposed budget for this committee.

It was **RESOLVED** to:

Incorporate this budget for this committee into the overall budget for 2025-26

6.3 Grant Applications

Members received grant applications as outlined in the report. Members commented that the application for Keech Hospice was not specifically for project expenditure, and they would be asked to resubmit their application for a specific project. It was **RESOLVED** to award the following grants:

- a) ***The Need Project £1500 for the purchase of supplies for the foodbank.***
- b) ***Stotfold Bowls Club £1500 towards the purchase of a lawn green mower***
- c) ***Friends of Roecroft School £1500 towards silent disco headphones***
- d) ***Stotfold Scouts £1500 towards the cost of removing outbuildings from the rear of the scout hut.***

6.4 Town Council Regalia

Members received a report on the Town Council regalia. It was **RESOLVED** that:

- a) ***Design DS33 is preferred option***
- b) ***The Mayor's consort badge would be finished in gold***
- c) ***The Deputy Mayor's consort badge would be finished in silver***

6.5 Policy Review

Members received the flag flying policy for review. It was **RESOLVED to RECOMMEND TO FULL COUNCIL** that:

The Flag Flying policy 2024 is adopted.

6.6 Town Council Banking Arrangements and Review of Investment Policy

Members received a report on the Town Council's banking arrangements and a review of the Investment Policy.

It was **RESOLVED** to:

- a) ***Note the current banking arrangements.***
- b) ***The Clerk will investigate further investment opportunities.***
- c) ***Recommend to Full Council that the Investment Policy is adopted***

6.7 Scheme of Delegation

Members received a report with a proposed Scheme of Delegation. It was **RESOLVED TO RECOMMEND TO FULL COUNCIL** that:

The Scheme of Delegation is adopted.



6.8 Developer Obligations - S106

Members received a report on S106 Developer's Obligations. Members noted that the Clerk had attended a S106 webinar with CBC and asked that a copy of the recording was circulated to all Members. It was **RESOLVED** to:

Defer this item for 3 months to allow Members to view the webinar and consider future projects.

6.9 VAT Review

Members received a report outlining the Town Council's VAT liabilities for 2023-24. It was **RESOLVED** to:

Note the report.

6.10 Bank Reconciliations

Members were advised that the Bank Reconciliations for July and August were available for authorisation. It was **RESOLVED** that:

Cllrs Cooper and Miller would authorise the bank reconciliations

7 MEMBER'S ITEMS FOR INFORMATION PURPOSES ONLY

There were no items to note.

8 DATE OF NEXT MEETING

23 October 2024.

10 CONFIDENTIAL ITEMS

It was **RESOLVED** that:

That in accordance with section 1(2) of the Public Bodies (Admissions to Meetings) Act 1960, and as extended by Schedule 12A of the Local Government Act 1972, the public, including the press, be excluded from the meeting because of the confidential nature of the following business to be transacted.

It was **RESOLVED** to:

Move item 10.1 to the first item of business to be transacted after the adoption of the minutes.

10.1 Town Clerk's Evaluation

Members received a confidential report which was presented by the contractor who had undertaken the evaluation. It was **RESOLVED** to:

Adopt the recommendation outlined in the report with immediate effect.

10.2 HR Budget

Members received the confidential HR budget. It was **RESOLVED** to:



Note the budget

10.3 Staff Structure

Members received a confidential report from the Public Realm Manager. It was **RESOLVED** to:

- a) Agree to the proposal in principle, subject to HR advice***
- c) Report to a future meeting with detailed costs and a job description.***

The meeting closed at 20:45

SIGNED BY CHAIRMAN:

MINUTES APPROVED (date):

DRAFT

STOTFOLD TOWN COUNCIL

COMMITTEE: GOVERNANCE & RESOURCES

DATE: 23 OCTOBER 2024

SUBJECT: CLERK'S REPORT

1. Update on Legal Instructions/Advice

- a) The library lease has now been agreed and signed.
- b) The Café lease is still ongoing whilst certain items are being confirmed.
- c) Cemetery Chapel Lease – this is ongoing. It was dependent on the registration of the original part of the cemetery with the Land Registry but both parties have agreed to progress the lease on the understanding that the registration of the site will occur.
- d) Roker Park – this transfer has now been completed.
- e) New instruction

STOTFOLD TOWN COUNCIL

COMMITTEE: GOVERNANCE & RESOURCES
DATE: 23 OCTOBER 2024
OFFICER RESPONSIBLE: EMMA PAYNE
SUBJECT: CODE OF CONDUCT REVIEW

1. SUMMARY

- 1.1 The Town Council adopted its current Code of Conduct in 2012. Good practice would see all policies reviewed on a regular basis.

2. RECOMMENDATION

- 2.1 Members are asked to recommend to Full Council that the Code of Conduct is re-adopted.

3. BACKGROUND

- 3.1 The Localism Act 2011 saw a change in the standards procedure, with the disbanding of the Standards Regime and the introduction of a new Code of Conduct, based on the Nolan Principles of behaviour in public office.
- 3.2 There have been no fundamental changes since its adoption. The Town Council approved a Dispensations Procedure, and this had been included in the Code.

4. IMPLICATIONS

Strategic Plan	N/A
Risk Management	Risk of bringing the Council into disrepute by failure to adhere to the Code of Conduct.
Legals	Localism Act 2011
Resources/Stakeholders	Councillors
Contracts/Financials	N/A
Crime & Disorder	N/A
Equalities	Equality Act 2010
Biodiversity	N/A



STOTFOLD TOWN COUNCIL

CODE OF CONDUCT

1.0 Introduction

- 1.1 This Code of Conduct ("the Code") has been adopted by Stotfold Town Council as required by Section 27 of the Localism Act 2011 ("the Act"), to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.
- 1.2 The Code is not intended to be an exhaustive list of all the obligations that are placed on members. It is the responsibility of individual members to comply with the provisions of the Code as well as such other legal obligations as may apply to them from time to time.
- 1.3 The Code is consistent with the following principles (the "Nolan" principles of standards in public life):
- Selflessness
 - Integrity
 - Objectivity
 - Accountability
 - Openness
 - Honesty
 - Leadership

2.0 Definitions

- 2.1 For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee or sub-committee of the Council, or a member of, and represents the Council on any joint committee, joint sub-committee or working group/party of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.
- 2.2 For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees, joint sub-committees or working group/party.
- 2.3 For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

3.0 What standards of Conduct are members expected to observe?

Selflessness:

- 3.1 Members must always act in the public interest.

- 3.2 Members must never use their position as a member of Council improperly to secure for themselves or any other person, an advantage or disadvantage.
- 3.3 Members must not use the Council's resources improperly for personal or party-political purposes.
- 3.4 Members shall behave in such a way that a reasonable person would regard as respectful.

Integrity

- 3.5 Members shall not act in a way which a reasonable person would regard as bullying or intimidatory.
- 3.6 Members must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.
- 3.7 Members must not disclose information given to them in confidence, or where disclosure is prohibited by law.

Objectivity

- 3.8 When making decisions on behalf of the Council, including awarding contracts or making appointments, members must do so on merit.
- 3.9 Members must have regard to any relevant advice provided to them by the Clerk to the Council and the Responsible Financial Officer. Accountability:

Accountability

- 3.10 Members must act in accordance with their legal obligations, including the following Acts of Parliament that confer special obligations on elected Councillors:
- Local Government Act 1972
 - Employment Rights Act 1996
 - Data Protection Act 1998
 - Freedom of Information Act 2000
 - Bribery Act 2010 Equality Act 2010
 - Localism Act 2011
- 3.11 Members must act in accordance with the Council's policies and reasonable requirements, including any protocols and codes of practice that may apply.

Openness:

- 3.12 Members must give reasons for any decisions taken on behalf of the Council in accordance with any statutory requirements and the Council's Standing Orders.
- 3.13 Members must not prevent another person from gaining access to information to which that person is entitled by law.

Honesty:

- 3.14 Members must declare any disclosable (pecuniary and non-pecuniary) interests or conflicts of interest that may arise in respect of their responsibilities as a member of the Council.
- 3.15 Members must at all times ensure that their claims for expenses, allowances, and their use of facilities and services provided by the Council are strictly in accordance with the rules laid down on these matters.

Leadership:

- 3.16 Members must set an example by their behaviour and shall act in a way that enhances public trust and confidence in the integrity of the Council and its members.
- 3.17 Members must show respect and courtesy to others.
- 3.18 Members should value the Council's officers and work alongside them to achieve the Council's objectives. Members must on no account behave in a manner that might constitute bullying.

4.0 Interests

Registration of interests

- 4.1 Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register with the Monitoring Officer at Central Bedfordshire Council, via the Town Clerk, the interests which fall within the categories set out in Schedules 1 and 2.
- 4.2 Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register with the Monitoring Officer any interests in Schedules 1 and 2.
- 4.3 A member shall register with the Monitoring Officer any change to interests or new interests in Schedules 1 and 2 within 28 days of becoming aware of it.
- 4.4 A member need only declare the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest.' A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

Declaration of interests at meetings

- 4.5 Where a matter arises at a meeting which relates to an interest in Schedule 1 the member shall not participate in a discussion or vote on the matter and shall withdraw from the meeting. He/she only has to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.
- 4.6 Where a matter arises at a meeting which relates to an interest in Schedule 1 which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the

Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.

- 4.7 Where a matter arises at a meeting which relates to an interest in Schedule 2, the member shall not vote on the matter and shall withdraw from the meeting. He/she may speak on the matter before withdrawing only if members of the public are also allowed to speak at the meeting.
- 4.8 A member only has to declare his/her interest in Schedule 2 if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter. If he/she holds an interest in Schedule 2 which is a sensitive interest not already disclosed to the Monitoring Officer, he/she shall declare the interest but not the nature of the interest.
- 4.9 Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than interests in Schedule 1), the member shall disclose the nature of the interest and withdraw from the meeting. He/she may also speak on the matter before withdrawing only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest' the Member shall declare the interest but not the nature of the interest.
- 4.10 On a written request made to the Council's proper officer (Town Clerk), the Council may grant a member a dispensation to participation in a discussion and vote on a matter at a meeting even if he/she has an interest in Schedules 1 and 2 if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation. The Town Council has adopted a Dispensation Policy which can be found on our website: [Dispensation Procedure 2024](#)

Revision History

Date Adopted:	July 2012
Date Reviewed:	October 2024
	Link to Dispensation Procedure included

SCHEDULE 1

Disclosable Pecuniary Interests

Within 28 days of becoming a Member or co-opted Member of Stotfold Town Council, Members must notify the Monitoring Officer, via the Town Clerk, of any 'disclosable pecuniary interests'.

A 'disclosable pecuniary interest' is an interest of yourself or your partner (which means a spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the following descriptions:

Subject	Description
Employment, office, trade, profession, or vocation	Any employment, office, trade, profession, or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12-month period ending on the latest date referred to in paragraph 4.1 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the member or between his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a body in which such a person is a partner in a firm, a director of an incorporated body or holds the beneficial interest in securities*) and the Council – (a) Under which goods or services are to be provided or works are to be executed; and (b) Which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the Council.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the member's knowledge) – (a) The landlord is the Council; and (b) The tenant is a body in which the member, or his/her spouse or civil partner/the person with whom the member is living as if they were spouses/civil partners has a beneficial interest.
Securities	Any beneficial interest in securities of a body where – (a) That body (to the member's knowledge) has a place of business or land in the area of the Council; and (b) Either – (i) The total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

SCHEDULE 2

An interest which relates to or is likely to affect:

- (i) anybody of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;
- (ii) anybody –
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
- (iii) any gifts or hospitality worth more than an estimated value of £50 which the Member has received by virtue of his or her office

STOTFOLD TOWN COUNCIL

COMMITTEE: GOVERNANCE & RESOURCES
DATE: 23 OCTOBER 2024
OFFICER RESPONSIBLE: EMMA PAYNE, TOWN COUNCIL
SUBJECT: MEMBER AND OFFICER PROTOCOL

1. SUMMARY

- 1.1 Adopting a Member and Officer protocol is beneficial for outlining clear communication channels, mutual respect and effective collaboration between Members and Officers within the organisation.

2. RECOMMENDATION

- 2.1 Members are asked to review the proposed Member and Officer Protocol and recommend its adoption to Full Council.

3. BACKGROUND

- 3.1 A Member and Officer Protocol would have the following benefits:

- a) **Role Clarity:** The protocol clearly defines the distinct roles and responsibilities of councillors and officers. Councillors are responsible for setting policies and making decisions, while officers implement those policies and manage the day-to-day operations. This clarity helps avoid conflicts or misunderstandings about who is responsible for what.
- b) **Promotes Respect and Professionalism:** A protocol sets standards for respectful and professional behaviour, ensuring that both councillors and officers treat each other courteously. This can help prevent workplace friction and promote a positive working environment.
- c) **Ensures Accountability:** By clarifying expectations for both parties, a protocol can help establish accountability. Councillors and Officers are held to clear standards of conduct, and breaches can be addressed more consistently.
- d) **Supports Decision-Making:** Councillors can make informed decisions based on professional advice, while officers are empowered to offer their expertise without interference in policy matters.
- e) **Minimizes Conflicts of Interest:** The protocol can address potential conflicts of interest by defining ethical guidelines for councillors and officers, ensuring decisions are made impartially and in the best interest of the public.
- f) **Builds Public Trust:** When councillors and officers work together effectively, it leads to better governance, which in turn builds public confidence and trust in local government.

4. IMPLICATIONS

Strategic Plan	N/A
Risk Management	Protocol reduces risk to the Council by setting out operational expectations and safeguards its reputation.
Legals	Localism Act 2011 – Code of Conduct
Resources/Stakeholders	Members and Officers
Contracts/Financials	N/A
Crime & Disorder	N/A
Equalities	Equality Act 2010
Biodiversity	N/A



STOTFOLD TOWN COUNCIL

MEMBER OFFICER PROTOCOL

BACKGROUND

This Protocol is intended as guidance to Councillors, the Town Clerk and Officers of Stotfold Town Council, when addressing some of the sensitive circumstances which arise in a challenging working environment. The reputation and integrity of the Town Council is significantly influenced by the effectiveness of Councillors, the Town Clerk and Officers working together to support each other's roles.

The aim is effective and professional working relationships characterised by mutual trust, respect, and courtesy. Close personal familiarity should be avoided.

ROLES OF COUNCILLORS AND OFFICERS

The respective roles of Councillors and Officers can be summarised as follows:

- Councillors and Officers are servants of the public and they are indispensable to one another but have distinct responsibilities.
- Councillors are responsible to the electorate and serve only for their term of office.
- Officers are responsible to the Town Council. Their job is to give advice to Councillors and to the Town Council, and to carry out the Town Council's work under the direction and control of the Town Council and relevant committees.

Councillors

Councillors are responsible for:

- Determining Council policy and providing community leadership;
- Monitoring and reviewing Council performance in implementing policies and delivering services;
- To represent the Council externally; and
- To act as advocates for their constituents.

All Councillors have the same rights and obligations in their relationship with the Town Clerk and Officers, regardless of their status and should be treated equally.

Councillors should not involve themselves in the day to day running of the Council. This is the Officer's responsibility, and the Officer will be acting on instructions from the Council or its committees, within an agreed job description.

In line with the Town Council's adopted Code of Conduct, a Councillor must treat others with respect, must not bully, exert undue influence or interference with people and must not do anything which compromises, or is likely to compromise, the impartiality of those who work for, or on behalf of, the Council.

Officers can expect Councillors:

- to give strategic leadership and direction and to seek to further their agreed policies and objectives with the understanding that Councillors have the right to take the final decision on issues based on advice;
- to act within the policies, practices, processes, and conventions established by the Council;
- to work constructively in partnership with Officers acknowledging their separate and distinct roles and responsibilities;
- to understand and support the respective roles and responsibilities of Officers and their associated workloads, pressures, and reporting lines;
- to treat them fairly and with respect, dignity, and courtesy;
- to act with integrity, to give support and to respect appropriate confidentiality;
- to recognise that Officers do not work under the instruction of individual Councillors or groups;
- not to subject them to bullying, intimidation, harassment, or put them under undue pressure;
- to treat all Officers, partners (those external people with whom the Council works) and members of the public equally, and not discriminate based on any characteristic such as age, sex, race, sexual orientation, gender identity, disability, or religion;
- not to request Officers to exercise discretion which involves acting outside the Council's policies and procedures;
- not to authorise, initiate, or certify any financial transactions or to enter into any contract, agreement or undertaking on behalf of the Council or in their role as a Councillor without proper and lawful authority;
- not to use their position or relationship with Officers to advance their personal interest or those of others or to influence decisions improperly;
- to comply at all times with the Councillors' Code of Conduct, the law, and such other policies, procedures, protocols, and conventions agreed by the Council;
- respect the impartiality of Officers and do not undermine their role in carrying out their duties;
- do not ask Officers to undertake work, or act in a way, which seeks to support or benefit a particular political party or gives rise to an Officer being criticised for operating in a party-political manner;
- do not ask Officers to exceed their authority where that authority is given or delegated.

The Mayor and Vice Mayor or Chair and Vice-Chair of the Council and its Committees:

Chairpersons and Vice-chairpersons have additional responsibilities as delegated by the Council. These responsibilities mean that they may have to have a closer working relationship with employees than other Councillors do. However, they must still respect the impartiality of Officers and must not ask them to undertake work or anything else which would prejudice their impartiality.

Officers:

The primary role of Officers is to advise, inform and support all members and to implement the agreed policies of the Council.

Officers are responsible for day-to-day managerial and operational decisions within the Council, including directing and overseeing the work of any more junior Officers. Councillors should avoid inappropriate involvement in such matters.

In performing their role, the Officers will act professionally, impartially and with neutrality. Whilst Officers will respect a Councillor's view on an issue, the Officer should not be influenced or pressured to make comments, or recommendations which are contrary to their professional judgement or views.

Officers must:

- implement decisions of the Council and its committees which are lawful, which have been properly approved in accordance with the requirements of the law and are duly recorded. This includes respecting the decisions made, regardless of any different advice given to the Council or whether the decision differs from the Officer's view;
- work in partnership with Councillors in an impartial and professional manner;
- treat Councillors fairly and with respect, dignity, and courtesy;
- treat all Councillors, partners, and members of the public equally, and not discriminate based on any characteristic such as age, sex, race, sexual orientation, gender identity, disability, or religion;
- assist and advise all parts of the Council. Officers must always act to the best of their abilities in the best interests of the authority as expressed in the Council's formal decisions;
- respond to enquiries and complaints in accordance with the Council's standards;

Protocol

- be alert to issues which are, or are likely to be, contentious or politically sensitive, and be aware of the implications for Councillors, the media, or other sections of the public;
- act with honesty, respect, dignity, and courtesy at all times;
- provide support and learning and development opportunities for Councillors to help them in performing their various roles in line with the Council's training and development policy;
- not seek to use their relationship with Councillors to advance their personal interests or to influence decisions improperly;
- comply, at all times, with the Officers' Code of Conduct, and such other policies or procedures approved by the Council.

Officers have the right not to support Councillors in any role other than that of Councillor, and not to engage in actions incompatible with this protocol.

In giving advice to Councillors, and in preparing and presenting reports, it is the responsibility of the Officer to express his/her own professional views and recommendations. An Officer may report the views of individual Councillors on an issue, but the recommendation should be the Officer's own. If a Councillor wishes to express a contrary view, they should not pressurise the Officer to make a recommendation contrary to the Officer's professional view, nor victimise an Officer for discharging his/her responsibilities.

There are exceptional circumstances where a Councillor can fulfil the role of Officer, for example where there is a vacancy. This can only be done if the Councillor is not paid for the role and should only ever be short-term while the Council seeks to fill a vacancy. There will need to be a particular clear understanding of when the Councillor is acting as a Councillor and when acting as the Proper Officer.

The Relationship: General

Councillors and Officers are indispensable to one another. However, their responsibilities are distinct. Councillors are accountable to the public, whereas Officers are accountable to the Council as a whole.

At the heart of this Protocol is the importance of mutual respect and also of civility. Councillor/Officer relationships are to be conducted in a positive and constructive way. Therefore, it is important that any dealings between Councillors and Officers should observe standards of

courtesy and that neither party should seek to take unfair advantage of their position nor seek to exert undue influence on the other party.

Individual Councillors should not actively seek to undermine majority decisions of the corporate body, as this could then bring them into conflict with Officers who have been charged with promoting and implementing the Council's collectively determined course of action.

Councillors should not raise matters relating to the conduct or capability of an Officer, or of Officers collectively, in a manner that is incompatible with this Protocol at meetings held in public or on social media. This is a long-standing tradition in public service. An Officer has no means of responding to criticisms like this in public.

A Councillor who is unhappy about the actions taken by, or conduct of, an Officer should:

- avoid personal attacks on, or abuse of, the Officer at all times;
- ensure that any criticism is well founded and constructive;
- ensure that any criticism is made in private;
- take up the concern with the Chairperson.

Neither should an Officer raise with a Councillor matter relating to the conduct or capability of another Councillor or Officer or to the internal management of the Council in a manner that is incompatible with the objectives of this Protocol.

Potential breaches of this Protocol are considered below.

EXPECTATIONS

All Councillors can expect:

- A commitment from Officers to the Council as a whole, and not to any individual Councillor, group of Councillors or political group;
- A working partnership;
- Officers to understand and support respective roles, workloads, and pressures;
- A timely response from Officers to enquiries and complaints;
- Officer's professional and impartial advice, not influenced by political views or personal preferences;
- Timely, up to date, information on matters that can be considered appropriate and relevant to their needs, having regard to any individual responsibilities or positions that they hold;
- Officers to be aware of and sensitive to the public and political environment locally;
- Respect, courtesy, integrity and appropriate confidentiality from Officers and other Councillors;
- Training and development opportunities to help them carry out their role effectively;
- Not to have personal issues raised with them by Officers outside the Council's agreed procedures;
- That Officers will not use their contact with Councillors to advance their personal interests or to influence decisions improperly.

Officers can expect from Councillors:

- A working partnership;
- An understanding of, and support for, respective roles, workloads, and pressures;
- Leadership and direction;

- Respect, courtesy, integrity, and appropriate confidentiality;
- Not to be bullied or to be put under undue pressure;
- That Councillors will not use their position or relationship with Officers to advance their personal interests or those of others or to influence decisions improperly;
- That Councillors will at all times comply with the Council's adopted Code of Conduct.

General Principles

Close personal relationships between Councillors and Officers can confuse their separate roles and get in the way of the proper conduct of Council business, not least by creating a perception in others that a particular Councillor or Officer is getting preferential treatment.

Special relationships with particular individuals are not recommended as it can create suspicion that an employee favours that Councillor above others.

The Proper Officer (usually called the Clerk) is the head of paid services and has a line-management responsibility to all other staff. Communications should be made directly with the Proper Officer, unless it is agreed by the Proper Officer that such communications may take place directly with other Officers over a particular matter. Councillors should not give instructions directly to the Proper Officer's staff without the express approval of the Proper Officer.

COUNCILLORS' ACCESS TO INFORMATION AND TO COUNCIL DOCUMENTS

Councillors are free to approach Officers to provide them with such information, explanation, and advice as they may need in order to assist them in discharging their role as Members of the Council. This can range from a request for general information about some aspect of the Council's activities to a request for specific information on behalf of a constituent. Such approaches should normally be directed to the Officer.

The legal rights of Councillors to inspect Council documents are covered partly by statute and partly by the common law.

The common law right of Councillors is based on the principle that any member has *prima facie* right to inspect Council documents as far as their access to the documents is necessary to enable the member properly to perform their duties as a member of the Council. This principle is commonly referred to as the "need to know" principle.

The exercise of this common law right depends therefore upon the Councillor's ability to demonstrate that they have the necessary "need to know." In this respect a Member has no right to "a roving commission" to go and examine documents of the Council. Mere curiosity is not sufficient. The crucial question is the determination of the "need to know."

The Officer must determine this question.

In some circumstances (e.g. a committee member wishing to inspect documents relating to the functions of that committee) a Councillor's "need to know" will normally be presumed. In other circumstances (e.g. a Councillor wishing to inspect documents which contain personal information about third parties) a Councillor will normally be expected to justify the request in specific terms. Any Council information provided to a Councillor must only be used by the Councillor for the purpose for which it was provided i.e. in connection with the proper performance of the Councillor's duties as a member of the Council.

For completeness, Councillors do, of course, have the same right as any other member of

the public to make requests for information under the Freedom of Information Act 2000.

CORRESPONDENCE

Correspondence between an individual Councillor and an Officer should not normally be copied (by the Officer) to any other Councillor. Where exceptionally it is necessary to copy the correspondence to another Councillor, this should be made clear to the original Councillor. In other words, a system of “silent copies” should not be employed.

Acknowledging that the “BCC” system of e-mailing is used, it should be made clear at the foot of any e-mails if another Councillor has received an e-mail by adding “CC Councillor X.”

Official letters or emails on behalf of the Council should normally be sent out under the name of the Officer, rather than under the name of a Councillor. It may be appropriate in certain circumstances (e.g. representations to a Government Minister) for a letter or email to appear over the name of the chair, but this should be the exception rather than the norm. Letters or emails which, for example, create obligations or give instructions on behalf of the Council should never be sent out in the name of a Councillor.

Correspondence to individual Councillors from Officers should not be sent or copied to complainants or other third parties if they are marked “confidential.” In doing so, the relevant Officer should seek to make clear what is to be treated as being shared with the Councillor in confidence only and why that is so.

PRESS AND MEDIA

Councils are accountable to their electorate. Accountability requires local understanding. This will be promoted by the Council, explaining its objectives and policies to the electors and customers. Councils use publicity and social media to keep the public informed and to encourage public participation. The Council needs to tell the public about the services it provides. Effective publicity should aim to improve public awareness of the Council's activities.

Publicity is a sensitive matter in any political environment because of the impact it can have. Expenditure on publicity can be significant. It is essential to ensure that decisions on publicity are properly made in accordance with the Code of Recommended Practice on Local Authority Publicity and the Council's Media Protocol.

The Officer may respond to press enquiries but should confine any comments to the facts of the subject matter and the professional aspects of the function concerned. On no account must an Officer expressly or impliedly make any political opinion, comment, or statement.

Any press release that may be necessary to clarify the Council's position in relation to disputes, major planning developments, the Officer should approve court issues or individuals' complaints.

The chair (or chair of a committee) may act as spokespersons for the Council in responding to the press and media and making public statements on behalf of the Council but should liaise with the Officer on all forms of contact with the press and media. The Council may also appoint individual Councillors as spokespeople where there is an area of particular expertise, but this should only be done with the agreement of the Council.

The Council must comply with the provisions of the Local Government Act 1986 (“the Act”) regarding publicity. All media relations work will comply with the national Code of Practice for Local Government Publicity. The Code is statutory guidance, and the Council must have regard to it and follow its provisions when making any decision on publicity.

The LGA has produced useful guidance on the Publicity Code - <https://www.local.gov.uk/publications/short-guide-publicity-during-pre-election-period>

For more detailed information and guidance regarding the role of Councillors in connection with the use of social media, reference should be made to the Council's Social Media Protocol where there is one in place.

IF THINGS GO WRONG

Procedure for Officers:

From time to time the relationship between Councillors and the Officer (or other employees) may break down or become strained. Whilst it is always preferable to resolve matters informally, it is important that the Council adopts a formal grievance protocol or procedure.

In the first instance, where a Member has a concern about the performance of an Officer, they should raise this with the Town Clerk. If however, the concern is regarding the Town Clerk, then this should be reported to the Mayor and/or Vice Mayor.

Central Bedfordshire Council's Monitoring Officer will be asked to conduct mediation/conciliation to resolve the issue. Alternatively, independent advice will be sought. The Mayor of the Council should not attempt to deal with grievances or work-related performance or line management issues on their own. The Council will delegate authority to a small group of Councillors to deal with personnel matters.

The Town Council has adopted a grievance procedure and policy which individual employees should follow to raise concerns, problems, or complaints about their employment in an open and fair way. This can be found in the Staff Handbook.

Where the matter relates to a formal written complaint alleging a breach of the Councillors' Code of Conduct the matter must be referred to the principal Council's Monitoring Officer in the first instance in line with the Localism Act 2011. The Town Council may, however, try to resolve any concerns raised informally before they become a formal written allegation.

Procedure for Councillors:

If a Councillor is dissatisfied with the conduct, behaviour or performance of the Officer or another employee, the matter should be reported to the Chairperson and then raised with the Officer in the first instance. If the matter cannot be resolved informally, it may be necessary to invoke the Town Council's disciplinary procedure.

GOVERNANCE & RESOURCES COMMITTEE WORK PROGRAMME 2024-25

Meeting Date	Agenda Item	Description	Responsible Officer
23/10/24	Code of Conduct	To review the Code of Conduct	Town Clerk
	Member & Officer Protocol	To consider the adoption of a Member & Officer Protocol	Town Clerk
	CONFIDENTIAL VAT Liability - Greenacre Centre	To consider the recommendation from DCK Accountants to register to opt to tax at the Greenacre Centre	Town Clerk
	Budget 2025-26	To reivew the proposed Budget for 2025-26	Town Clerk
18/12/24	Banking Arrangements	To consider maximising the Town Council's investments	Town Clerk
	Training Plan - 2024 - 2025	To note the training plan for staff and Councillors for the 2024 - 25 year and future training commitments	Town Clerk
	Q2 Income and Expenditure Report	To receive this Committee's income and expenditure report along with any notes on variances	Town Clerk
	Medium to Long Term Budget	To consider the Council's medium to long term budget	Town Clerk
	Policies Review	Lone Working Policy, Equality & Diversity Policy, Anti-Fraud and Corruption Policy, Credit Card & Bad Debt, Pensions Policy, Credit & Debit Card Information Security Policy, Lone Working Policy, Driver Handbook	Democratic Services Manager
	Policy Adoption	To consider the adoption of a Procurement Policy	Town Clerk
	Bank Reconciliations	To note the bank reconciliations	Town Clerk
22/01/25			
	Policies Review	Protection Policy, [Privacy Notice, Privacy Consent], Subject Access Request, and review the Data Breach Policy,	Democratic Services Manager
	Grant Applications	To consider any grant applications received for Phase 2.	Democratic Services Manager
	Developer Obligations - S106	To consider this item deferred from October 2024	Town Clerk
	Bank Reconciliations	To note the bank reconciliations	Town Clerk
02/04/25	Calendar of Meetings 2025-26	To recommend to Full Council that the Calendar of Meetings 2025-26 is adopted	Town Clerk
	Replacement of Councillors' IT Equipment	To review quotes for IT Equipment replacement	Democratic Services Manager
	Policy Review	Emergency Planning, Information Security Asset Inventory, Vexatious Policy	Democratic Services Manager
	Bank Reconciliations	To note the bank reconciliations	Town Clerk

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