

kammbronn

**A ROOT AND BRANCH ORGANISATIONAL REVIEW
FOR CAMBORNE TOWN COUNCIL
REDACTED VERSION**

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Section 1

Introduction and Background

1.0 Introduction and Background

1.1 In July 2014 we were appointed by Camborne Town Council to conduct a detailed Root and Branch review of the Council in accordance with the following specification:

- (i) To conduct a robust, thorough review of all aspects of Corporate Governance and make realistic recommendations for improvement in accordance with best practice.
- (ii) To review the strategic direction of Camborne Town Council with regard to the localism agenda, local government in Cornwall.
- (iii) To conduct a thorough review of all resources to include human resources, finance and assets with regard to the Council's aspirations, the localism agenda and local government in Cornwall.
- (iv) To review the Council's systems, procedures and processes for all aspects of its business.

1.2 The specification set out the specific scope of requirement of the review, desired outcomes, and specific requirements in respect of management information, personnel management and training where appropriate. The specification also made clear the objective of the Council

“to do more for the community which it serves. The review will need to have regard to this opportunity, the aspirations of the Council and what will be needed to achieve those aspirations.”

1.3 Having regard to the key specification objectives set out in paragraph 1.2 above this report addresses the issues within a number of chapters, that focus upon:

- Corporate Governance, Democratic Services, Policies and Procedures (specification items (i) and (iv)) above;
- Strategic Direction including Service Delivery, both now and looking to the future (specification item (ii)), and
- All aspects of Resources including Staffing, Capacity and Budgets (specification item (iii)).

1.4 At every stage of the review we have been mindful of the Council's ultimate aim to improve Camborne Town Council through implementing better governance arrangements, management and planning so that it is better equipped to serve the community in the present; build capacity to respond to changes in the local government landscape and to provide quality services to the Camborne parish in the future.

1.5 This report recognises that issues of infrastructure are of immediate critical importance as without capacity and capability, and without sound corporate governance and decision-making processes in place, any talk of further development of services would pose significant risk of failure.

- 1.6 None of the chapters that follow are mutually exclusive. There is much synergy between them. Issues are as a matter of course primarily addressed within that part of the review, which is most relevant with cross-referencing as appropriate.
- 1.7 In undertaking the review it was necessary to consult extensively with Town Council staff and councillors, staff and councillors of Cornwall Council, the local Member of Parliament, various representatives from the local business community, Cornwall Police, Cornwall Association of Local Councils and from other Town Councils in the county. Grateful thanks are expressed to all who co-operated and gave of their time freely. These consultations were all undertaken face-to-face unless indicated otherwise and included:

Town Councillors

Councillor Godolphin (Town Mayor)
Councillor Taylor (Chairman of Planning Committee)
Councillor Mrs Robinson
Councillor John Tredinnick-Rowe (now resigned)
Councillor Odgers
Councillor Mrs Merrick (Chairman of the Amenities Committee)
Councillor Sanders
Councillor Webber (Chairman of the Budget and Development Committee)

Town Council Staff

Amanda Mugford, Town Clerk,
Beverley Pascoe, Deputy Town Clerk,
Melanie Negus, Administrative Assistant
Dave Summers, Handyman
Stephen Dodd, Assistant Handyman

Cornwall Council

Councillor Jeremy Rowe, Cabinet Member for Devolution
Mark James, Localism Manager (West), Cornwall Council
Charlotte Chadwick, Community Network Manager, Cornwall Council
Scott Sharples, Devolution Specialist, Chief Executive's Department
Mark Broomhead, Planning Manager (by phone)

Camborne Community

Mel Martin, Chief Executive Officer, BID
Glynis Charlesworth, Chairman, Camborne Chamber of Commerce
Inspector Mark Eccles, Cornwall Police

Other

George Eustice, Member of Parliament (by phone)
Sarah Mason, Chief Executive, Cornwall Association of Local Councils (by phone)
Paul O'Callaghan, Town Clerk, Bodmin Town Council
Rita Skinner, Town Clerk, Launceston Town Council
Brian White, former Internal Auditor (by phone)
Cornwall Association of Larger Local Councils (meeting at Bodmin on 22 October 2014)

- 1.8 In addition to the above a number of Camborne Town Council meetings were specifically attended from the public gallery in order to witness the Council's democratic governance structures at first hand. These were:
- Planning Committee at Dolcoath Avenue on 18 August 2014
 - Amenities Committee at the Basset Centre on 18 September 2014
 - Council at Dolcoath Avenue on 16 October 2014
 - Budget and Development Committee at the Basset Centre on 23 October 2014.
- 1.9 Grateful thanks are expressed to all who co-operated and gave of their time freely. This was much appreciated and has added considerably to the background knowledge so essential to producing an informed and balanced review report. Should there be any errors or omissions within the body of the report these are totally the responsibility of the author and no-one else.

Section 2

Executive Summary

2.0 Executive Summary

- 2.1 The genesis of this report primarily emanates from the Investigation undertaken early 2014 into various governance failures associated with purchase and structural improvement works to the new Handyman store and workshop at Carn Brea. There were certain exceptional circumstances that impacted upon those failures including a new Council, the lack of an effective scheme of delegation, complicated reporting arrangements and the recruitment on a temporary basis of a Locum Clerk, which raised questions about certain HR processes and interests.
- 2.2 This report does not seek to revisit any aspect of that Investigation as it is not necessary. The report came up with a number of firm recommendations to improve the way the Council conducts its business and councillors and officers alike have been focussed to address in a positive and constructive way the various proposals identified at that time, all culminating in this root and branch review.
- 2.3 In terms of governance the Council does acquit itself well generally in all aspects other than the ultimate decision making process. The Standing Orders and Financial Regulations are up to date, there are policies and procedures for most things necessary, though some gaps have been identified and are referred to in the appropriate section. Council and Committees from personal observation are generally well chaired and business is conducted smoothly, though again with certain caveats with regard to administrative process. There is no approved scheme of delegation, which is an essential. All of these issues are addressed in detail in section 3.
- 2.4 The absence hitherto of any form of Corporate Plan or Vision Statement has been of clear detriment to the Council in terms of establishing what sort of Council it wants to be and where its focus in terms of service delivery and community relevance should lie. As a result the Council's profile has been low, relationships with community groups and organisations within the Town and further afield at best patchy, and councillors themselves do not appear to hold themselves or the Council in especially high regard. And yet at every stage of the review, and without exception, councillors and officers spoken with, including at the Vision Day, have expressed enthusiasm and real desire to address those concerns and put the Council at the heart of the Town with real engagement. Nowhere has that been more evident than in terms of the ongoing service delivery debate and the inevitable opportunities and challenges that will arise with service devolution/transfer from Cornwall Council and a wish to be constructive partners with that authority, certainly in a way not previously manifest. At present the Council is one of the least active amongst the larger Councils community of Cornwall and all councillors understand that that situation will need to change markedly in the coming years, and if it does not then the local community will be seriously disadvantaged. An incremental approach based upon informed evidence and an understanding of the community's own priorities would appear to be the way forward here but as indicated later timescales will inevitably be challenging. All of these issues are addressed in detail in section 4.
- 2.5 In terms of resources the Council relies almost exclusively on precept for its income; the reason for this being it has no income generating services, other than some agency work for Cornwall. The precept equating to £61 for a Band D taxpayer (note all figures in this report are rounded to the nearest £) is

considerably lower than other large town and parish councils in the County. Notwithstanding the fact Camborne has a low-wage economy, as borne out by census and other statistics, there does need to be consideration given to a realistic precept level and how additional income streams can be generated in order to sustain enhanced activity. This will include the need to secure external grant aid for projects and initiatives. This is an area the Council has not been successful in achieving hitherto and yet the relative deprivation of the area should, as an essential criteria in most assessments, assist in any such bidding. Similarly the review has examined all aspects of expenditure, including staffing costs, has looked at capacity which is a major block to forward progress and proposed evidence-based recommendations. All of these issues are addressed in section 5.

- 2.6 At every stage of this review the Council will need to be mindful of the need to secure Best Value, and the importance of the 4 C's; namely to be able to **compete, challenge** what it does, **compare** its performance effectively against others, and regard **consultation** as an essential part of a positive community engagement process. This review report consistently returns to those themes.
- 2.7 At the end of the report in section 6 there is a list of recommendations for each element of the report. These have been loosely allocated as short-term (to 31 March 2015), medium-term (to 31 March 2017) and longer-term (beyond April 2017) for guidance purposes only. Beneath the recommendations in that section there is an assessment of the cost implications for the various proposals.

Section 3

The Council's Corporate Guidance: A Robust, thorough review of all aspects of Corporate Governance and to make realistic recommendations for improvement in accordance with best practice

- 3.0 The Council's Corporate Guidance: A Robust, thorough review of all aspects of Corporate Governance and to make realistic recommendations for improvement in accordance with best practice.
- 3.1 This chapter of the review has examined in detail all aspects of the Council's governance, including its Committee structure (including Sub Committees, Working Parties etc.), terms of reference/scheme of delegation, standing orders and financial regulations, frequency of meetings, roles and responsibilities of councillors to include Chairmen and Vice Chairmen of all Committees, identification of areas of potential risk or weakness, civic responsibilities, and best practice guidance. The review has also looked at the Council's policies and procedures, other than those which are related to Human Resources, which are evaluated in section 5. Essentially this section of the report looks at items (i) and (iv) of the Review specification.
- 3.2 In undertaking the review we have also looked at best practice elsewhere, the costs and benefits of current arrangements, and opportunities to re-structure Committee governance arrangements to ensure they are more closely aligned to services and budgets.
- 3.3 Camborne Town Council came into effect on 1 April 1985 and had its first meeting on 19 April 1985. For the previous 11 years following the 1974 reorganisation (Local Government Act 1972) Camborne was unparished. The population of the Town (2011 census figure) is 20,845, and the latest 2014 electorate figure is 16,166.
- 3.4 In England there are some 10,200 parishes with a Town or Parish Council (generically known as Local Councils). English parish populations vary from single fingers to some 80,000 (Weston-Super-Mare), geographical areas from a few acres to 100 square miles, and with budgets from zero to some £5 million. In terms of budget and population Camborne sits well within the top decile of all local councils and higher still in terms of the size of its geographic area, which is one of the largest in the south-west.
- 3.5 The Town Council is a Quality Council in that it has met all the requirements of the scheme and has a Qualified Clerk. Fewer than 6% of councils nationally are so accredited. This scheme gives confidence to the community that the Council is well run and as such has real benefits in terms of local profile. The Quality Council initiative is being replaced by the National Awards scheme in January 2015, full details are still awaited.

Recommendation 1: That Camborne Town Council should keep abreast of progress in formulation of the National Awards scheme, with a view to achieving accreditation at the earliest opportunity, subject to meeting appropriate criteria.

Elected Councillors

- 3.6 The Council has 18 elected members, and the four-year term of the current administration ends May 2017. Although councillors may be elected under the auspices of a political party in reality they serve to represent the whole parish

without favour, mindful of *The Seven Principles of Public Life*, also known as the "Nolan principles." These apply to all public servants holding office, and are:

- **Selflessness** – Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.
- **Integrity** – Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in 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.
- **Accountability** – Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- **Openness** – Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and 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.

3.7 Upon taking office all Members sign a Declaration of Acceptance of Office in a proscribed form. This also applies to the Council Chairman (Mayor) although there is no legal requirement for this to apply to the Vice-chairman (Deputy Mayor). This is all in accordance with the Local Government Act 1972 s. 83(4). The Council's administration of this is in full accordance with procedures.

3.8 The Localism Act 2011 s. 27 requires every council to adopt a Code of Conduct. Camborne Town Council has done this and the Code is transparently available for public reference on the Council's website at <http://www.camborne-tc.gov.uk/sites/default/files/documents/CODE%20OF%20CONDUCT%20OCTOBER%202012.pdf> When councillors sign their declaration they do of course agree to abide by the Code so again this aspect of the Council's governance is strictly in order.

3.9 Councillor's conduct in relation to interests and the registration of them are regulated by the Localism Act 2011 ss. 26-34. The provisions of that legislation require the monitoring officer of the relevant principal authority (Cornwall Council) to establish and maintain a register of interests of elected and co-opted members. This register must be available for public inspection at a place within the principal

authority's area (it is – County Hall) and published on their website; see <http://www.cornwall.gov.uk/media/8358242/camborne-tc.pdf> The Localism Act 2011 goes on to say that if the local council has its own website the details should be published on that also, and this too is fully achieved, see <http://www.camborne-tc.gov.uk/councilor/interests/2014>

Town Councillor's Roles and Responsibilities

- 3.10 All Members have an understanding of what their role is, although for many this will only have been fully understood once they were elected and were subjected to the full pressures arising from such a position. It seems sensible therefore to set out in writing a basic list of the key roles/duties of elected Members. The following list is set out for suggestion only at this stage as there is no formal job description.
1. Collectively be the ultimate policy-makers and carry out strategic and corporate management functions;
 2. Contribute to the good governance of the area and encourage community participation and citizen involvement in decision making;
 3. Effectively represent the interests of their electoral divisions and of individual constituents and bring their views into the Council's decision-making process;
 4. Respond to constituents' enquiries and representations, fairly and impartially;
 5. Participate in the governance and management of the Council, and
 6. Be available to represent the Council on other bodies.
- 3.11 In addition to identifying the role of Members it is also appropriate to record their obligations and those of the Council to them. Principally these are threefold:
1. Councillors will have rights of access to such documents and information as are necessary for the proper discharge of their functions and in accordance with the law, and will be supported at all times by the Council's paid staff in training, and advice generally.
 2. Councillors will not make public information, which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a councillor or officer entitled to know it.
 3. Councillors will at all times observe the Members Code of Conduct and behave in an ethical manner.
- 3.12 At the Council's Vision Day on 18 October 2014 a number of members present expressed a wish to engage more with the public on a one-to-one basis through Member surgeries. There is nothing to stop this and indeed such arrangements are generally common within the sector. Best practice will confirm that there is less engagement when such arrangements are formal with meeting slots in a designated venue agreed in advance. Conversely surgeries in public spaces, such

as The Square, totally random in nature with no pre-booking have generally been found to be successful in other parts of the country. Such arrangements are normally arranged by individual councillors themselves, unless they are formal Council consultations, and are not appropriately arranged by council officers. Whilst technically the opportunity to engage or not is one for individual members to determine, a word of encouragement would not be out of place for the simple reason that it would be beneficial for the Council overall to have members' profiles raised within the community generally.

Recommendation 2: That Camborne Town councillors should enhance their engagement with the public both through formal engagement strategies and individually organised surgeries in order to enhance the profile of councillors and the Council in the community.

Legal and Other Advice

- 3.13 For detailed and practical information, parish councils are recommended to refer to a publication entitled "Governance and Accountability in Local Councils in England" which is produced and updated by the Joint Practitioners Advisory Group which includes representatives from the Audit Commission, the National Association of Local Councils (NALC), the Society of Local Council Clerks (SLCC), the Department of Communities and Local Government (CLG) and other key stakeholders. The publication can be downloaded from the SLCC, see <http://www.slcc.co.uk/bookstore/details/governance-and-accountability-england-practitioners-guide-2014/43/>
- 3.14 The Clerk is a member of the Society of Local Council Clerks with access to its website and comprehensive information database (password controlled) and has use of the Society's advisory services. The Clerk has recently attended the SLCC National Conference one of a number of training initiatives the Society provides. The Council is a member of Cornwall Association of Local Councils with access to high quality advice from the Chief Executive Officer, Sarah Mason and her team, based at Truro, and again there is access to a comprehensive website with legal and financial advice, again password controlled. Furthermore the Association runs high-quality training events for elected members and clerks and can provide bespoke/dedicated training to meet individual council's needs on request. This is often the most effective way to pursue a programme of continuing professional development and will almost inevitably be the most cost-effective. As members of CALC the Council is automatically also a member of the National Association of Local Councils with access also to its website and on-demand advisory, including legal, services though response times from NALC, particularly for legal queries can be slow.
- 3.15 The Practitioner's *Guide to Governance and Accountability* (2014) produced jointly by NALC and the SLCC states: "Good governance, accountability and transparency are essential to local councils and a cornerstone of the government's approach to improving public services. Those who are responsible for the conduct of public business and for spending public money are accountable for ensuring that public business is conducted in accordance with the law and applicable proper practices. They must also ensure that public money is safeguarded, properly accounted for and used economically,

efficiently and effectively. In discharging this accountability, public bodies and those responsible for their management are required to make proper arrangements for the governance of their affairs and the stewardship of the resources in their care. They are required to report on these arrangements in their published Annual Governance Statement.” Nothing identified in the review has suggested that Camborne Town Council is failing to achieve those essential standards.

- 3.16 At the Council’s Budget and Development Committee on 23 October consideration was given, but temporarily left in abeyance, pending the outcome of this review, to a proposal from Tozers Solicitors to provide a fixed fee advice service. Whilst the basic service was reported as costing in the region of £2,000 per annum any work outside the retainer would cost between £100 per hour for a paralegal to £184 per hour, all plus VAT though that is recoverable from HMRC. Such rates represent a 20% discount on normal hourly charges.
- 3.17 It is not the purpose of this review to advise on one service offer over another. It is however noted that advice on leases and licences and some employment law advice can be provided under the core service. But before embarking on such a contractual commitment, which can be terminated at any time, it is recommended that consultation be held with CALC and other larger councils in Cornwall to establish what other options may be available? With regard to advice on Human Resources issues generally these are dealt with in paragraph 5.52 and 5.53.

Recommendation 3: That the Council should review its need for a legal advice service following discussions with Cornwall Association of Local Councils and with other local councils in Cornwall in order to properly assess need for such services and whether joint purchasing might produce more cost-effective benefits.

Standing Orders

- 3.18 The Town Council does have Standing Orders and they are up to date. The Orders are published on the Town Council’s web site at http://www.camborne-tc.gov.uk/sites/default/files/documents/Standing%20Orders%202014-2015%20adopted%2016.10.2014_0.pdf and take fully into account the changes to the Model document approved by NALC in 2013. Furthermore at the Council meeting on 16 October 2014 the Council resolved to adopt a Standing Order for filming and recording meetings following recent legislative change in this regard. That addition has already been added to the public document referred to above.
- 3.19 The document has been checked for accuracy and conformance with other governance documents. Some changes will need to be made to reflect other recommendations contained within this review. Most specifically this relates to delegations and terms of reference contained in the current Standing Orders as paragraphs 78-82 inclusive. The production of a comprehensive scheme of Delegation, which the Council does not currently have, and which is referred to later in paragraphs 3.29 – 3.36 means those Standing Orders can be replaced with a simple statement (new Standing Order 78) “The Council has approved a Scheme of Delegation for its Proper Officer/Responsible Officer, Council, Committees and Sub-Committees together with comprehensive Terms of

Reference. This forms an integral part of the Council's Standing Orders and governance arrangements, and is attached to the Standing Orders as Appendix A." As a consequence of this all following Standing Orders numbering will need alteration.

- 3.20 All references to Advisory Committees in Standing Order 83 should change to Working Parties. As previously advised Council should be careful not to allow these to proliferate unnecessarily as there are staffing implications and they can become burdensome. However the ones currently constituted all have clear objectives and as such are a positive aid to good governance.
- 3.21 Standing Order 105 (v) does not make sense as written, as there is no (b), which is referred to. Furthermore Standing Orders should not include sums which are properly to be contained within Financial Regulations. Hence this Standing Order merely needs to state "procurement policies including values for which quotations and tenders will be required and specifying minimum numbers of quotations and tenders to be sought for each value." The bracketed reference to the European Union Public Sector Procurement Rules after Standing Order 106 can be removed as again this is properly dealt with in the Financial Regulations."
- 3.22 Committee names have been recommended elsewhere in this review for amendment and if those proposals are agreed then appropriate changes will need to be made to Standing Orders and Financial Regulations, as appropriate also.

Recommended 4: The Council should delete current Standing Orders 78 – 82 inclusive and replace with a new Standing Order 78 stating "procurement policies including values for which quotations and tenders will be required and specifying minimum numbers of quotations and tenders to be sought for each value."

Recommendation 5: Change all Standing Order numbers after newly revised Standing Order 78 to reflect the loss of current Standing Order numbers 79 – 82 inclusive.

Recommendation 6: Amend Standing Order 105 (v) to state "procurement policies including values for which quotations and tenders will be required and specifying minimum numbers of quotations and tenders to be sought for each value" and delete bracketed reference to European Union Public Sector Procurement after Standing Order 106.

Financial Regulations

- 3.23 Similarly the Council has Financial Regulations (adopted by Council on 12 June 2014), a comprehensive document, which is published on the Council's website. All organisations need procedures which control how they operate. This is particularly true for financial operations and particularly important for public authorities which are responsible for managing public money. Local councils are subject to a range of statutory requirements and these include how they deal with money matters. The principal controls are included in "Accounts and Audit Regulations" which are issued by the Government from time to time. Although necessarily formal in style, they are reasonably clear and understandable and

usually include useful explanatory notes. All Clerks and Finance Officers are required to make sure that they are familiar with the current version of these regulations. At the time of preparing these notes, this is S.I. No. 817, issued in March 2011. These were prepared in accordance with the Audit Commission Act 1998, however the Local Audit and Accountability Act 2014 makes significant changes to how local authorities are audited and, consequently, new regulations will be issued under that Act in the near future.

- 3.24 The regulations make it clear that the Council, as a whole, is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. Subject to any instructions from the Council, it is the task of the responsible finance officer to determine detailed accounting procedures. The principal way in which a council will discharge its financial responsibilities and give instructions to its finance officer is by means of its Financial Regulations.
- 3.25 The Accounts and Audit Regulations also stipulate in Part 4 that local councils must comply with *proper practices* in relation to their accounting procedure. These proper practices are set out in “Governance and Accountability for Local Councils – A Practitioners’ Guide (England)” issued by the Joint Practitioners’ Advisory Board (JPAG) and published jointly by SLCC and NALC. The advice contained in this guide thus has statutory force and must, therefore, be understood by clerks and finance officers and implemented by local councils.
- 3.26 For financial regulations to be effective, they should be clear, practical, easily understandable and relevant. There is a danger that, whilst being thorough and comprehensive, they can be too technical and complex and thus become remote from the day to day financial activities that they are in place to control. It should also be remembered that they represent the *Council’s* instructions on how it wants to control its activities; detailed advice on accounting arrangements, which are the responsibility of the Responsible Finance Officer, are often better dealt with by written procedures and system notes.
- 3.27 In undertaking the review the opportunity was taken to discuss the Council’s financial control systems with the former Internal Auditor. His view was that this area has been addressed well by the Council in recent years and that the documentation is robust and this review has not found any reason to disagree with that assessment.
- 3.28 The current Financial regulations pre-date the latest Model document published by NALC in October 2014. As indicated that document is for guidance only and not mandatory. The intent is to have a sound document that governs the Council’s financial systems and operations but not one that is over-burdensome and which constrains unnecessarily. The Council’s current Financial Regulations are still sound with only a few adjustments needing to be made, mostly raising some sums to more realistic levels, and updating in certain areas such as banking to ensure enhanced scrutiny. It also incorporates as new Standing Order 17.4 the recommendation contained within Risk Assessment Working Party minute RAWP74.2 that an up to date copy of the publication ‘Governance and Accountability a Practitioners Guide’ shall be made available for reference on request to any Member by the Town Clerk at the Town Council office. This is on the

assumption that the recommendation is subsequently resolved at Council policy. The amended document is attached as Appendix A. A separate tracked copy of this document showing the alterations will be sent to all Members under separate cover. Should other recommendations made in this document be agreed then further changes will need to be made in due course including for example in relation to job titles and committee names, but no such presumption has been assumed at this stage.

Recommendation 7: To approve the amended Financial Regulations as attached to this report as Appendix A.

Terms of Reference and Scheme of Delegation

- 3.29 Unless a local council delegates functions to a committee, sub-committee, Officer or another local authority, decisions for the discharge of functions can only be made at meetings of the council. Decisions cannot be delegated to individual Councillors. Decisions can be set aside by a court if made by a body or person not having the power to make them.
- 3.30 Any delegation to a committee, sub-committee or Officer should identify the nature and extent of responsibility or decision making. Delegations should be evidenced. A local council can arrange for the discharge of part or all of their functions (except in respect of levying the precept) by committees (and subcommittees) and/or Officers. Such arrangements can provide for certain decisions to be referred to or made by full council.
- 3.31 The 1972 Local Government Act gives the local council's Proper Officer (who is as in Camborne usually the Clerk) certain responsibilities. As the council's Proper Officer, the Clerk is regarded as the town council's most senior member of staff. The council needs to decide who will be responsible for day to day routine tasks involving decisions that should, for reasons of efficiency, be delegated to the Clerk (and other employees, where appropriate). Obvious examples include receiving and sending council correspondence, handling face to face, telephoned and emailed queries relating to the council's powers and activities, updating the council's website, taking minutes of meetings, keeping the council's minute book up to date and available for inspection, the initial handling of requests for information under Freedom of Information Act 2000 and the initial handling of complaints (except when the complaint relates to the Clerk). Delegations to Officers must also reflect statutory duties conferred on particular officers. For example, the 1972 Act requires a parish council's Proper Officer to sign the summons to members to attend meetings and to convene a meeting of the council if a casual vacancy of the Chair's office occurs. The 1972 Act also requires a parish council to employ a person who is responsible for the proper administration of the council's financial affairs. This is a consuming and responsible role. It is common, though not best practice, for a local council's Proper Officer, as is the case in Camborne, to also have this responsibility.
- 3.32 Other delegations to the Clerk may be appropriate. This will depend on the size and activities of the council, the Clerk's level of experience and qualifications and the number of other staff employed by the council. Most clerks should be authorised to purchase, for example, basic office equipment or supplies or to

arrange emergency repairs to the council office/premises and equipment up to a fixed sum which is subject to arrangements which control the council's finances.

- 3.33 The Council does not at present have an approved scheme of delegation though there are broad terms of reference for committees. Such a scheme would significantly aid the Council in conducting its business and ensure that the audit trail for decision-making is robust and that decisions are made at the most appropriate level.
- 3.34 From personal observation during the review the Council's current decision-making is cumbersome and does not enable the Council to progress in moving its business agenda forward with the efficiency and effectiveness that other local councils take for granted. This was especially validated at Budget and Development Committee on 23 October 2014 in relation to the purchase of a new kettle!
- 3.35 So the current arrangements mean the Town Clerk feels, and is, constrained by the lack of any meaningful delegation, and just as importantly the only Committee with any significant delegated responsibility for the budget is Budget and Development, meaning Amenities Committee cannot authorise anything other than the most routine purchases; recent repairs to the notice board in Commercial Square is an example here (see Amenities Committee minute A.3443.3 of 18 September 2014).
- 3.36 Attached to this report as Appendix B is a draft Scheme of Delegation, which is designed to enhance, and give clarity to, the decision making process. Clearly if recommendations elsewhere for changes to names of two of the committees are approved then this will need to be reflected in the document as this incorporates existing names. Council is invited to consider this and adopt.

Recommendation 8: That Council should approve the draft Scheme of Delegation attached to this report as Appendix B and this be agreed as an integral element within the Council's Standing Orders.

Committee Structure

- 3.37 The Council's current structure of Council and three Standing Committees, each with distinctive Terms of Reference, is felt to work well. However as indicated in the proposed Scheme of Delegation, there is potential to clarify the areas for which each Committee has responsibility. Basically the Amenities Committee should be the doing committee, responsible for the Council's sharp-end service delivery; the Budget and Development Committee has accountability to Council for good governance, finance and corporate management, and the Planning Committee is self-explanatory. Furthermore all committees require their own budgets for which they are directly responsible. This issue is addressed in paragraphs 5.59 to 5.62 inclusive.
- 3.38 Committees appoint their own Chairmen and Vice Chairmen annually and they are accountable for the work of their Committee, to lead on policy and service direction, and to support the committee's work generally both within and outside of the Council Chamber, without impinging upon the proper executive responsibilities of the Town Clerk. There is no formal job description as such.

- 3.39 The Council made changes early in 2014 to reduce the number of meetings overall by eliminating a number of Working Parties and Sub-Committees, some of which existed in name only. Notwithstanding the Council still has more meetings than many comparable types of council with Council meeting 11 times a year, Budget and Development and Amenities, also 11 and Planning every fortnight. The Working Parties – Risk Assessment, Staffing, Corporate Governance and Awards meet as and when. The first three Working Parties report direct to Budget and Development Committee and the last direct to Council. There is also a Parish Plan Steering Group which is currently moribund. If it is to continue this should become a Working Party also with newly agreed terms of reference.
- 3.40 The principle of monthly Council meetings is not recommended for change at the present time. The main reason for this is that the Council is likely to be embarking on a busy period for reasons not un-linked to this report. Although it is felt that bi-monthly meetings would not prejudice the Council's ability to manage its business longer-term, and here it is observed that many larger and more active councils work on that basis and some even quarterly, any decision on this should be delayed until the Council is more confident in its structures and ways of working, and other changes recommended within this review, if adopted, have had time to work their way through satisfactorily.
- 3.41 With regard to Committees the benefits of monthly meetings are less obvious. Although the case has been made that (the current) Budget and Development Committee needs to meet monthly to approve cheques for signing that is not a legal requirement and most councils sign off retrospectively. The obligation for being satisfied expenditure has been properly incurred rests with the authorised cheque signatories who can undertake the due diligence at the time of cheque signing, satisfying themselves that expenditure has been properly incurred, that budget provision exists and including witnessing signed delivery sheets. This interpretation has been confirmed as valid by the Council's former Internal Auditor. The Committee then merely needs to receive and accept the accounts for the period in question. Were the Budget and Development, and Amenities Committees to meet bi-monthly in alternate months this would enable a greatly improved focus on the content of agendas and supporting papers/reports as well as freeing more officer time to do things other than merely supporting the Council's democratic structures. Should this proposal be felt to be too radical then the proposal could be implemented for Amenities only in the first instance for a trial year and then be considered for Budget and Development the following year based upon learned experience.
- 3.42 Turning to Planning Committee this meets fortnightly, which is increasingly unusual. The manpower implications of this; the number of meetings required and in pre-preparation also is significant. Most local councils now meet every three weeks. This generally works well and ties in with the planning authority's own timetable for consideration of applications. In Cornwall there are a number of councils, Redruth and Bodmin for example, where Planning meets monthly but with the option to convene an additional meeting in between where necessary to meet the Cornwall Council timetable. Falmouth and St Austell meet three-weekly as do many others. The Planning Manager covering Camborne, Mr Broomhead commented that Cornwall Council is up against tight timescales in determining applications. Although they are required to meet an eight-week turnaround for all

bar major applications, they do not always get registered at Cornwall immediately upon receipt due to work pressures meaning a lesser period for determination. This though is a problem for Cornwall and not one of Camborne's making. A three-week cycle should not prejudice the local Planning Committee's ability to respond in a timely nature and arrangements already exist to notify Cornwall where there is a concern about meeting consultation dates; this can be invoked in future also where necessary. Given that plans lists come through weekly the maximum period the Town Council would sit on any application before making a representation would be four weeks and one day, assuming notification of Town Council comments the day following the meeting, and this falls well within any timescale obligations Cornwall Council has to achieve.

- 3.43 In considering issues relating to the Council's democratic structures it is recommended that two committees change their names, ideally from 2015/2016 civic year. Budget and Development Committee does not properly reflect the scope of its work and Finance and General Purposes Committee would better do so. Planning Committee could usefully change its name also to Planning and Development Committee recognising the breadth of its portfolio.

Recommendation 9: That with effect from 2015/2016 civic year the Planning Committee should be re-named Planning and Development Committee and the Budget and Development Committee should be re-named Finance and General Purposes Committee and, if agreed, all governance documents including Standing Orders and Financial Regulations should be amended to reflect such changes.

Recommendation 10: That Council should reduce the frequency of Planning Committee meetings to three-weekly from the commencement of 2015/2016 civic year.

Recommendation 11: That Council should consider reducing the frequency of the two other Standing Committees to bi-monthly with effect from the commencement of 2015/2016 civic year.

Policies

- 3.44 There is no single definitive list of policies that local councils must have though the Practitioner's Guide, the National and County Associations, and the SLCC certainly give advice and guidance on those individual essential documents. In many cases model documents have been drafted to simplify things for Councils should they wish to adopt for their own purposes.
- 3.45 In respect of this review consideration has been given to the Council's approved policies, whether they are satisfactory and whether there is anything that is missing. Fundamentally as an introductory comment and not in prejudice of anything else that is written in this section the Council has a range of well-written policies and procedures covering most aspects of its business and designed to secure good governance. Notwithstanding some policies are missing and where this is the case attention is drawn and a draft for the most essential is attached for Council consideration.

- 3.46 All the Council's approved policies are documented on the Council's web site and can be downloaded. These are broadly broken down into two groups, those dealing with general governance and administration, and those that are personnel-related. They are as follows:

General Governance and Administration

- Standing Orders
- Management of Contractors Safety Policy
- Data Protection
- Mayoral Protocol and Allowance
- Financial Regulations 2014-2015
- Management of Contractors, Suppliers and Partnerships Safety Policy
- Cornwall Code of Conduct for Parish and Town Councils (adopted October 2012)
- Health and Safety Policy
- Cornish Language Policy
- Officer Member Protocol
- Publication Scheme
- Grants Award Policy
- Equal Opportunities Policy
- Complaints Procedure Policy

Personnel

- Flexible Working
- Training and Development
- Annual Leave

- 3.47 Of the above the Standing Orders and Financial Regulations have already been addressed. Personnel policies are dealt with in detail in chapter 6 of this review. The other policies all appear up-to-date. Sensibly most are dated to evidence that. One that is not is the Complaints Procedure and here reference to the Standards Board is no longer appropriate though this is minor detail and does not require formal recommendation. The new Transparency Code is recommended practice for all parish councils with a gross annual income or expenditure (whichever is the greater) of £6.5 million or less. Regulation 2(1) of the Local Government (Transparency Requirements) (England) Regulations 2014 gives effect to this. Little information is currently available as it only came into force on 31 October 2014 and is believed to be recommended practice and not mandatory. Once information about this is known the Council will need to determine its policy position.

- 3.48 A clear policy omission relates to **Communications**. In individual discussions with councillors, and again at the Vision day the importance of Communications was emphasised as was the need for a protocol on this issue. A draft document has been prepared for Camborne and this is attached as Appendix C and is commended for adoption.

Recommendation 12: That the Council should adopt a Communications Strategy in line with the example set out in Appendix C of this review report

and a Transparency Policy when further information regarding the new regulations is known.

Performance Management

3.49 Performance Management should be embraced as a fundamental part of the strategic planning for the council. To manage performance one needs information; not for the sake of it but to drive improvement. Key performance indicators need to be developed and kept under continuous review. Benchmarking with other similar organisations can assist in this. There is best value precedent in the sector going back some years. In Cornwall both Bodmin and Truro Town Councils were required from 2000 to 2008 to have developed performance management systems in their status as Best Value Councils.

3.50 Below are some illustrative examples of key performance indicators that are commonly found within the sector. The illustrations relate to non-service specific, democratic services, corporate management and central administration. Others can easily be identified for other services to meet the developing needs of the Council. Some indicators will be quantitative, but more usually they will be qualitative. Over time information can be built up to enable year-on-year comparisons and trends to be established. Similarly the Council could, if it wishes, liaise with neighbouring councils to establish a benchmarking group in those areas where there is commonality of purpose – for central administration, democratic services and corporate management for example. The following are illustrative.

Non- service specific

- trading income (all income excluding precept and bank interest) per £ of salaries and wages
- trading income (all income excluding precept and bank interest) as a % of gross revenue expenditure

Democratic Representation

- Number of Council, Committee and Working Party Meetings
- % Member attendances at full Council meetings
- Member Attendances at Committees & Working Parties - %
- Average number of public attending Council Meetings

Corporate Management

- Average number of staff working days lost to sickness absence
- Unqualified Financial Audit – Yes/No
- Staff Turnover

Central Administration

- % of Invoices for commercial goods and services paid within 30 days of invoices being received
- Number of Hits on Town Council Website
- %age of Committee and Council agendas despatched to Members over 3 days prior to meetings.
- Civic Newsletter - cost per copy
- Value of bad debts at over two months, three months etc.

Amenities Services

- Income as a % of Operational Costs
- Income per £ of salaries and wages
- Net Cost of Service per head of population

3.51 It is stressed that structured performance management is not a panacea but it does give focus to performance and ensure that this is actively managed in partnership with elected members and does reflect, in part, Council policy priorities. Whilst it is not suggested this should be an immediate priority it is most certainly a desirable medium-term objective and certainly achievable once the staffing enhancement suggested in section 5 is agreed and implemented.

Recommendation 13: That the Council should introduce a structured Performance Management System, working with similar-sized Councils within the sector to utilise existing best practice wherever possible, and that there should be regular reporting.

Section 4

A review of the strategic direction of Camborne Town Council with regard to the localism agenda and local government in Cornwall

4.0 A review of the strategic direction of Camborne Town Council with regard to the localism agenda and local government in Cornwall.

4.1 This review has examined recent projects and initiatives, incorporated interviews with Councillors and staff and representatives of Cornwall Council and other locally nominated agencies, produced a corporate plan with defined priorities, examined the Council's communications and community engagement, and looked at ways to enhance partnership working.

4.2 Importantly a Corporate Plan Vision Day was held in Camborne on Saturday 18 October. Detailed notes of the day were taken and a draft Corporate Plan has been prepared as a basis for further work by the Council. These notes are attached as Appendix D and the draft Plan has been produced as a supplementary document to this main review report. Members are encouraged to read those documents at this juncture before reading the remainder of this section as they give valuable context to the informed insight of those elected members who were in attendance at the Vision Day.

Recommendation 14: That the Town Council should officially receive the notes of the Corporate Plan Vision Day held in Camborne on 18 October 2014 and agree that they form the basis of the Council's Corporate Plan, a draft initial proposal for this being received under separate cover.

4.3 The review has also looked in detail at what the Council does and what it could do. Ultimately any amount of good governance and procedures is irrelevant if there is no meaningful end product. Any Council is ultimately judged on its actions and not its words.

4.4 There has long been a myth that parish and town councils do not have many powers and this is often put up as an excuse not to do something. The reality is that local councils have many powers but few duties. Indeed Allotments is the only statutory service for the sector in terms of direct delivery. But this, it can be argued, is a real strength for the sector as it means that each town and parish council can grow its business and services portfolio in a way that reflects the culture of the area it serves, recognises where there are services deficiencies to be addressed, and which recognises evidence-based public demand.

What Can Local Councils Do?

4.5 Like all powers given to public bodies the powers of local councils are defined in detail in legislation and may include a requirement to obtain the consent of another body (for example the approval of the County Council to the provision of a car park). Local Councils must exercise their powers also subject to the provisions of the general law (for example planning permission is necessary for a sports pavilion). A list of powers, less the statute reference which can be viewed on http://www.slcc.co.uk/UserFiles/advice/148_NL%20Local%20council%20services%20and%20powers%20-%20the%20legal%20provisions%20250712.pdf includes:

- Allotments provision and maintenance of allotments for cultivation.
- Arts: developing and improving knowledge of the arts and the crafts which serve the arts.

- Baths: provision of baths and washhouses.
- Borrowing: Parish, Town and Community Councils can borrow money for up to a maximum of 25 years with loan sanction consent. The Council must have loan sanction consent before Borrowing.
- Cemeteries: provision and maintenance of burial grounds, cemeteries, crematoria, mortuaries and post-mortem rooms.
- Churchyards: a duty to maintain any closed churchyard where the duty has been transferred by the Church of England.
- Clocks: provision and maintenance of public clocks.
- Commons: power to protect any registered common which has no registered owner.
- Crime prevention: installation of equipment and establishment of schemes for the detection or prevention of crime; making grants to the police authority for these purposes.
- Entertainments: provision of any form of public entertainment and any premises for giving entertainments.
- Halls: provision of buildings for public meetings and functions, for indoor sports or recreation, or for the use of clubs or societies having recreational, social or athletic objects.
- Legal Proceedings: power to prosecute and defend any legal proceedings in the interests of the inhabitants. Power to take part in any public local inquiry.
- Lighting: provision and maintenance of any footway lighting which lights roads or pavements provided the columns are not above specified heights.
- Litter: provision of litter bins and bins for dog waste in streets and support for anti-litter campaigns.
- Open Spaces: provision and maintenance of public open spaces, public walks and pleasure grounds.
- Parks: provision and maintenance of public parks and appropriate facilities.
- Planning: local councils have a right to be notified of any planning application affecting their area and to make comments which the planning authority must take into account.
- Playing Fields: provision and maintenance of land for any kind of outdoor recreation, including boating pools.

- Ponds: power to deal with ponds, pools, or other places containing filth or matter prejudicial to health.
- Public Lavatories: provision and maintenance of public lavatories.
- Rights of Way: maintenance of public footpaths and bridleways.
- Roadside Verges: power to plant and maintain roadside verges.
- Seats: provision and maintenance of public seats on the highway.
- Shelters: provision and maintenance of shelters for general public use and also particularly for bus passengers.
- Sign: power to erect signs that warn of dangers or announce a place name, or indicate a bus stop.
- Swimming: provision of indoor or outdoor swimming pools or bathing places.
- Tourism: provision of facilities for conferences and encouragement of recreational and business tourism.
- Traffic Calming: contribution towards the cost of traffic calming works provided by highway authorities.
- Transport: establishment of car-sharing and taxi fare concession schemes; making grants for community bus services and bus services for the elderly or disabled; investigation of public transport, road and traffic provision and needs; provision of information about public transport services.
- Village Green: powers to maintain the village or town green.

4.6 In addition to the above Section 137 of the Local Government Act 1972 enables local councils to spend a limited amount of money for purposes for which they have no other specific statutory expenditure and which is in the interests of the area or inhabitants. Authorisation of expenditure under this section must be specifically resolved. Arnold Baker suggests the following form of words would suffice to meet audit requirements: “Resolved that the Council in accordance with its powers under section 137 of the Local Government Act 1972, should incur the following expenditure which, in the interests of the Council, is in the interests of the area or its inhabitants and will benefit them in a manner commensurate with the expenditure – (details to be inserted).”

4.7 It is however, limited in a number of ways. Section 137 cannot be used by a parish council in England that is eligible to exercise the General Power of Competence except to donate money to certain charities and appeals (Section 137(3)). However Camborne Town Council has currently resolved not to exercise the General Power of Competence, even though it may meet the criteria. The Council

may wish to review this at some future date though no formal recommendation is made at this juncture.

- 4.8 In the current 2014/2015 financial year the section 137 limit is £7.20 per elector (Note: the ceiling is based on the electorate and not some ad hoc assessment of how many people may benefit), a maximum sum of £116,395 for Camborne based on the current electorate of 16,166. However this is not additional or new money but merely the ceiling figure that can be spent in the financial year from within the Council's financial resources on services which are provided for under section 137 and for which there is no other power. In reality few if any larger local councils experience difficulty in adhering to the limit.

Recommendation 15: That Camborne Town Council should ensure proper application of the Section 137 Free Resource powers where no other powers exist and where use is in the interests of the area or its inhabitants.

Camborne Town Council – The Current Situation

- 4.9 At the current time the Council's service delivery is limited. The Council maintains approximately 24 miles of public footpaths (under a service level agreement with Cornwall Council), funds Camborne in Bloom and Christmas festival events, cleans and maintains specific public realm areas including the fountain and part of the Square, owns and maintains notice boards and public seats, has funded CCTV monitoring since 2011 and agreed to take on the transmission and maintenance costs this year, and provides grant funding for Trevithick Day, the Christmas lights and for local voluntary/community organisations.
- 4.10 In 2013 and 2014 the Town Council negotiated with Cornwall Council to take on public toilets in Gurney's Lane. The negotiations were extensive and it is clear from the files that the Council exercised due diligence in its dealings. Interestingly other local councils in Cornwall were less thorough in their surveys and assessments resulting in significant costs for their local council taxpayers. However the decision by Camborne Town Council not to proceed resulted in adverse publicity to the Town Council as opposed to Cornwall Council whose decision to close it was. There is a lesson in this. The need not to raise public expectations unduly by firm statements of intent before factual information on costs and condition are known is one lesson, and the need to constructively engage with public and community groups in explaining why the specific decision not to proceed was made, is another. Moving forward into the devolution or service transfer debate it is important that the Council is mindful of those lessons.
- 4.11 At present the Council has little or no spare capacity to take on further services without risk of service failure. It is for that reason above all others that issues of staffing infrastructure, capacity and capability are addressed in detail in section 5 of this report.

Other Town Councils in Cornwall

- 4.12 In order to provide evidence-based information against which Camborne Town Council can make judgements basic information has been obtained from half a dozen councils in the county. The information provided here is input to provide factual context and in no way is intended to recommend a specific course of action

for Camborne. It does however show just how much more active some other town councils in the county are, some with a smaller population and tax base.

- 4.13 There is much best practice in Cornwall. Historical decisions have had a major influencing factor in the extent to which local councils have provided services since 1974. In the former North Cornwall District Council area for example the former Boroughs and Urban Districts, upon becoming successor councils retained most if not all of their discretionary services. Bodmin and Launceston remain to this day amongst the most active of councils, and in the case of Bodmin, a former Best Value national council (there were only 41 so labelled), their activity levels means they are amongst the ten or twelve leading councils throughout England. Conversely in Kerrier the new District Council absorbed most of the discretionary services and the local councils have had a lower service profile as a result. Although Camborne was unparished for more than a decade following the 1974 reorganisation the issue of services delivery in the thirty or so years following has never been satisfactorily resolved.
- 4.14 The following schedule gives broad details of service delivery amongst some of the largest and most active local councils in Cornwall. These lists do not include grants services, twinning or the local planning function which are common to most active councils. The list does not purport to be fully comprehensive.

Council	Services
Bodmin	Allotments, Berry Tower, Bus Shelters, Car Parks, CCTV, Cemeteries, Churchyards, Clocks, Coldharbour Pitches, Museum, Parks and Open Spaces, Play Areas, Public Conveniences, Shire House Room Hire Facilities, Shire Hall Information Centre and Walker Lines Gymnasium (currently being disposed of).
Falmouth	Allotments, Bus Shelters, CCTV, Cemetery, Christmas Entertainments/Lighting, Falmouth Art Gallery, Moor Piazza, Parks and Gardens, Play Areas, Public Conveniences, Sports Pitches and Recreation Grounds, Shopmobility and Town Management.
Launceston	Allotments, Band Room, Car Parks, Cemeteries, Coach Park, Grammers Park, Kings Field, Museum, Launceston Priory Ruins, The Roundhouse, Southgate Arch, Town Hall and Guildhall, War Memorial and Windmill Wood.
Newquay	Bus Shelters, CCTV, Christmas Lights, Civic Events, Crime Prevention Initiatives, Newquay in Bloom, Public Conveniences, Tourism Information and Skate Park.
Redruth	Allotments, Bus Shelters, CCTV, Floral Displays, Murdoch Day events, Parks, Gardens and Play Areas, Regeneration and Tourism Information,
Wadebridge	Allotments, Car Parks, Cemetery, Dog Control Orders, Parks and Playing Fields, Play Areas including Skatepark, Tourism Information, Town Hall bookings,

Other Town Councils in England

- 4.15 Similarly there are many excellent examples of best practice elsewhere in England. It is important to know where there are service exemplars as much can

be learned from them. Certainly when looking to introduce procedures for various services such as cemeteries, allotments, hall lettings and the like there is little to be gained from re-inventing the wheel. The sector is generally generous with its time and expertise and it is wise to utilise the skills, expertise and knowledge whenever seeking to introduce new services or review services already in place.

- 4.16 By way of examples the local councils at Barnstaple (Devon) and Rotherfield Grays (Oxfordshire) run quality cemeteries and burial services. Bridgnorth (Shropshire) and Rustington (West Sussex) consistently do well in national Bloom competitions. Oswestry is renowned for the quality of its markets (it also manages the National Association of British Market Authorities on a service-level agreement). Burgess Hill (West Sussex) runs an award winning Council Help Point. Seaford (East Sussex) and Great Aycliffe (County Durham) run highly-regarded golf courses. Calne (Wiltshire) has a splendid Leisure facility focussing on football in the community and Dunstable (Bedfordshire) has extensive and high-quality public open spaces and sports facilities. Abingdon-on-Thames owns and operates the magnificent Grade 1 Listed County Hall Museum. East Grinstead (West Sussex) is respected for its innovative community partnerships. Henley-on-Thames (Oxfordshire) generates significant commercial income keeping council tax low. There are many more examples available and, importantly, high standards should be the norm and not the exception.

Cornwall Council and Further Devolution

- 4.17 Cornwall Council has been a unitary council since 2009; one council covering the whole of Cornwall. Cornwall is geographically distinct with its own culture, history and heritage.
- 4.18 Cornwall Council has significant budget challenges. By 2018/19 they will have to make savings totalling £196 million. With such a huge challenge, they face the unenviable task of having to decide where and how to reduce their services or increase income and to do this they have been engaged in active consultation and liaison with partners, businesses and communities, including local councils, about which services they believe should be a priority. A summary of their budget engagement program can be viewed on <http://www.cornwall.gov.uk/media/9423141/Budget-engagement-overview.pdf> It will be noted that the overwhelming view of the public on Cornwall's council tax for 2015/2016 financial year is to see a 1.97% increase.
- 4.19 Cornwall Council set out its draft budget proposals on 1 September 2014. The Leader, Councillor Pollard said at that time "Budgetary constraints and the changing nature of Local Government require a different approach and, as we said last year, we want to build a resilient and sustainable Cornwall and not simply reduce the services we provide. We are looking to work much more closely with the rest of the public sector and the voluntary and community sector. We will be seeking to integrate our services and to share support functions and buildings wherever possible. But we know that front line services will also be hit and so we have worked with elected members, with partners and with the public to understand where they feel savings can be made and which services should be protected." Amongst the new models of delivery addressed in the consultation papers was reference to "devolving further services to town and parish councils and community and voluntary groups (e.g. libraries); creating trusts and

partnerships to deliver services such as culture and tourism, and seeking external partners for services such as parking.”

4.20 Historically Cornwall Council when looking to transfer services to local councils was never keen to hand over freeholds. This has been confirmed by other councils that have been in negotiation with Cornwall although in respect of the public toilets at Gurney’s Lane the freehold was offered though encumbered. However the situation is now more relaxed than hitherto with a flexible approach to negotiations. This has been reinforced by all Cornwall councillors and officers that were engaged with during the review. Specific comments that were offered by such individuals that may be helpful in the context of future discussions were:

- “Cornwall is realistic about how speedily the devolution process can be carried out.”
- “Newquay and Looe are good examples of constructive partnership working with Cornwall.”
- “Work on devolution options is unlikely to be a priority for year one but active negotiation will undoubtedly start in year two.”
- (In terms of services) “Nothing is ruled out. A business case will need to be made.”
- “Falmouth has been very co-operative. They have a clear plan based on reinventing the UDC.”
- “Camborne is not really on the radar. They need to be more proactive.”
- “Some services may have a revenue stream which will need making up. A portfolio of services, some producing income and others absorbing costs may be possible.”

4.21 Essentially there was a key message coming forward and paraphrased it would be: “In the past localism was not especially supported by Cornwall, but this has now changed. Localism can be a win-win. Cornwall can save money by divesting services they would not otherwise be able to maintain; essentially discretionary services. This can have reputational benefits for Cornwall. Nobody has the luxury to fight against each other anymore. The scale of the tiers seeking partnership may be different but the pressures and the challenges are the same. There is a need to find the best way to provide and maintain services.”

4.22 In considering how to take the issue of future service delivery forward Council needs to consider what the priorities are and where services would likely be lost altogether were Cornwall to withdraw unilaterally. Logically, and as recognised at the Corporate Plan Vision Day, parks, recreation grounds and green spaces could most easily be devolved, and in such cases it would be important for the unencumbered freehold asset to transfer with the service. Such services are distinct from say cemetery and burial services where there are clear statutory obligations, which Cornwall Council could not easily divest themselves of at short notice. Hence whilst the former services could be considered as a first phase

transfer the latter would, subject to business plan assessment, be for a later phase.

- 4.23 In the event that the Council does take ownership of all 'green' sites then the issue of future maintenance would need addressing. It may well not be in the interest of the Council to take over existing maintenance contracts with Cormac, most certainly not on a long-term basis, though a short-term one year interim arrangement may be a pragmatic course of action pending proper evaluation of all other options. Apart from TUPE obligations that would inevitably arise, the Council would also need to satisfy itself that such arrangements do represent best value and are competitive. Without the benefit of competitive assessment that could not readily be gauged. Experience from other local councils that have been through such an exercise would suggest that where there is already an extensive 'in-house' team, fully resourced with plant and equipment such scenario may be most viable but where such infrastructure is not in place, and it isn't at Camborne with the exception of the works depot, then external contract may prove most beneficial. However there may well be a dearth of such contractors in the area given the virtual monopoly that Cormac has had in the public sector market. There may however be opportunities to tie in with other public bodies that are looking to maximise their assets such as Camborne Science and International Academy, who already have grounds contracts with local primary schools, or Camborne College. Another option which Cornwall Association of Local Councils has informally floated, though a huge amount of work would be needed to take it forward in any meaningful way, would be the establishment of a public interest company specifically to service grounds maintenance needs of local councils throughout the county. However this may not realistically be viable within the timeframes of the current service negotiations.
- 4.24 Looking at other services identified on 18 October freehold transfer of that part of the Square not currently owned could be a quick-win. There may be other similar small sites which could similarly be transferred with minimal ongoing revenue cost implications.
- 4.25 The issue of Town Centre car parks and public conveniences could be more problematic but could be negotiated as part of a broader portfolio, possibly in conjunction with the Library service, either with or without the building. In this regard it is noted that the Town Council has assured the public that it will be doing all it can to keep the town's library in the Town Centre. It is acknowledged that the future of the library has been uncertain for many months and Cornwall Council has refused to rule out the possibility of the library building being sold. It is understood that they are looking at alternative solutions to save money on property costs and also examining the possibility of handing library services to town council control. According to the West Briton, 17 October 2014, the Council's cabinet member for partnerships said "We are keen to work with town and parish councils on devolving a range of services, including libraries. We will be contacting all town councils across Cornwall to discuss the possibility of them taking over responsibility for their local library, but this is being done gradually over the next two years because of capacity to do the work. We have already been contacted by a number of town councils who are interested in discussing the options which are available and so are working with them in the first instance. The council has to manage a 44% reduction in funding for libraries and one stop shops and is looking at a range of options in different areas. If an individual town council is not interested in working

with us, we will look at other possibilities, including working with voluntary or community groups. There are, however, no plans to close any libraries in Cornwall.” Reading between the lines this is likely to be a controversial and complex negotiation. If there is no covenant on the building that could prove problematic and make disposal by Cornwall Council easier. [REDACTED]

- 4.26 The issue of public toilets is clearly a contentious one. The cost of providing such services tends to be high, with the benefits often experienced by non-tax paying visitors. Conversely such facilities are important if the local economy is to benefit from visitor pounds. Accordingly this is a classic opportunity to apply some original thought to the debate and visit alternative delivery models. Community toilets properly badged and signposted and located in existing premises, often licensed premises and coffee shops for example could be established in conjunction with the businesses in return for an annual contribution. Experience from elsewhere suggests annual grants of about £100 per month as a contribution to cleaning and overheads. The business often gains additionally from community footfall. So if sat four strategically located businesses were to be signed up to a community toilets scheme the likely maximum annual cost would likely be £5,000 excluding initial set-up costs. Conversely it is almost certain that Gurney’s Lane, prior to closure, and Rosewarne would in total have an annual revenue cost well in excess of that, probably more than £20,000, and even that ignoring the significant outstanding capital refurbishments needed to the premises. And yet a community toilets initiative, clearly signposted, would provide a much broader geographical spread of provision for wider community and economic benefit. Details of the Wealden, East Sussex scheme, a pathfinder in this area of provision, can be viewed on http://www.wealden.gov.uk/Wealden/Residents/Community_and_Safety/Public_Conveniences/Waste_Community_Toilet_Scheme.aspx but there are many other examples of good practice in this service area including for example Richmond, Sheffield, Bedford, Oxford and many other London Boroughs. Although the principles underlying all the schemes appears broadly similar only the Wealden scheme makes clear a grant is payable; the other councils references to business benefits appear to focus on publicity and promotion and footfall and not financial. Importantly it is believed from discussions with Mel Martin, Chief Executive of BID Camborne that they would likely be supportive of such initiative and be prepared to work in constructive partnership with the Town Council in order to develop the idea through to fruition should it find favour.
- 4.27 The issue of Town Council office accommodation does need early addressing. The current facility at the Basset Centre, Basset Road is not fit for purpose for the longer-term. There is inadequate accommodation to meet future service growth and the meeting room arrangements are broadly non-existent as any meeting has to be held in the Town Clerk’s office which means she has to vacate if not personally involved in the meeting. Having paid an initial premium the Council now pays no rent to Cornwall Council until August 2020 though there is a service charge. However it is appreciated that these premises are part of the broader property assets of that council which are currently under comprehensive review as part of the attempt to reduce costs and achieve capital assets. The implication of this could be an excellent opportunity for the Town Council and a strong negotiating position.

- 4.28 Logically there are a number of essential requirements in terms of future accommodation. Firstly a freehold ownership will long-term reduce revenue costs, secondly any premises should be Town Centre located, thirdly the accommodation must have an adequate meeting room suitable for Council and Committee meetings, and sufficient office space to allow for ultimate growth, much longer-term, for up to ten to twelve members of staff. A Mayoral/Members room would be a valuable asset and assist in raising the Council's profile in the community as would a large reception area that would enable enhanced provision of information services, including that related to tourism ultimately.

Recommendation 16: That the Council should advise Cornwall Council that it is committed to playing a positive and constructive role with regard to the future delivery of discretionary services in Camborne, subject to a phased approach to any service transfers and to the unencumbered transfer of freehold assets at nil cost where these are considered to be an integral element within the service provision.

Recommendation 17: That the Council should seriously evaluate, in conjunction with the Camborne Bid team and the Camborne Chamber of Commerce the opportunity to create a network of well signposted and badged community toilets geographically located at strategic locations within the Town Centre either as a cost-effective alternative to or in conjunction with existing provision at Rosewarne.

Community Engagement and Business Links

- 4.29 Members and officers of Camborne Town Council have emphasised that the Council is committed to the concept of active and meaningful public consultation and engagement in relation to its work and services. Locally Members are concerned to ensure that policies and spending decisions are subject to the full rigours of public scrutiny and debate. The methods of consultation being adopted include:

- * Annual Town meeting as a forum for public views, opinions and consultation;
- * Public Question Time before Council and Committee Meetings;
- * Issue of press releases to local newspapers and radio stations;
- * Issue of a Town Council newsletter on a quarterly basis (Note: it is understood that this will increase in frequency to monthly from early 2015);
- * User and non-user surveys and public questionnaires;
- * The Town Council's web site as a promotional information source (this has recently been upgraded and improvements are ongoing), and
- * Active liaison with representative groups and organisations.

- 4.30 At present the Council is not able to engage with the community through Facebook or Twitter. It is understood that there are technical reasons why this is not possible due to the Council's reliance on Cornwall Council for its IT systems and the control systems which are in place to prevent such use. Should opportunities arise in future to introduce social networking then there are many best practice examples throughout the sector where this is being actively progressed. Such communication mediums can be especially useful for reaching hard to reach groups such as the housebound and young people for example.
- 4.31 At the Vision Day there was reference to the possible creation of a Youth Council and opportunities for better links between the Town Council and young people generally. Different views were expressed. There is no doubt that experiences of such initiatives nationally are mixed. Generally the idea of a 'Youth Council' in traditional format does not tend to attract much interest and the lifespan of such bodies can be limited. Furthermore by their definition involvement tends to stop abruptly when individuals reach university age. Accordingly some of the best initiatives are often project and campaign based. Drop in facilities can also prove popular. The Costa Coffee initiative in Camborne set up by Charlotte Chadwick in conjunction with the Police is a good example. The National Association of Local Councils has good advice about such matters on its website, see 'Whatever, yeah? - Local Councils and Youth Provision' on the Publications page.
- 4.32 The Council's current community engagement is generally accepted to be low-key. There is liaison with specific clubs and organisations, with some schools, residents associations and trusts but not to the extent to be found in more mature local councils where there is a tradition of civic and community engagement. Relationships with both the Chamber of Commerce and the BID Camborne team appear to be generally poor with little respect. That is a shame as all such bodies, including the Council, are serving the same community with similar objectives. Best practice generally recognises more can be achieved in partnership working with other like-minded agencies than attempting to go it alone. The fact that the Chamber and the BID have clearly stated their wish to play their part in driving standards and making improvements to the Town's economic viability should not be under-estimated. They are important players, particularly the BID, and the benefits from constructive partnership could be significant.
- 4.33 The conflict with the BID initially revolved around their constitution which requires an Officer and not a member of the Council to serve on the Board. This is not in itself a problem as the Town Clerk is prepared to so serve and the Council has no objections. Where there have been concerns however, these focussed around the fact that Board meeting minutes were in the early days circulated by the Council within the Council and to the press and such actions were considered to be in breach of data protection regulations and as such damaging to the BID as a private limited company. As a consequence the BID made clear its concerns and the Council withdrew its officer representation. But that was two years ago and things have moved on. The BID now issue edited minutes that remove confidential items and references that impact upon data protection (there are still full unabridged minutes which remain confidential) so no such concerns should now exist. Certainly the BID through its Chief Executive has asserted its wish to re-establish good relationships. .

4.34 BID Camborne is a not for profit company limited by guarantee, company number 7900674. It has some 320 members and an annual income of circa £100,000 generated from a 2% uniform business rate levy. Launched in May 2012, the Company has three core themes rolling out between now and March 2017: Environment and Promotion, Cost Savings and Best for Business. Through these they strive to achieve a number of objectives, including making Camborne a welcoming town for residents and visitors, they support and put on events to draw more people into town, promote Camborne as a destination for shopping, eating and exploring, provide business support and develop a website for traders to promote their offering. Reference to the Company's website www.cambornecando.co.uk shows an active organisation that works to enhance the economy of the area. Importantly it has an operating agreement with Cornwall Council in respect of the following areas:

- BID Levy Collection
- Street Cleansing
- Highway Maintenance
- Public Rights of Way
- Street Lighting
- Grassland Maintenance
- Public Conveniences
- Closed Circuit Television (CCTV)

4.35 In the event that Cornwall Council is unable to continue to provide all or any part of the aforementioned services within the BID Area on account of its being statutorily barred from doing so or unable to do so for any other reason or it having insufficient funds to secure the provision of any of those services it is required to identify which part or parts of the services it is unable to provide; provide a detailed explanation of why such service is to be withdrawn; and state the date upon which the Council will cease to provide the services. The Company intervened following the announcement of the winter closure of the Rosewarne toilets (except for the unisex facility) in October and consequential in part upon representations they made to Cornwall Council the winter closure has, for the time being at least, been put on hold. The example is quoted as evidence of their influence and as an encouragement to more co-operative future working.

Recommendation 18: That the Town Council should resume formal membership on the BID Camborne Board with the Town Clerk attending future meetings and elected members should work actively both formally and informally with both the BID and Camborne Chamber of Commerce in promoting the Town's business economy.

Section 5

A thorough review of all resources to include human resources, finance and assets with regard to ensuring the Council has the right capacity to address the Council's aspirations, the localism agenda and local government in Cornwall

5.0 A thorough review of all resources to include human resources, finance and assets with regard to ensuring the Council has the right capacity to address the Council's aspirations, the localism agenda and local government in Cornwall.

5.1 This Chapter specifically addresses the following aspects:

- The pay and grading of staff;
- The Establishment Structure;
- Capacity and an Assessment of Future Needs;
- Succession Planning;
- Job descriptions, Person Specifications and Contracts;
- Training and Development;
- Appraisals;
- Recruitment;
- Other Human Resources Policies and Procedures;
- Human Resources – Advice and General Support Services;
- The Precept
- The Town Council's Revenue Budget, and
- Camborne Town Council's Accounting Package.

The Pay and Grading of Staff

5.2 [REDACTED]

5.3 The review has sought to benchmark salaries of Camborne Town Council staff against similar posts in the sector, from within the county and areas where costs of living are broadly similar. Justifications for the recommendations made are supported with evidence wherever possible. All evaluations have been made based upon a review of documentation, completion of a confidential questionnaire by all staff (a copy of the form is attached as Appendix E) and one-to-one meetings with the five members of staff conducted at the Council Offices on 18 September 2014.

5.4 Throughout the process job evaluation is designed to reward employees for what they are employed to do not necessarily what they would like to do or could do given their experience or expertise. Performance or capability issues are not

taken into account during an evaluation exercise but may influence the salary setting process for individual job-holders in that a number of factors will determine the spinal column point on which the employee commences, within the scale, following evaluation, including qualifications, expertise and experience. It is always within the remit of a Council should it so wish to reward staff by means of a one-off payment for exceptional performance or some other justifiable reason at any time, subject to noting that such payment is usually non-recurring and not added on an on-going basis to core salary. In all such cases decisions must be made at Member and not executive level for democratic legitimacy, and must be in accordance with an agreed policy to ensure a clear audit trail. Such approach, properly justified, can be commended, where evidentially justified, and is a sign of a caring and responsive employing body, mindful of the importance of acknowledging and rewarding exceptional performance, over and above normal expectation.

5.5 It is noted that during the last cycle of Council meetings, Staffing Working Party recommended and Budget and Development Committee resolved that pay scales should be increased across all staff without proper job evaluative assessment and notwithstanding the fact that this evaluation review had already been commissioned. That is not good practice and the outcome is, as a consequence, that two of the posts will be remunerated at a higher level than evaluation suggests they are worth. As a result those two posts will have to be job protected to the individuals.

5.6 In evaluating the various roles at Camborne Town Council the assessment has had regard to the different ways of structuring pay grades, which includes:

- Short grades - this is the traditional method with a short number of points;
- Longer grades or linked grades – linking grades or having longer grades means that there are more points within a grade so may give more flexibility to the employer when placing an employee on a grade. However, the authority may be committing itself to higher pay grades in the future if an employee rises up the entire scale;
- A spot salary – this method allows costs to be controlled and can be paired with other supplemental bonus structures, however, good practice in relation to job evaluation and reviews always needs to be taken into account.

5.7



5.8 Generally speaking where a post is on an incremental scale progression upwards should be subject to annual appraisal and continuing achievement in post. Increments are not a right but a response to effective performance. It is always easy to progress staff up a scale because that is the expectation but if performance does not justify it then no progression should be agreed. This is in the interests of fairness, being fair to staff who do perform, and is also proper given the accountability the Council has for stewardship of public money. Recommendations on incremental progression should be made by the Head of Paid Service (the Town Clerk) for members of staff, and by the deputied Member

who acts as Line Manager for the Town Clerk. At present it is understood this to be the Town Mayor though in most cases it would be the Chairman of the Committee responsible for the Council's financial and staffing resources. Any recommendations should then be formally signed off by the Budget and Development Committee (or its equivalent if recommendations elsewhere in this review report to re-name are approved). This is in order to ensure comprehensive Member engagement with, and ownership of, the process.

5.9 The following paragraphs deal with individual evaluations of each post on the establishment. For ease of consideration they are assessed based upon positions within each individual team, namely the Town Clerk and Responsible Finance Officer, the office-based staff, and then those who work outside. In this regard it should be noted that the Council's establishment of five posts, equates to some 3.75 equivalent full-time. All assessments have been undertaken on the basis of the job being undertaken and not solely on the content of the Job Description.

5.10 Town Clerk and Responsible Finance Officer (full time)

5.10.1 The Town Clerk is an experienced local government officer, the last three of which have been in the local council sector at Camborne. There is a legal requirement on the Council to have such Proper Officer post designated on the payroll.

5.10.2 Unlike for other positions there is an established evaluation process for the post of Town (or Parish) Council clerk, and this is approved by the National Association of Local Councils (NALC, the employer body) and the Society of Local Council Clerks (SLCC, the body that represents employees).

5.10.3 There are currently twelve scales approved by NALC and SLCC – LC1, 2, 3 and 4, each with a number of spinal points and for each an assessment of below substantive, substantive and above substantive. A copy of the current approved scale is shown in Appendix F together with current salary rates for all grades to assist Members in understanding the various spinal references in this report. Substantive in this sense means the job satisfies all the criteria in the job profile. The job's elements have been assessed against the defined criteria in order to arrive at a benchmarked grade, comparing with other similar sets of skill requirements, expertise and responsibilities and deciding where the job is best positioned against these.

5.10.4 [REDACTED]

5.10.5 [REDACTED]

5.10.6 The National Joint Council (NJC) Job Evaluation Scheme (JES) is an evaluation scheme used extensively by principal councils. Though not used by the tertiary sector, and not recommended here, there are aspects within the guidance, which can be useful in validating or otherwise recommendations made in respect of the SLCC/NALC scheme, and the assessment which emanates therefrom.

5.10.7 [REDACTED]



5.10.8



Recommendation 19: [Redacted]

5.11 Deputy Town Clerk

5.11.1



5.11.2



[Redacted]

5.11.3 [Redacted]

5.11.4 [Redacted]

5.11.5 [Redacted]

Recommendation 20: [Redacted]

5.12 Administrative Assistant

5.12.1 [Redacted]

5.12.2 [Redacted]

5.12.3 [Redacted]

5.12.4 [Redacted]

5.12.5 [Redacted]

Recommendation 21: [Redacted]

5.13 Handyman

5.13.1 [Redacted]

5.13.2 [Redacted]

5.13.3 [Redacted]

5.13.4 [Redacted]

[Redacted]

5.13.5

[Redacted]

5.13.6

[Redacted]

Recommendation 22: [Redacted]

Recommendation 23: [Redacted]

5.14 Assistant Handy Person

5.14.1

[Redacted]

5.14.2

[Redacted]

5.14.3 [REDACTED]

5.14.4 [REDACTED]

Recommendation 24: [REDACTED]

5.15 General Comment on Assessments

5.15.1 It should be recorded that in addition to the benchmarking assessments and internal comparisons an assessment of each post against Green Book criteria was also applied. It should be noted that there are various models of assessment suitable for review including Green Book, Hay and the NALC/SLCC model originally intended for Parish and Town Council Clerks, but which is increasingly used for other posts also. The outcomes would be similar whichever assessment model is used but the Green Book has most categories and as a consequence is potentially most thorough.

5.15.2 It does need emphasising that the various criteria have been weighted in accordance with defined criteria to give a fair reflection of the job. It is in part to allay those concerns that the benchmarking data is added for each post, something not normally utilised for such evaluation exercises. But because the data group is sufficiently large and is evidence-based this gives significantly added value and reliability to the recommendations.

Establishment Structure

5.16 By the very nature of the current size of the council the establishment structure at Camborne is straightforward. Every member of staff reports to the Town Clerk, in what is a flat structure. This puts pressure on the Clerk and can mean that if she is not present for any prolonged period such as annual leave or sickness, the council loses executive direction, notwithstanding the best efforts of others.

5.17 [REDACTED]

5.18 However the above is clearly not sustainable in anything other than the immediate short-term because of the challenges of the agenda now facing the Council. As a

consequence it is necessary to look at issues of capacity and in seeking to resolve the deficiencies identified ensure that a more logical and robust structure can be achieved. This is fully addressed in the next section.

Capacity and an assessment of future need

- 5.19 Current staffing capacity is tight but not impossible. It is however unsustainable moving forward. Changes can be made, including to the frequency of meetings, to free up capacity which will provide some extra staff hours at the margins but this will not itself be sufficient medium-term and beyond.
- 5.20 As indicated earlier the Council's democratic services structure is over-burdensome. The frequency of meetings means there is little time to plan and prepare for the future. Essentially the Council is a reactive and not a pro-active one and this is readily evidenced by witnessing the meetings and in discussions with officers and members alike. A reduction in the number of meetings held would certainly free some executive capacity, both in terms of pre-meeting administration and planning and on the night. As indicated in section 3, Planning could move to three-weekly from two-weekly and other Standing Committees could be considered for two-monthly instead of monthly if Members so desire. However such changes would only free a handful of hours a week at best.
- 5.21 Essentially there are two key areas needing to be addressed, and these focus on the day to day supervision and organisation of two distinct teams, one responsible for central and financial administration and the second for all aspects of amenities services. And the former should closely align with the work of the Standing Committees for Planning and Budget and Development and the latter for the Amenities Committee. That is a clearly desirable objective.
- 5.22 To achieve this there are two changes that should be agreed. The first would be for the appointment of an Amenities and Projects Officer. This person would report direct to the Town Clerk, would be of middle management rank, and would take over the line management of the outdoor team and services for which they are responsible. The Officer would, after a period of transition/training take over responsibility for servicing the Amenities Committee from the Town Clerk. With the pace of change on devolution moving forward at great pace, with responsibilities for managing risk and on-going health and safety, and assisting the Town Clerk with defined project work to help ease her workload and provide her with more opportunity to address the Council's forward strategy, this new post would make a big difference. Indeed without it any suggestion the Council could achieve everything set out in this review report would be next to impossible to achieve. A job description for the post has been prepared and is attached as Appendix I, together with a person specification, Appendix J. [REDACTED]

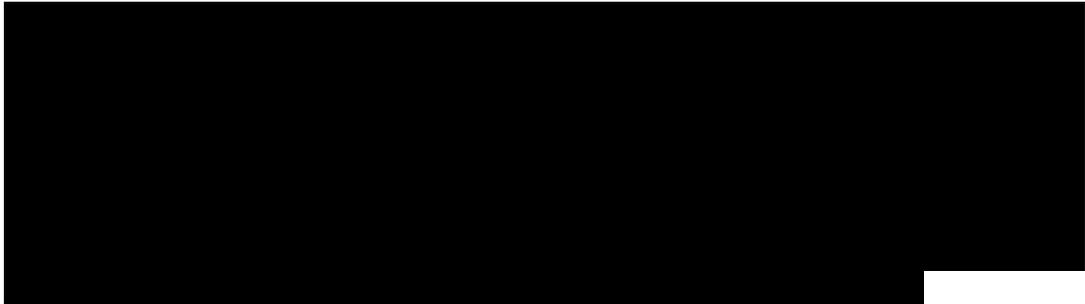
Recommendation 25: To approve the appointment of a new post of Amenities and Projects Officer from 2015/2016 financial year on a grade of spinal points 22 – 25 inclusive.

Recommendation 26: To agree the proposed job description for the post of Amenities and Projects Officer and the person specification for the post, as attached to this review report as Appendices I and J.

5.23



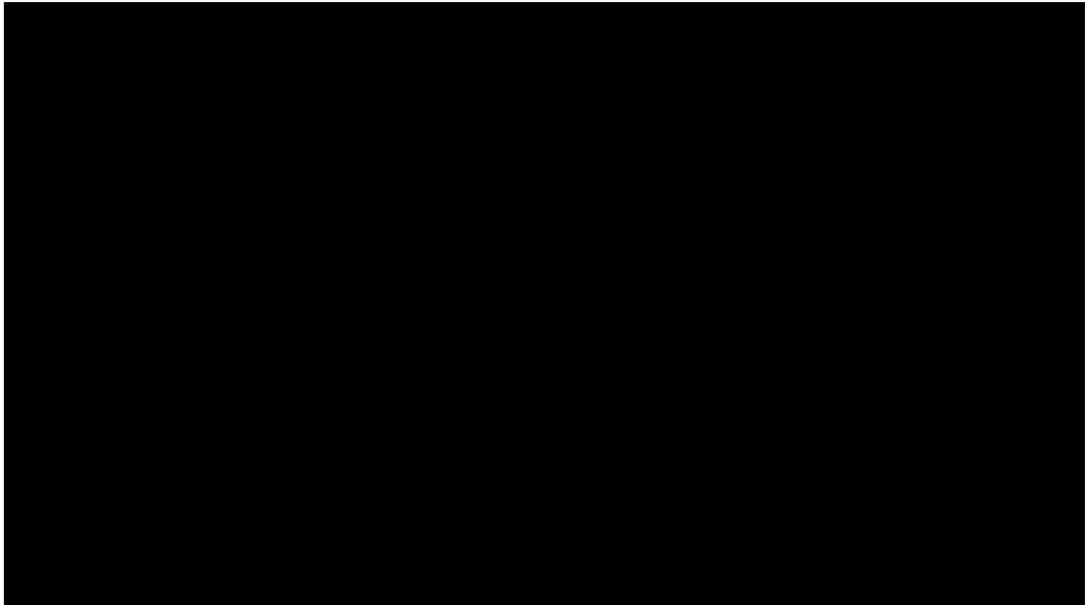
5.24



Recommendation 27:

A large black rectangular redaction box covering the content of Recommendation 27.

5.25



[Redacted]

Job descriptions, person specifications and contracts

5.26

[Redacted]

5.27

[Redacted]

Recommendation 28: [Redacted]

5.28

[Redacted]

Recommendation 29: [Redacted]

Succession Planning

5.29 It is desirable in any organisation to ensure that wherever possible there is a competency throughout which ensures that when staff are sick, away from work for any protracted period, or leave the Council's employment, that the work continues without disruption or interruption. In large organisations this is easier than in small, and in a Council such as Camborne this can be hard to achieve because of a lack of spare capacity and the distinctive nature of key roles. However a focus on continuing professional development/training and collegiate working can significantly aid in this regard.

5.30 The structure proposed earlier with clear accountabilities should ensure that within each team, supported by external contractors where appropriate for services such as Human Resources, Information Technology, and legal support, all bases are

covered effectively. There should be an onus on teams to fully document their operational/work procedures to ensure that, should there be a sudden turn-round in staff, the expertise and knowledge is not lost to the organisation. In this way the Council remains sustainable at all times and changes of personnel are not harmful to the Council's overall effectiveness and efficiency.

5.31 There can be no guarantees as to succession planning. This cannot be assumed just because the structure provides for such opportunity. This is partly related to training and development and paragraphs 5.36 to 5.43 inclusive address those areas further with appropriate recommendations.

5.32 Recent analysis of Town Clerk recruitment has shown only one example within the twelve most recent appointments to this post within larger councils where an internal appointment has been made. The reasons for this are many but primarily the fact that the professional training and development programme for the sector as developed by NALC and SLCC has not taken off in the way originally intended. This relates specifically to the Local Policy degree course and even to the base qualification of the Certificate in Local Council Administration. Allied to this has been the large numbers of redundancies and staff cuts in principal authorities which has resulted in the majority of recent Town Clerk recruitments coming from amongst those ranks; a relatively new phenomenon. It is hard to see that changing in the foreseeable future.

5.33 At other levels there may be more opportunities and staff training should always seek to ensure that members of staff are as well trained as possible to provide the best chances for internal promotion. This scenario could certainly be easily visualised in respect of the Handyman post where the Assistant is sufficiently trained and enthusiastic to step up should the opportunity present itself. Ultimately it is often cheaper and can be less disruptive to grow the organisation from within provided the skill sets required for each post, as set out in the person specification, are fully met. And person specifications should be challenging in order to recruit the most highly-qualified and competent at all times. Generally speaking investment in good staff and market testing for vacant posts is always to be recommended with a level playing field for internal candidates so as to ensure the best appointment possible.

5.34 [Redacted]

Recommendation 30: [Redacted]

5.35 [Redacted]

	Microsoft Outlook, Word, Excel and Powerpoint	22 nd May 2014
	Emergency First Aid at Work	18 th August 2014
	Working with Your Council	Ongoing
Dave Summers Handyman	Personal Safety	24 th February 2014
	Level 2 Award Principles of COSHH	8 th April 2014
	Level 2 Award Safe Use of Pedestrian Mowers	16 th April 2014
	Level 2 Award Safe Use of Ride On Mowers	16 th April 2014
	Emergency First Aid at Work	18 th August 2014
	Fire Extinguisher training	19 th November 2014
Stephen Dodd Assistant Handyman	Level 2 Award Principles of COSHH	8 th April 2014
	Level 2 Award Safe Use of Pedestrian Mowers	16 th April 2014
	Level 2 Award Safe Use of Ride On Mowers	16 th April 2014

Member Schedule of Training		
Course	Date	Member
Chairmanship Training	3 rd June 2014	Councillor Graham Taylor
		Councillor Trevor Chalker Councillor Rory White Councillor Jacqueline Merrick Councillor Colin Godolphin
Code of Conduct 2014 Update	28 th July and 24 th September 2014	Councillor Trevor Chalker
		Councillor Graham Taylor Councillor Rory White Councillor Jacqueline Merrick Councillor James Chapman Councillor Colin Godolphin Councillor David Everett Councillor Zoe Fox Councillor Matthew Brown
Planning Conference for Local Councils		Councillor Graham Taylor
		Councillor Jacqueline Merrick Councillor Alan Sanders Councillor Stuart Odgers

5.39 The Council's policy requires the Town Clerk to report annually to the Staffing Working Party detailing training and development activities over the year. Where staff or councillors have undertaken training leading to obtaining of a certificate or qualification it is suggested that this should be formally presented at an appropriate meeting in order to justify the assertion that the Council recognises that its Members and employees are its most important resource.

5.40 While there is no legal obligation upon local authorities to provide training in general for their employees except with regard to those engaged under an apprenticeship agreement, a commitment to the provision of training and

development for all employees can help raise a Council's overall performance. Any training and development policy needs to be aligned with the Council's overall strategy and objectives and should give due regard to the personal development needs of individuals. Consideration also needs to be given to the funding available, and whether there are lower cost alternatives available which are of the appropriate quality. The right to request time off for training does not currently apply to Camborne Town Council, being an organisation with fewer than 250 employees.

5.41 Training and development usually forms part of the overall performance management of an organisation and, in accordance with good practice recommended by the National Association of Local Councils and Society of Local Council Clerks, Councils are advised to:

- Review their organisational plan regularly to ensure that training and development needs are assessed and sufficient resources are provided to meet these needs;
- Provide information about training courses, induction programmes and development opportunities to all staff;
- Comply with Equal Opportunities and other council policies when assessing training and development needs;
- Ensure each employee receives annual appraisals, feedback and assessment of personal development needs from their manager; and
- Evaluate all training activities to ensure that delivery is relevant to needs, cost effective and that the quality of training is consistent.

5.42 In all of the above Camborne Town Council appears to conform. It is in addition a good idea for all employees to have a personal development plan as part of the appraisal or performance review system, which will identify skills and knowledge development needs for each individual. This plan should be reviewed at appropriate intervals, at least every year. Evidence from the most recent performance appraisals confirms broad conformance with this.

5.43 It is clear that this is not an area where Camborne Town Council has particular issues as training appears to be well addressed within the Council.

Appraisals

5.44 Camborne Town Council has an appraisal system though detailed procedures are not documented. However unlike many tertiary councils there does seem to be a degree of rigour to ensuring that staff are appraised annually and that there is some follow-up on objectives though these are not felt to be specifically demanding nor in all cases are outcomes measurable.

5.45 It is generally accepted that performance management is a continuous cycle of objective setting, feedback, development and review. Feedback, positive and negative, is most effective when delivered shortly after the task. Good people managers talk regularly to employees discussing the status of goals/priorities and

giving feedback. The annual appraisal meeting then becomes a summary of these discussions thus avoiding any year-end surprises. It's a two-way process and exchange of ideas should be incorporated into the formal process. Training for all involved in appraisal enhances success.

- 5.46 In the context of appraisals the Council needs to be clear what it means by performance. Are job descriptions being fulfilled? Are the objectives set for each individual SMART i.e. **S**pecific, **M**easurable, **A**chievable, **R**ealistic and **T**imely? No more than four or five key objectives should be set for each individual annually. Emphasis should always be on performance, improvement, development and motivation. It is essential to stress that appraisal meetings are not the forum for criticism or admonishment. The disciplinary code exists if punitive outcomes are sought. Most importantly it needs emphasising that bureaucracy must not drive the process. Appraisal is not simply a tick-box exercise; this just encourages a shallow dialogue once a year.
- 5.47 There are many examples of standard pro-forma appraisal forms, which can be easily located on the web. Indeed the many items that can be found on the web on this subject suggest very strongly that there is no one best model document out there. However in preparing this report an excellent example was located. Its genesis was a county council but it is equally appropriate for a local council and unlike many of the forms is focussed on objectives, competencies and skills development, and is not over-burdensome to complete. A copy was personalised and forwarded to the Town Clerk and this has now been further enhanced by her for use by the Town Council. This is an example of not re-inventing the wheel but rather seeing what is out there and benefiting from others best practice. It is an approach to be commended. Similarly a detailed personalised procedure has also been prepared as part of this review for the Town Clerk to adapt as appropriate.
- 5.48 For Camborne appraisals should continue to be undertaken at least annually. The Mayor or some other nominated senior councillor trained and/or experienced in undertaking reviews will appraise the Town Clerk, and the Town Clerk would then appraise all other staff, all as at present. In accordance with established and best practice, appraisals can only be one-to-one. Once the appraisal is concluded the completed appraisal form signed and agreed by both the appraiser and appraised is placed on the individual's personal form and used as one of the key pieces of documentation for the following appraisal.

Recommendation 32: That Council needs to determine who is responsible for completion of the Town Clerk's appraisals and to ensure that such elected member is fully trained to undertake this in accordance with the Council's procedures.

Recruitment

- 5.49 Camborne Town Council is currently in the throes of approving a Recruitment policy. The draft has been viewed and appears satisfactory. Like all such policies it should be periodically reviewed and never less than once during the lifetime of each administration.

Other Human Resources Policies and Procedures

5.50 In addition to any HR policies already referred to, the Council also currently has an Annual Leave policy. This like the other documents hitherto referred to is available on the Council's website for public reference. There are however a number of other dedicated HR policies that the Council needs to have in place and these would certainly include the following two, drafts of which are attached and are based on the SLCC model documents and, as such, are based on up-to-date employment law:

- Disciplinary Procedure (Appendix M)
- Grievance Procedure (Appendix N)

5.51 In addition there are other documents that the Council may wish to produce as and when time permits. Just as for the documents above the copyright rests with SLCC but as the Town Clerk is a member they may be used by the Council subject to acknowledgement. They include the following and copies can be viewed on <http://www.slcc.co.uk/advice/employment-advice-for-individuals/14/>. It is emphasised that aspects of those policies are in some cases already incorporated within the council's existing policies albeit under a different name; dignity at work for example is partially addressed within the complaints policy for example.

- Absence – Jury Service
- Dignity at Work – Bullying and Harassment
- Lone Workers
- Whistleblowing

Recommendation 33: That the Town Council should adopt policies and procedures for matters of discipline and grievance at the earliest opportunity based upon the model documents produced by the Society of Local Council Clerks and as attached to this document as Appendices M and N respectively.

Recommendation 34: That as time permits the Town Council should produce other HR policies and procedures where policies are not currently in place, including for Lone Workers, Bullying and Harassment, Jury Service and Whistleblowing, utilising model documents produced by the Society of Local Council Clerks where such already exist.

Human Resources Advice – General Support Service

5.52 This matter was previously loosely touched on in paragraph 3.15. It is considered the Council may be at some risk in the sphere of human resources (HR). Legislation in this area is increasingly complex. Notwithstanding the best efforts of the Town Clerk, no non-dedicated HR professional can reasonably be expected to be fully cognisant of all aspects of this specialist area. HR is a professional discipline in itself. Equally recruitment of a dedicated HR specialist could not be justified due to the size of the council and numbers of staff engaged. There are however specialist employment law services available in the open market that can be contracted into thereby allowing employers to focus on the success and growth of their council/business rather than worrying about how to deal with a difficult

employee or what they should do when facing a Tribunal claim. These services are usually on hand to assist with any employment matter, no matter how trivial, through a 24-hour advice service, available 365 days a year. With such arrangement if the Council should face an employment tribunal claim then the appropriate legal services team provide a full employment tribunal representation service aimed at achieving the best outcome for the Council. In addition, the indemnity scheme provided by certain of such contractors can fund the cost of any awards made against the Council giving further peace of mind, subject to the Council acting fully on its advice at all times. Such contractors, and there are a number of reputable businesses in the market place, also ensure there is legally compliant employment documentation in place to help prevent getting into difficulty in the first place. The cost of such service can vary but one national company would charge about £2,000 a year all-inclusive for Camborne (based on a five-year contract). This is assessed according to payroll. This is a cheaper and more cost-effective solution than direct employment. As part of the service most of the reputable contractors will comprehensively review the Council's employment policies and, more importantly, pull them together within a Staff Handbook.

- 5.53 Should the cost of such service be felt excessive then some County Associations of Local Councils do provide a more truncated HR service, though this is not especially recommended. It is understood that CALC cannot provide this service. There may be other options, including negotiating service-level agreements with Cornwall Council, but have not been explored.

Recommendation 35: That the Council should enter into a contractual arrangement with a specialist HR company, such as Peninsula or Ellis Whittam for example, in order to ensure the Council properly addresses the risks associated with employment based issues, not having the requisite experience within its own establishment, a shortfall common to virtually all local councils.

Precept

- 5.54 A parish or town council has the unfettered right to raise money by precept (a mandatory demand) on the principal authority. For Camborne this is Cornwall Council. The precept required by a local council is then collected by the principal council as part of the council tax levied on tax payers in that civil parish.
- 5.55 The Council's precept in 2014/2015 was £316,104.14, an identical sum as precepted in the previous financial year. Whilst the budget had increased by 3.3% the Council chose to keep back a percentage of the Council Tax Support grant in reserves to protect against increases in future years.
- 5.56 All decisions on precept are and must be solely ones for elected members to make. In calculating the precept the local council must as far as possible secure that it will suffice for four classes of items, namely:
- Next year's expenditure including an allowance for contingencies;
 - Outstanding expenditure incurred in previous years;
 - Expenditure likely to be incurred before the precepted sum becomes payable (note that in England this is 1 May, when the first half is payable), and

- Payments to financial reserves.

5.57 As indicated previously in this review the Council's current level of activity is low compared with other similar-sized town councils. This is reflected in the precept. Although in some parts of the country a Band D precept of £61.42 would not be considered a substantial sum, it is acknowledged that Camborne is a relatively low-paid wage economy and as a result the level of precept demand is likely to have greater impact than it would in other less constrained areas. However it should be observed also that in 2014/2015 the Town Council's Band D precept was not only lower than all bar one of the major town councils in the county, significantly so in most cases, but also some 20% lower than the average for all 213 parish and town councils throughout Cornwall. Illustrative figures for comparison are as follows with all amounts rounded to the nearest £ (except Cornwall and county average) and showing as for Band D taxpayers which is usual sector practice in making such comparisons (being mid-scale) though it is recognised that in Camborne Bands A, B and C are more prevalent.

Name of Council	Band D £
Average for all Parish and Town Councils	77.30
Camborne Town Council	61.42
Bodmin Town Council	234
Falmouth Town Council	160
Hayle Town Council	109
Helston Town Council	83
Illogan Parish Council	121
Launceston Town Council	136
Liskeard Town Council	107
Looe Town Council	148
Newquay Town Council	111
Penzance Town Council	91
Redruth Town Council	81
St Austell Town Council	38
Wadebridge Town Council	173

- 5.58 In looking forward there are three things above all, which Members need to be mindful of, and these would be confirmed by risk assessment:
- The Council generates little income from commercial activities. This is unusual. In 2014/2015 the budgeted income is £5,277 and in 2013/2014 it is £3,666 (comprising floral decorations, agency income and miscellaneous).
 - Cornwall has this past year been more generous than many other principal authorities in paying over Council Tax Support Grant to local councils. Experiences nationally are patchy but there is no compulsion; though there may well be a moral obligation and Government Ministers have indicated this is the case. However with further austerity tightening to come and Cornwall Council's financial position known as being delicate, the Town Council should plan for future erosion and possible ultimate discontinuance of the grant looking towards the future. It is understood that the amount of support grant funding cascaded down to Town and Parish Councils from Cornwall Council to recompense them for the changes to the Council Tax

benefit system is likely to be reduced next year. Cornwall Council previously advised Town and Parishes to budget on the basis that this funding would be reduced by 15%, but latest indications are that the cut in funding to Camborne will be 24%. The actual amount of Council Tax Support Grant funding that Camborne will receive will not be confirmed until Cornwall Council has approved its Corporate Budget 2015/2016.

- (iii) Future service expansion appears inevitable, the extent and timing of such less certain. But the Council does not have, as emphasised previously, the capacity to take on new services without staffing up and related other costs.

Recommendation 36: That the Council should for 2015/2016 financial year review the level of precept demand to be served on Cornwall Council having regard to the service pressures on the Town Council emanating from implementing the root and branch review, Cornwall Council cutbacks including reductions in Council Tax support grant and the likely cost implications of service transfers and devolution.

The Town Council's Revenue Budget

- 5.59 The Council currently has anticipated budget expenditure of £355,114 in the current 2014/2015 financial year. About a third of this, £116,739, is allocated for administration which is not untypical for councils of similar size and financial activity.
- 5.60 The budget is broken down into a large number of cost centres, most of which have a number of cost codes. To a casual observer the budget layout is confused with too many cost centres and too many codes. Members will know from the nett positioning monitoring reports that are received what the current arrangements are so it is not necessary to rehearse that here however the key objective in simplifying the budget is to ensure there is clear synergy between that and the various committees and that they do have ownership of their budgets.
- 5.61 Moving forward the Council needs no more than five revenue cost centres, details as follows:
 - (i) Central Administration (Budget and Development)
 - (ii) Corporate Governance (Budget and Development)
 - (iii) Amenities (Amenities)
 - (iv) Community Engagement (Budget and Development)
 - (v) Planning and Development (Planning Committee)
- 5.62 Attached as Appendix 0 is a schedule showing how the budget could be laid out. It will be observed that a number of codes have been merged for simplicity and in order not to fetter members unduly in terms of allocation. This relates to street furniture, surveys, community support and grants in particular. It also eradicates bad practice such as having separate grant funds for section 137. This is totally unnecessary and severely inhibits the Council's ability to allocate in accordance with priority need. The identification of statute happens at the time of spend not previous to. The proposed schedule also eliminates duplication and potential conflict between committees, for street furniture maintenance for example.

- 5.63 It will also be observed that salaries, national insurance and employers' pension contributions are allocated to each committee in order to show the true cost of services. This is done by a simple beginning of year allocation based on an assessment of time commitment by each member of staff to each service. This is not a difficult exercise as generally allocations are straight forward; the Handyman and his Assistant for example would allocate mostly or all to Amenities, the Deputy Town Clerk across Financial and Administration and Planning for example and so on. But it is a useful exercise as it does highlight the full costs of providing each distinctive service.
- 5.64 In addition to the revenue budget a capital programme can also be agreed. Generally speaking a de minimis of £5,000 is the ceiling at which a revenue scheme becomes capital but this is a guideline only.

Recommendation 37: That Council should review its budget layout along the lines of the proposal set out in Appendix 0 with effect from 2015/2016 financial year.

- 5.65 The issue of earmarked reserves also needs addressing. Here too Council makes life difficult for itself. Earmarked reserves are amounts set aside for specific policy purposes or for general contingencies and cash flow management. For each reserve established, the purpose, usage and the basis of transactions needs to be clearly defined. Basically the Council has earmarked reserves which will never be spent on the purpose intended and where it would be far better to un-earmark the sums by resolution where that is the case and transfer the sums in question into general reserves. Clearly this does not apply for such major future projects/programmes of work such as the Town Heritage Initiative, new offices, elections and devolved services for example but for many of the routine items if a budget is not spent at year end it should be just that and the monies go into the general reserve.

Recommendation 38: That Council should review its use of earmarked reserves and prior to 2015/2016 financial year ensure that these are being properly applied and that where current earmarked reserves are considered inappropriate the items be un-earmarked by resolution with the appropriate sums being transferred back into general reserves.

Camborne Town Council's Accounting Package

- 5.66 The Council currently uses the Scribe accounting package. This is a basic package particularly used by smaller councils in the sector. The package most used by larger parish and town councils is Omega, produced by RBS. Full details can be viewed on <http://www.rbssoftware.co.uk/> and this package provides the following key elements:

- Full double-entry accounting;
- Accounting entries via cash book, purchase ledger and sales ledger in any combination;
- Full invoicing package contained within the sales ledger;
- Ability to create VAT returns;

- Comprehensive budget routines on annual or annual profiling basis;
- Full budget reporting, including Current month, year to date against estimate, funds available, committed expenditure, virements, and virements tracking;
- The following year estimates can be produced in current year with comprehensive budget history reporting, and
- Up to five year forward budget calculations.

5.67 Importantly the Council needs to ensure the system it has is appropriate to provide for accruals and can cope with the Council's future service needs. The importance of having a system which can interlink with other modules dealing with services such as room bookings, allotments, burial services and the like has especial value. Given the need to train up the Administrative Assistant it is important to ensure that this is undertaken on whatever package the Council is to use over the coming years. Input from the Town Clerk and (current) Deputy Town Clerk would be essential in any such assessments. Representatives of relevant companies are always happy to make presentations and provide detailed costs.

Recommendation 39: That Camborne Town Council should request the Town Council's officers to undertake an evaluation of their accounting needs with a view to satisfying whether the current Scribe package is most appropriate to meet the Council's developing needs and if not to evaluate other options for purchase including the RBS Omega package.

Section 6

Summary of Recommendations

6.0 Summary of Recommendations

The Council's Corporate Guidance: A Robust, thorough review of all aspects of Corporate Governance and to make realistic recommendations for improvement in accordance with best practice.

Recommendations

Recommendation 1: That Camborne Town Council should keep abreast of progress in formulation of the National Awards scheme, with a view to achieving accreditation at the earliest opportunity, subject to meeting appropriate criteria. (S/M)

Recommendation 2: That Camborne Town councillors should enhance their engagement with the public both through formal engagement strategies and individually organised surgeries in order to enhance the profile of councillors and the Council in the community. (S)

Recommendation 3: That the Council should review its need for a legal advice service following discussions with Cornwall Association of Local Councils, and with other local councils in Cornwall, in order to properly assess the need for such services and whether joint purchasing might produce more cost-effective benefits. (M)

Recommendation 4: The Council should delete current Standing Orders 78 – 82 inclusive and replace with a new Standing Order 78 stating “procurement policies including values for which quotations and tenders will be required and specifying minimum numbers of quotations and tenders to be sought for each value.” (S)

Recommendation 5: Change all Standing Order numbers after newly revised Standing Order 78 to reflect the loss of current Standing Order numbers 79 – 82 inclusive. (S)

Recommendation 6: Amend Standing Order 105 (v) to state “procurement policies including values for which quotations and tenders will be required and specifying minimum numbers of quotations and tenders to be sought for each value” and delete bracketed reference to European Union Public Sector Procurement after Standing Order 106. (S)

Recommendation 7: To approve the amended Financial Regulations as attached to this report as Appendix A. (S)

Recommendation 8: That Council should approve the draft Scheme of Delegation attached to this report as Appendix B and this be agreed as an integral element within the Council's Standing Orders. (S)

Recommendation 9: That with effect from 2015/2016 civic year the Planning Committee should be re-named Planning and Development Committee and the Budget and Development Committee should be re-named Finance and General Purposes Committee and, if agreed, all governance documents including Standing Orders and Financial Regulations should be amended to reflect such changes. (S)

Recommendation 10: That Council should reduce the frequency of Planning Committee meetings to three-weekly from the commencement of 2015/2016 civic year. (S)

Recommendation 11: That Council should consider reducing the frequency of the two other Standing Committees to bi-monthly with effect from the commencement of 2015/2016 civic year. (S/M)

Recommendation 12: That the Council should adopt a Communications Strategy in line with the example set out in paragraph 3.48 of this review report, and a Transparency Policy when further information regarding the new regulations is known. (S)

Recommendation 13: That the Council should introduce a structured Performance Management System, working with similar-sized Councils within the sector to utilise existing best practice wherever possible, and that there should be regular reporting. (M)

A review of the strategic direction of Camborne Town Council with regard to the localism agenda and local government in Cornwall.

Recommendation 14: That the Town Council should officially receive the notes of the Corporate Plan Vision Day held in Camborne on 18 October 2014, attached to the review report as Appendix D, and agree that they form the basis of the Council's Corporate Plan, a draft initial proposal for this being received under separate cover. (S)

Recommendation 15: That Camborne Town Council should ensure proper application of the Section 137 Free Resource powers where no other powers exist and where use is in the interests of the area or its inhabitants. (S)

Recommendation 16: That the Council should advise Cornwall Council that it is committed to playing a positive and constructive role with regard to the future delivery of discretionary services in Camborne, subject to a phased approach to any service transfers and to the unencumbered transfer of freehold assets at nil cost where these are considered to be an integral element within the service provision. (S/M/L)

Recommendation 17: That the Council should seriously evaluate, in conjunction with the Camborne Bid team and the Camborne Chamber of Commerce the opportunity to create a network of well signposted and badged community toilets geographically located at strategic locations within the Town Centre either as a cost-effective alternative to or in conjunction with existing provision at Rosewarne. (S)

Recommendation 18: That the Town Council should resume formal membership on the BID Camborne Board with the Town Clerk attending future meetings and elected members should work actively both formally and informally with both the BID and Camborne Chamber of Commerce in promoting the Town's business economy. (S)

A thorough review of all resources to include human resources, finance and assets with regard to ensuring the Council has the right capacity to address the Council's aspirations, the localism agenda and local government in Cornwall.

Recommendation 19: [REDACTED]

Recommendation 20: [REDACTED]

Recommendation 21: [REDACTED]

Recommendation 22: [REDACTED]

Recommendation 23: [REDACTED]

Recommendation 24: [REDACTED]

Recommendation 25: To approve the appointment of a new post of Amenities and Projects Officer from 2015/2016 financial year on a grade of spinal points 22 – 25 inclusive. (S)

Recommendation 26: To agree the proposed job description for the post of Amenities and Projects Officer and the person specification for the post, as attached to this review report as Appendices I and J. (S)

Recommendation 27: [REDACTED]

Recommendation 28: [REDACTED]

Recommendation 29: [REDACTED]

Recommendation 30: [REDACTED]

Recommendation 31: That for all future recruitments the Town Council should ensure prior to commencement of the process that all person specification documents are appropriate and relevant to meet the demands of the post being advertised in order to attract and appoint the highest quality candidates. (S/M/L)

Recommendation 32: That Council needs to determine who is responsible for completion of the Town Clerk's appraisals and to ensure that such elected member is fully trained to undertake this in accordance with the Council's procedures. (S).

Recommendation 33: That the Town Council should adopt policies and procedures for matters of discipline and grievance at the earliest opportunity based upon the model documents produced by the Society of Local Council Clerks and as attached to this document as Appendices M and N respectively. (S)

Recommendation 34: That as time permits the Town Council should produce other HR policies and procedures where policies are not currently in place, including for Lone Workers, Bullying and Harassment, Jury Service and Whistleblowing, utilising model documents produced by the Society of Local Council Clerks where such already exist. (S/M)

Recommendation 35: That the Council should enter into a contractual arrangement with a specialist HR company, such as Peninsula or Ellis Whittam for example, in order to ensure the Council properly addresses the risks associated with employment based issues, not having the requisite experience within its own establishment, a shortfall common to virtually all local councils. (M)

Recommendation 36: That the Council should for 2015/2016 financial year review the level of precept demand to be served on Cornwall Council having regard to the service pressures on the Town Council emanating from implementing the root and branch review, Cornwall Council cutbacks including reductions in Council Tax support grant, and the likely cost implications of service transfers and devolution. (S)

Recommendation 37: That Council should review its budget layout along the lines of the proposal set out in Appendix O with effect from 2015/2016 financial year. (S)

Recommendation 38: That Council should review its use of earmarked reserves and prior to 2015/2016 financial year ensure that these are being properly applied and that where current earmarked reserves are considered inappropriate the items be un-earmarked by resolution with the appropriate sums being transferred back into general reserves. (S)

Recommendation 39: That Camborne Town Council should request the Town Council's officers to undertake an evaluation of their accounting needs with a view to satisfying whether the current Scribe package is most appropriate to meet the Council's developing needs and if not to evaluate other options for purchase including the RBS Omega package. (S/M)

Financial Implications

Recommendations 2, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 18, 19, 22, 23, 28, 30, 31, 33, 34, 37 and 38 have no direct financial implications.

Recommendations 1 and 32 may have minimal financial consequences arising from registration and training respectively. These are unlikely to exceed £500 in total.

Recommendation 3 could have a maximum financial implication of £2,000 for the core legal advisory fee.

Recommendations 10 and 11 would result in marginal savings in staff time if agreed though this would more usefully be applied to increasing capacity than reducing staff hours paid. The overall impact therefore would be budget neutral.

Recommendation 16 could have serious financial implications dependent upon the extent of additional services provided and funded by the Town Council. This would need to be reflected in the precept (recommendation 37). Just to bring the Town Council's precept up to the County average would produce additional precept income of £80,000.

Recommendation 17 for the provision of say four community toilets would cost approximately £5,000 annually plus initial signposting/badging costs of about £5,000. Such costs are likely to be between £20,000 to £40,000 less than traditional toilet provision (Gurneys Lane and Rosewarne).

Recommendations 20 [REDACTED].

Recommendations 21 and 24 [REDACTED].

Recommendations 25 and 26 for the new post of Amenities and Projects Officer would incur additional salary costs of some £25,000 including employer's on-costs in 2015/2016 financial year assuming the new post holder commences on the bottom of the proposed salary grade.

Recommendation 27 [REDACTED].

Recommendation 29 merely reflects the proposed staffing structure and the cost implications are reflected elsewhere.

Recommendation 35 would likely incur contractual costs of some £2,000 in 2015/2016 financial year.

Recommendation 39 could result in additional one-off costs of some £5,000 if the Council's current accounting package needs to be replaced.

Section 7

Appendices

CAMBORNE TOWN COUNCIL

FINANCIAL REGULATIONS

These Financial Regulations were adopted by the Council at its Meeting held on 12th June 2014.

1. GENERAL

- 1.1 These financial regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of financial control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk and for the prevention and detection of fraud and corruption. These financial regulations are designed to demonstrate how the council meets these responsibilities.
- 1.2 The Responsible Financial Officer (RFO) is a statutory office and shall be appointed by the council. The Clerk has been appointed as RFO for this council and these regulations will apply accordingly. The RFO, acting under the policy direction of the Council, shall administer the Council's financial affairs in accordance with proper practices. The RFO shall determine on behalf of the council its accounting records, and accounting control systems. The RFO shall ensure that the accounting control systems are observed and that the accounting records of the council are maintained and kept up to date in accordance with proper practices.
- 1.3 The RFO shall produce financial management information as required by the council.
- 1.4 At least once a year, prior to approving the annual return, the council shall conduct a review of the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.5 In these financial regulations, references to the Accounts and Audit Regulations shall mean the Regulations issued under the provisions of section 27 of the Audit Commission Act 1998 and then in force.
- 1.6 In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in Governance and Accountability in local Councils in England and Wales – a Practitioners' Guide which is published jointly by NALC and SLCC and updated from time to time.

2. ANNUAL ESTIMATES (BUDGET)

- 2.1 Each Committee shall formulate and submit proposals to the Council in respect of revenue and capital including the use of reserves and sources of funding for the following financial year not later than the end of November each year.

- 2.2 Detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the year shall be prepared each year by the RFO in the form of a budget to be considered by the council.
- 2.3 The Council shall review the budget not later than the end of January each year and shall fix the Precept to be levied for the ensuing financial year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved budget.
- 2.4 The annual budgets shall form the basis of financial control for the ensuing year.
- 2.5 The Council shall consider the need for and shall have regard to a three year forecast of Revenue and Capital Receipts and Payments which may be prepared at the same time as the annual Budget.

3 BUDGETARY CONTROL

- 3.1 Expenditure on revenue items may be incurred up to the amounts included for that budget head of expenditure in the approved budget.
- 3.2 No expenditure may be incurred that will exceed the amount provided in the revenue budget for that budget head of expenditure. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate.
- 3.3 The RFO shall regularly provide the Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and in practice at each regular meeting of the Budget and Development Committee.
- 3.4 The Clerk following consultation with either the Town Mayor and Deputy Mayor or the Chairman and Vice Chairman of the appropriate committee, may incur expenditure on behalf of the Council which is necessary to carry out any repair replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1,000. The Clerk shall report the action to the Budget and Development Committee as soon as practicable thereafter.
- 3.5 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year unless placed in an earmarked reserve by resolution of the council.
- 3.6 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained.
- 3.7 All capital works shall be administered in accordance with the Council's standing orders and financial regulations relating to contracts.

4. ACCOUNTING AND AUDIT

- 4.1 All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidelines and proper practices.
- 4.2 On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman [or a cheque signatory] shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the Budget and Development Committee.
- 4.3 The RFO shall complete the annual statement of accounts, annual report, and any related documents of the Council contained in the s Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the Council within the timescales set by the Accounts and Audit Regulations.
- 4.4 The RFO shall ensure that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with proper practices. Any officer or member of the Council shall, if the RFO or Internal Auditor requires, make available such documents of the Council which appear to the RFO or Internal Auditor to be necessary for the purpose of the internal audit and shall supply the RFO or Internal Auditor with such information and explanation as the RFO or Internal Auditor considers necessary for that purpose.
- 4.5 The Internal Auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices. The Internal Auditor, who shall be competent and independent of the financial operations of the Council, shall report to Council in writing, or in person, on a regular basis with a minimum of one annual written report in respect of each financial year. In order to demonstrate competence, objectivity and independence, the internal auditor shall be free from any conflicts of interest, including those relating to family relationships, and have no involvement in the financial decision making, management or control of the council.
- 4.6 The Council shall carry out a review of the effectiveness of internal audit on an annual basis in accordance with the Accounts and Audit Regulations 2003 and 2006 and any subsequent amendments thereto.
- 4.7 The RFO shall make arrangements for the exercise of electoral rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and for the display or publication of any Notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 4.8 The RFO shall, as soon as practicable, bring to the attention of all councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.

5. BANKING ARRANGEMENTS AND CHEQUES

- 5.1 The Council's banking arrangements, including the Bank Mandate, shall be made by the RFO and approved by the Council. They shall be regularly reviewed for efficiency.
- 5.2 A schedule of the payments required or made, forming part of the Agenda for the Meeting, shall be prepared by the RFO and, together with the relevant invoices, be presented to the Budget and Development Committee. If the schedule is in order it shall be authorised or received and accepted as appropriate, by a resolution of the Budget and Development Committee and shall be initialled by the Chairman of the Meeting. If more appropriate the detail may be shown in the Minutes of the Meeting.
- 5.3 Cheques drawn on the bank account in accordance with the schedule referred to in paragraph 5.2 or in accordance with paragraph 6.4, shall be signed by two authorised members of Council, and countersigned by the Clerk, as defined in Standing Order 64.
- 5.4 To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 5.5 Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.

6 PAYMENT OF ACCOUNTS

- 6.1 All payments shall be effected by cheque or other order drawn on the Council's bankers.
- 6.2 All invoices for payment shall be examined, verified and certified by the Clerk or by the appropriate Councillors as identified in Standing Orders. The Clerk shall satisfy him/herself that the work, goods or services to which the invoice relates shall have been received, carried out, examined and approved.
- 6.3 The RFO shall examine invoices in relation to arithmetic accuracy and shall analyse them to the appropriate expenditure heading. The Clerk shall take all steps to settle all invoices submitted, and which are in order, at the next available Budget and Development Committee Meeting.
- 6.4 If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of Budget and Development Committee, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, the Clerk may (notwithstanding para 6.3) take all steps necessary to settle such invoices provided that a list of such payments shall be submitted to the next appropriate meeting of the Budget and Development Committee.

6.5 The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement:

- a) The RFO shall maintain as petty cash float of £100 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
- b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
- c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to Council under 5.2 above.

6.6 If thought appropriate by the council, payment for utility supplies (energy, telephone and water) may be made by variable Direct Debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable Direct Debit shall be renewed by resolution of the council at least every two years.

7 PAYMENT OF SALARIES

7.1 As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salaries shall be as agreed by Council.

7.2 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions, may be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to and ratified by the next available Budget and Development Committee meeting.

7.3 No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the [council] [relevant committee].

7.4 Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:

- a) by any councillor who can demonstrate a need to know;
- b) by the internal auditor;
- c) by the external auditor; or
- d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.

7.5 The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.

- 7.6 An effective system of personal performance management should be maintained for the senior officers.
- 7.7 Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.8 Before employing interim staff the council must consider a full business case.

8 LOANS AND INVESTMENTS

- 8.1 All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with Council policy.
- 8.2 The council shall consider the need for an Investment Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Policy shall be reviewed at least annually.
- 8.3 All investments of money under the control of the Council shall be in the name of the Council.
- 8.4 All borrowings shall be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The terms and conditions of borrowings shall be reviewed at least annually.
- 8.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

9 INCOME

- 9.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- 9.2 Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the Council.
- 9.3 The Council will review all fees and charges annually, following a report of the Clerk.
- 9.4 Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.
- 9.5 All sums received on behalf of the Council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the Council's bankers with such frequency as the RFO considers necessary.

- 9.6 The origin of each receipt shall be entered on the paying-in slip.
- 9.7 Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.8 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.9 Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps as are agreed by the Council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

10 ORDERS FOR WORK, GOODS AND SERVICES

- 10.1 An official order or letter shall be issued for all work, goods and services, as far as reasonable and practicable, unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2 Order books shall be controlled by the RFO.
- 10.3 All members and Officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in Regulation 11 (I) below.
- 10.4 No member may issue an official order or make any contract on behalf of the Council.
- 10.5 The Clerk shall maintain a register of all companies/individuals contacted and quotes received.
- 10.6 The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the Minutes can record the power being used.

11 CONTRACTS

- 11.1 Procedures as to contracts are laid down as follows:
- (a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that these regulations shall not apply to contracts which relate to items (i) to (vi) below:
- (i) for the supply of gas, electricity, water, sewerage and telephone services;

- (ii) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - (iii) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - (iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - (v) for additional audit work of the external Auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of Council);
 - (vi) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.
- (b) Where it is intended to enter into a contract exceeding £15,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk shall invite tenders from at least three firms to be taken from the appropriate approved list.
- (c) There are three forms of tender procedure: open, restricted and negotiated; the circumstances in which each procedure should be used are described below.

Open Tender

This is where all potential suppliers are invited to tender. The Town Clerk must discuss and agree with the Full Council or relevant Standing Committee how best to advertise for suppliers e.g. general press, trade journals or to identify potential suppliers and contact them directly if practical. This is the preferred method of tendering as it is most conducive to competition and the propriety of public funds.

Restricted Tender

This is where suppliers are specifically invited to tender. Restricted tenders are appropriate where:

There is a need to maintain a balance between the contract value and administrative costs;

A large number of suppliers come forward or because the nature of the goods are such that only specific suppliers can be expected to supply the Council's requirements; and

The costs of publicity and advertising are likely to outweigh the potential benefits of open tendering.

Negotiated Tender

The terms of the contract may be negotiated with one or more chosen suppliers. This is appropriate in specific circumstances:

The open tender methods have resulted in either no or unacceptable tenders;

Only one or very few suppliers are available;

Extreme urgency exists;

Additional deliveries by an existing supplier are justified Preparation for Tender.

- (d) In the evaluation of tenders, full consideration shall be given to:
The objective of the project;
Overall requirements;
Technical skills required;
After sales service requirements;
Form of contract.

It may be useful, after all requirements have been established, to rank requirements (e.g. mandatory, desirable and additional) and award marks to suppliers on fulfilment of these requirements to help reach an overall decision.

A tender other than the lowest tender if payment is to be made by the Council, or the highest tender if payment is to be received by the Council, shall not be accepted until the Council is satisfied that it has met all its statutory obligations and that the accepted tender provides best value for the community; this shall be recorded in the minutes.

- (e) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Council.
- (f) Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- (g) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk or Deputy Clerk only in the presence of such Members of the Council as have been designated for the purpose by the Council or by the Committee to which the power of making the contract to which the tenders relate has been delegated. Where tenders have been opened in pursuance of this paragraph they shall be recorded in a book kept specifically for the purpose, signed as correct by all those present, dated and reported to the next meeting of the appropriate Committee.
- (h) If less than three tenders are received for contracts above £15,000 or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- (i) Any invitation to tender issued under this regulation shall contain a statement to the effect of Standing Orders 50 and 53.
- (j) When it is to enter into a contract less than £15,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall strive to obtain 3 quotations (priced descriptions of the proposed supply); where the value

is below £2,000 and above £200 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10 (3) above shall apply.

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

- 11.2 There shall be inserted in every written contract, a clause empowering the Council to cancel the contract and to recover from the contractor the amount of any loss resulting from such cancellation if the contractor shall have offered or given or agreed to give to any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do or for having done or forborne to do any action in relation to the obtaining or execution of the contract with the Council; or for showing, or forbearing to show, favour or disfavour to any person in relation to the contract or any other contract with the Council; or, if the like acts shall have been done by any person employed by him/her or acting on his/her behalf (whether with or without the knowledge of the contractor) or if in relation to any contract with the Council, the contractor, or any person employed by him/her or acting on his/her behalf shall have been committed any offence under relevant legislation including the Prevention of Corruption Acts 1889 to 1916, or shall have given any fee or reward the receipt of which is an offence under section 117(2) of the Local Government Act 1972.

12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

- 12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 12.2 Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the Budget and Development Committee.
- 12.3 Any variation to a contract or addition to or omission from a contract must be approved by the Council and Clerk to the Contractor in writing, the Budget and Development Committee being informed where the final cost is likely to exceed the financial provision.

13 STORES AND EQUIPMENT

- 13.1 The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2 Delivery Notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3 Stocks shall be kept at the minimum levels consistent with operational requirements.

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

14 ASSETS, PROPERTIES AND ESTATES

- 14.1 The Clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council. The RFO shall ensure a record is maintained of all properties owned by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2 No property shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.
- 14.3 No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.4 The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15 INSURANCE

- 15.1 Following the annual risk assessment (per Financial Regulation 17), the RFO shall effect all insurances and negotiate all claims on the Council's insurers.
- 15.2 The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 15.3 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to Council at the next available meeting.
- 15.4 All appropriate employees of the Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council.

16 CHARITIES

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

17 RISK MANAGEMENT

- 17.1 The council is responsible for putting in place arrangements for the management of risk. The Clerk shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.
- 17.2 When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.
- 17.3 The Council shall carry out a Financial Risk Assessment on an annual basis in accordance with the Accounts and Audit Regulations 2003 and 2006 and any subsequent amendments thereto. The minutes shall record such review of the financial risks.
- 17.4 A printed copy of these Financial Regulations shall be given to each Member of the Council. An up to date copy of the publication 'Governance and Accountability a Practitioners Guide' shall be made available for reference on request to any Member by the Town Clerk at the Town Council office.

18 REVISION AND SUSPENSION OF FINANCIAL REGULATIONS

- 18.1 It shall be the duty of the Council to review the Financial Regulations of the Council every year. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these financial regulations.
- 18.2 The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

* * * *

Appendix B

Camborne Town Council

Proposed Scheme of Delegation

This proposed Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person), Standing Committees and Sub-committees of the Council to act with delegated authority in the specific circumstances detailed.

1. Responsible Financial Officer

1.1 The Town Clerk shall be the Responsible Financial Officer to the Council and shall be responsible for the Town Council's accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time.

2. Proper Officer

2.1 The Town Clerk shall be the Proper Officer of the Council and as such is specifically authorised to:

- (a) Receive declarations of acceptance of office;
- (b) To retain a copy of every Councillor's register of interests;
- (c) Receive and retain plans and documents;
- (d) To sign Notices or other documents on behalf of the Council;
- (e) Receive and retain copies of By-laws made by Cornwall Council;
- (f) Certify copies of By-laws made by the Council and other such orders as adopted by the Council;
- (g) Sign summonses to attend meetings of the Council;
- (h) To keep proper records for all meetings, and
- (i) To receive from the District Council's Monitoring Officer any documents in relation to Complaints received under The Members' Code of Conduct and report this at the next convenient meeting of the Council.

2.2 In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- (a) The day to day administration of services, together with routine inspection and control.
- (b) Day to day supervision and control of all staff employed by the Council.
- (c) Authorisation of routine expenditure within the agreed budget.

- (d) Authorise training or attendance at Conferences as agreed within budget.
 - (e) Emergency expenditure up to £1,000 outside of the agreed budget subject to immediate report back to the next meeting of the appropriate Committee or Council.
- 2.3 Delegated actions of the Town Clerk shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and with directions given by the Council from time to time.

3. Council

- 3.1 The following matters are reserved to the Council for decision, notwithstanding that the appropriate Committee(s) may make recommendations thereon for the Council's consideration.
- (a) The Power of raising loans and setting the Precept;
 - (b) The power of incurring capital expenditure not specifically included in the Council's approved estimate of expenditure for the time being;
 - (c) The appointment to or co-option on a Committee or Sub-Committee of a person (on a strictly non-voting basis) who is not a Member of the Council or the Committee;
 - (d) Standing Orders, Financial Regulations, the Scheme of Delegation, and the functions and constitution of Committees and Sub-Committees;
 - (e) Dates of meetings of the Council;
 - (f) Appointment or nomination by the Council of persons to fill vacancies on outside bodies arising during the Council year;
 - (g) Filling of vacancies occurring on any Committee of the Council during the Council year;
 - (h) The appointment or dismissal of the Town Clerk;
 - (i) Agreement to take on new, including devolved services, subject in all cases to a fully-costed Business Plan to be recommended by Finance and General Purposes Committee;
 - (j) Prosecution or defence in a court of law, and
 - (k) Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Town, excluding those matters specific to a committee.

4. Powers and Duties of Standing Committees

- 4.1 Subject to the foregoing, and to observance of decisions of the Council on matters of principle or policy, all the Council's powers and duties shall be delegated to the Standing Committees in accordance with the following terms of reference unless otherwise specified. The acts and proceedings of a Committee shall:
- (a) where they are delegated to the Committee, so far as is legally permissible be deemed the acts and proceedings of the Council;
 - (b) as regards other matters, be subject to confirmation by the Council, and when confirmed shall be deemed the acts and proceedings of the Council;
 - (c) in all respects be subject to the provisions of the Council's Standing Orders and Financial Regulations except as otherwise determined by the Council.
- 4.2 The Council may at any time without prejudice to executive action already taken revoke any executive power delegated to a Committee.

5. Budget and Development Committee

- 5.1 The **Budget and Development Committee** shall be delegated to make decisions on behalf of the Council in the following matters:
- (a) Ensuring the Annual Return (Statement of Accounts) is completed in accordance with requirements and recommend to Council accordingly;
 - (b) All other matters relating to Finance, including budget monitoring;
 - (c) All matters relating to internal and external audit;
 - (d) Insurances;
 - (e) Grants and Donations, except any that fall within the purview of Amenities Committee – for environmental initiatives for example;
 - (f) To make recommendations to Council on the Budgets of all Standing Committees;
 - (g) All matters relating to Personnel/Human Resources. This Committee may decide that it wishes to refer such matters to the Council for final decision, subject to the matters reserved for final decision for legal reasons;
 - (h) General Administration;
 - (i) Matters of Democratic Representation;
 - (j) Governance and Corporate Management;
 - (k) All issues in relation to the Council offices including legal, maintenance and repair;

- (l) Partnership Working;
 - (m) Civic Activities/Local Democracy;
 - (n) Council Communications and Information Services;
 - (o) Any other matter which may be delegated to it by the Council from time to time.
- 5.2 Committee may refer specific matters to the Council for a final decision if it so wishes.
- 5.3 In respect of personnel and human resources matters it is vital that the Finance and General Purposes Committee, through the Staffing Working Party as appropriate, keeps confidential its deliberations and decisions in cases of Grievance, Disciplinary and Capability hearings, because if an Appeal against a decision is received it must, legally and in the interests of fairness, be heard again by elected members with no prior knowledge of the case.
- 5.4 In order to ensure as far as possible that such matters as Appraisal, Grievance, Disciplinary and Capability issues are dealt with professionally and in accordance with Employment legislation, all members of any sub-committees set up to deal with such matters must agree to undertake training in these matters.

6. Amenities Committee

6.1 The Amenities Committee

- (a) The provision of handyman services and all issues relating to the Handyman store/workshop;
- (b) Dealing with the provision and maintenance, as appropriate, of street furniture and Town Council public owned facilities including the public clock, town square, public seats, bus shelters, public notice boards, salt and grit bins and war memorials for example;
- (c) Dealing with the provision and maintenance of allotments;
- (d) The co-ordination and direction of the Council's environmental improvement program; including summer planting, Camborne in Bloom and related initiatives;
- (e) Devolved and other services, including parks/recreation grounds, public open spaces, public conveniences, car parking, and burial services subject to policy determination on acceptance of such services resting with Council;
- (f) The provision of agency services for Cornwall Council including public footpaths and verge maintenance;

- (g) Co-ordination of any Town Council community safety initiatives including the local provision of CCTV;
- (h) The making of recommendations to the Finance & General Purposes Committee regarding matters relating to the Town Council's staff engaged on community handyman services;
- (i) Approval of environmental and community grants from within approved budgets;
- (j) Provision and organization of a Camborne events program, including Christmas activities, and
- (k) Any other matter which may be delegated to it by the Council from time to time.

7. Planning Committee

7.1 The **Planning Committee** shall be delegated to make decisions on behalf of the Council in the following matters:

- (a) The making of representations to the Local Planning Authority on applications for planning permission which have been notified in accordance with relevant legislation;
- (b) The making of representations in respect of appeals against the refusal of planning permission;
- (c) The consideration of any pre-application consultations;
- (d) The making of representations regarding street naming;
- (e) To consider and monitor all developmental plans and heritage initiatives which impact upon Camborne and the making of all appropriate representations;
- (f) All issues relating to the Townscape Heritage Initiative and its approved budget;
- (g) The facilitation of economic development initiatives, including those pertaining to Town Centre matters, for the benefit of Camborne and the making of representations on all related matters and liaison as appropriate with other agencies;
- (h) The making of representations in respect of any highways consultations;
- (i) The making of representations in respect of any licensing matters, and
- (j) The making of representations to the appropriate Planning Authority in respect of other planning matters not otherwise referred to in Terms of Reference (a) - (h) above.

8. Sub Committees

- 8.1 Every Committee may appoint Sub-Committees whose terms of reference and members shall be determined by the parent Committee as identified in Standing Orders. The Chairman and Vice-Chairman of the Committee shall be members of every Sub-Committee appointed by it unless they signify that they do not wish to serve.

9. Working Groups/Parties

- 9.1 Working Groups/Parties may be formed by resolution of the Council or a Committee at any time. The work of such a Working Group/Party will be decided upon at the time it is formed by means of a Minute detailing the Terms of Reference. Each Working Group/Party will report back with recommendations to the Council or the Committee that formed it. The Working Group will be disbanded by resolution of Council or the parent Committee to which it reports once it has completed its agreed objectives.

10 Delegation – Limitations

- 10.1 Committees, Sub Committees and Working Parties shall, at all times, act in accordance with the Councils Standing Orders, Financial Regulations and this Scheme of Delegation and, where applicable, any other rules, regulations, schemes, statutes, By-laws or orders made and with any directions given by the Council from time to time.

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Appendix C

Camborne Town Council

Proposed Communications Strategy

A. Town Council Correspondence

- (g) The point of contact for the council is the Town Clerk, and it is to the Town Clerk that all correspondence for the town council should be addressed.
- (ii) The Town Clerk should deal with all correspondence following a meeting.
- (iii) No individual Councillor or Officer should be the sole custodian of any correspondence or information in the name of the town council, a committee, sub-committee or working party. In particular, Councillors and Officers do not have a right to obtain confidential information/documentation unless they can demonstrate a 'need to know'.
- (iv) All official correspondence should be sent by the Town Clerk in the name of the council using council letter headed paper.
- (v) Where correspondence from the Town Clerk to a Councillor is copied to another person, the addressee should be made aware that a copy is being forwarded to that other person (e.g. copy to XX).

B. Agenda Items for Council, Committees, Sub-Committees and Working Parties

- (i) The agenda should be clear and concise. It should contain sufficient information to enable Councillors to make an informed decision, and for the public to understand what matters are being considered and what decisions are to be taken at a meeting.
- (ii) Items for information should be kept to a minimum on an agenda.
- (iii) Where the Town Clerk or a Councillor wishes fellow Councillors to receive matters for "information only", this information will be circulated via the Town Clerk.

C. Communications with the Press and Public

- (i) The Town Clerk will clear all press reports, or comments to the media, with the Town Mayor or the Chair of the relevant committee as appropriate.
- (ii) Press reports from the council, its committees or working parties should be from the Town Clerk or an officer or via the reporter's own attendance at a meeting.
- (iii) Unless a Councillor has been authorised by the council to speak to the media on a particular issue, Councillors who are asked for comment by the press should make it clear that it is a personal view and ask that it be clearly reported as their personal view.

- (iv) Unless a Councillor is absolutely certain that he/she is reporting the view of the council, they must make it clear to members of the public that they are expressing a personal view.
- (v) If Councillors receive a complaint from a member of the public, this should be dealt with under the Council's adopted complaints procedure, or via a council agenda item.

D. Councillor Correspondence to external parties

- (i) Individual councillors are responsible for their own ward member correspondence. The Town Council does not provide a secretariat for such purpose. Councillors must ensure they make clear where they are informing on official policy and where they are stating their personal views.
- (ii) A copy of all outgoing correspondence relating to the council or a Councillor's role within it, should be sent to the Clerk, and it be noted on the correspondence, e.g. "copy to the Clerk" so that the recipient is aware that the Clerk has been advised.

E. Communications with Town Council Staff

- (i) Councillors must not give instructions to any member of staff, unless authorised to do so (for example, three or more Councillors sitting as a committee or sub-committee with appropriate delegated powers from the council).
- (ii) No individual Councillor, regardless of whether or not they are the Town Mayor or the Chair of a committee or other meeting, may give instructions to the Clerk or to another employee which are inconsistent or conflict with council decisions or arrangements for delegated power.
- (iii) Telephone calls should be appropriate to the work of the town council.
- (iv) Instant replies should not be expected to e-mails from the Clerk; reasons for urgency should be stated;
- (v) Councillors should acknowledge their e-mails when requested to do so.
- (vi) For meetings with the Clerk or other officers an appointment should be made wherever possible, meetings should be relevant to the work of that particular officer and councillors should be clear that the matter is legitimate council business and not matters driven by personal or political agendas.

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Appendix D

Camborne Town Council

Vision Day – 18 October 2014

Venue: The Community Centre, South Terrace, Camborne.

Timings: 10.00 a.m. to 3.15 p.m.

List of Participants:

Councillor Trevor Chalker (Deputy Town Mayor)
Councillor Mike Champion
Councillor James Chapman
Councillor Mrs Valerie Dalley
Councillor Ms Zoe Fox
Councillor Colin Godolphin (Town Mayor)
Councillor Ms Jacqueline Merrick
Councillor Stuart Odgers
Councillor Ms Jude Robinson
Councillor Robert Webber
Councillor Rory White

Amanda Mugford, Town Clerk
Beverley Pascoe, Deputy Town Clerk
Melanie Negus, Administrative Assistant

Chris Rolley, Facilitator, Chris Rolley Associates
David Carden, Facilitator, Chris Rolley Associates

1 Welcome and Introduction

The Town Mayor, Councillor Godolphin introduced the day and welcomed the delegates and independent facilitators.

He reminded everyone of the Vision Day Objective, namely *To establish a Corporate Plan and Vision for Camborne Town Council for the next 5 years in terms of shaping the role of the Council, service delivery, advocacy, resources and financial planning.*

Chris Rolley explained the importance of a fully-participative approach to the Day and that some elements would be best delivered in break-out groups with feedback. He commended the Council on embarking on a future Vision.

2 Scene Setting

Chris and David Carden gave a brief summary of the background to the day as they saw it. They specifically emphasised the particular opportunity for the Council members and staff to shape the Council's future as a direct consequence of the

Council's initiative to commission a root and branch review and to hold the Vision Day. As such they encouraged all present to make the most of the day, to participate fully and go in whatever direction their ambition takes them. They further focussed on the following context, expanding with relevant background data.

- The background of austerity - still five years to go;
- The potential for increasing the Council's precept;
- Opportunities for devolution from Cornwall Council.
- The need to learn from best practice in the sector.

3 The Good, the Bad and the Ugly

As a single grouping the delegates were asked to consider three questions:

- As a Town Council what do we do well? (The Strengths).
- What do we do not so well, and why? (The Weaknesses).
- What are the new opportunities and challenges that we face? (Opportunities and Threats).

The following conclusions were reached. They are recorded in the order they were raised and are not prioritised. Sometimes the same point was raised in more than one category; Cornwall Council cuts in budgets and service delivery for example.

3A Strengths

- The Council's staff.
- Council commitment to make a difference.
- A good balance of councillors – political, social, gender and age.
- Councillors are involved in other groups and organisations and know the Town.
- Good experience.
- Do summer planting well.
- Planning – Members view sites and take responsibilities seriously.
- Low cost base.
- Good value.
- Councillors care.
- Decision making is considered – closed circuit television and toilets for example.

3B Weaknesses

- Not providing enough services.
- Public perception – failure to explain decisions adequately.
- Far too bureaucratic a decision-making process.
- No scheme of delegation.

- Too much red tape.
- Too political.
- Poor communications.
- Don't use media well enough?
- Cornwall Council IT is constraining; for social media for example.
- Councillor training and knowledge.
- Poor liaison with Town groups and community as a whole.
- Poor location for some assets.
- Councillors spend too much time in the 'Council Chamber'.
- Too much focus, including spend, on Town Centre, and not enough on Villages.
- The name 'Town Council' does not identify with all residents?
- No planned maintenance schedule.

3C Opportunities

- Review number and frequency of meetings.
- Cornwall Council cuts.
- Office Accommodation.
- Future devolution of services.
- Grow the Council commercially.
- To make a difference and add value.
- Environmental Improvements.
- Future positive engagement with community and community groups.
- Better relationships with Cornwall Council

3D Threats

- Cornwall Council cuts in budgets and service delivery.
- Town Council budget – will it be adequate to meet challenges ahead?
- Potential future precept capping.
- Public expectations and perceptions.
- Councillors leaving.
- Business Continuity – e.g. staff changes.
- Not being bold in face of enormous changes on the horizon.

4 Putting the Jigsaw Together

Having base-lined the Council and considered the political and community contexts in which it operates, the delegates broke into three groups to consider some important questions in breakout sessions:

- What are essential services for the Council to deliver in the future, and why?
- What other services could, or should, Camborne Town Council deliver and for who, and what further devolution will we accept from Cornwall Council?

- Should the Council embark upon a Neighbourhood Plan and if so what if any concerns are there regarding that process?

4A What are essential services for the Council to deliver in the future, and why?

Looking to the future the overwhelming view of the Groups that the areas that the Town Council should seek to deliver and fund in future should be not only those limited services currently provided but also a number of the discretionary services currently provided by Cornwall and which that authority might well withdraw from. There was acceptance that given these are discretionary services the term devolution may not be appropriate in all cases. Equally there was recognition that a service, the Library for example, is the service provided and not necessarily the building also.

The services identified were, again in the order they were raised and not by priority:

- Planning consultations;
- Public Realm including seats, litter bins, notice boards, Town Clock, Statue, Square, and Fountain for example;
- Allotments (delivered via an Allotment Association);
- Public Toilets;
- Grant Aid to Community and Voluntary Organisations;
- Library service, Community Information Point and Town Council Front Desk (from within same building);
- Maintenance of Public Footpaths and Open Spaces;
- Environmental Improvements to key Town approaches;
- Camborne in Bloom;
- Funding of Closed Circuit Television and monitoring for Camborne;
- Environmental enforcement – dog fouling for example.

4B What other services could, or should, Camborne Town Council deliver and for who, and what further devolution will we accept from Cornwall Council?

Subject to a comprehensive assessment of the full service and cost implications, and to recognition that negotiation is a necessary two-way process dependent on good faith on both sides, participants identified the following:

- Car Parking (linked with toilets at Rosewarne possibly);
- Recreation Grounds, Parks and Open Spaces throughout Camborne civil parish;
- Youth Service support, including possible Youth Council;
- Councillors could institute regular public surgeries;
- To provide a Hub building for Heritage, Youth and other community based services (squeezing the asset), utilising an existing County building following Cornwall Council's comprehensive property portfolio review.

4C Should the Council embark upon a Neighbourhood Plan and if so what if any concerns are there regarding that process?

Participants had a detailed discussion on this issue. There were many views put forward. Whilst the principle of Neighbourhood Planning was accepted it was noted that a lot of development for Camborne was already approved and that the new Cornwall Plan is at an advanced state. The cost of taking forward a Plan, the huge geographical area of Camborne including five distinct villages and a number of smaller hamlets, and a lack of Town Council capacity and expertise were all concerns expressed. It was also observed that although an enhanced local Community Infrastructure Levy (CIL) is payable to Local Councils with a Neighbourhood Plan, previous experience with failure to achieve Section 106 contributions does not bode well as development costs in the area are high due to historic land pollution.

Importantly participants felt that time spent on a Plan would detract from other more essential work essential to professionalise the Town Council and enhance its status as a community enabler and deliverer of services. Accordingly there was a view that the Council should keep a continuing overview brief on this issue, monitor best practice with other councils, and monitor also Government funding policy to assist with Neighbourhood Plan preparation. (Note: since the Vision Day an announcement has been made by Government on precisely this issue with £23 million of new funding – see link <http://www.slcc.co.uk/news-item/-23-million-to-get-more-neighbourhood-plans-across-england/879/>)

5 **The Big Subjects**

Having spent time looking at issues, priorities, threats and challenges three important issues were identified as requiring detailed consideration, questions as follows:

- How does the Council see its democratic governance structures, the balance of time that members spend fulfilling their duties at meetings and in the community, and the effectiveness of their roles?
- If the Council is to develop its role serving the community of Camborne what would be the three or four key areas of service development, including service devolution that the Council should prioritise?, and
- What is the role and influence of the Town Council in community development and economic and tourism growth?

5A **How does the Council see its democratic governance structures, the balance of time that members spend fulfilling their duties at meetings and in the community, and the effectiveness of their roles?**

The Committee structure has not changed for years and does not reflect current needs. There needs to be clearer accountability to the Committees including delegation of budgets. Meetings frequency needs reviewing. It was agreed by everyone that there are simply too many meetings in total. There was agreement that the better the quality of information provided upon which Members make policy decisions then the better the quality of decision making will be. There needs to be a clear delegation of approved budget (subject to a limitation on value) incorporated in a future Scheme of delegation, to enable the Town Clerk to take

immediate executive decisions on non-contentious and 'low-cost' issues, and where delays would be prejudicial to effectiveness and efficiency.

Concerns were raised about complexities in the internal budgeting processes of the Council and that these need to be simplified.

5B If the Council is to develop its role serving the community of Camborne what would be the three or four key areas of service development, including service devolution that the Council should prioritise?

Participants felt that the Council should be realistic in its negotiating strategy. It should only negotiate if there is a commitment to seeing such negotiations through to positive conclusion. Public expectations should not be raised unrealistically. The opportunity for quick wins with some of the *low-hanging fruit* would be a commendable approach to take, as would the opportunity to take over freehold assets at no cost where community benefits can be achieved. The need to ensure any new services taken over by the Council should be fully resourced and staffed was acknowledged. Most importantly the benefits of a constructive negotiating strategy focussing upon multiple services, some income generating such as car parks and others with cost implications such as parks, recreation grounds and library services for example, was felt to be a responsible and pragmatic one. Subject to the above therefore the four priority areas identified, again in no priority order were:

- Parks, Recreation Grounds, Green Areas and Footpaths;
- Community Transport;
- Car Parks/Toilets
- Other, possibly including Street Cleaning and Libraries.

5C What is the role and influence of the Town Council in community development and economic and tourism growth?

The participants felt the Council could do more in terms of community development and economic and tourism group. It was accepted that the Council is unique in being the one body in Camborne with an electoral mandate and therefore has a unique community leadership role.

Opportunities for improving the Council's communications through an agreed Strategy, a review of the Council's grant-aiding policies, and renewed efforts to play a meaningful role in the Town's economic development, including building improved relationships with Cornwall Council, the local BID and Chamber of Commerce, were all identified as achievable and desirable objectives.

The role of the Council as a facilitator and enabler, using its special position to work for the Town as active ambassador was expressed as achievable, and councillors specifically recognised their own responsibilities here.

Finally the participants identified the potential that tourism has to generate more external pounds into the local economy. Tourism information, events, promotion

and partnership working with key sector bodies, including from the World Heritage site were all identified.

6 Headlines, Action and Priorities

Short-term

- Receive, Consider and Prioritise Actions emanating from the Root and Branch review to provide a robust and effective foundation which the Council can be confident in, and which will provide a sound basis for future service growth;
- Institute initial discussions with Cornwall Council regarding devolution of services;
- Prepare business plans for transferred services;
- Ensure staffing and other resources are in place to ensure all services can be managed within capacity;
- Review the Town Council's permanent accommodation needs.

Medium-term

- Complete negotiations with Cornwall Council regarding devolution of services;
- Complete negotiations for Council's permanent accommodation needs;
- Ensure new Council transition (May 2017) is seamless, that pre-election publicity and information is provided to encourage contested elections and that new councillors are trained at the earliest opportunity, and
- Hold a further Vision Day (early summer 2017) to review the Council's Corporate Plan priorities for the four-year span of the new administration.

Long-term

- For determination by new Council post May 2017, but with an obligation on the existing administration to ensure that the new Council inherits a soundly-run Council with good governance, respected in the community and further afield, and services that are continuously under review in order to ensure they are cost-effective and deliver high standards of service delivery.

CJR/10/14

Chris Rolley Associates

Camborne Town Council - Establishment Review

Please complete this form by Tuesday 9 September 2014 without reference to your job description.

Job Questionnaire

Name.....

Job title.....

1. In a short simple statement describe the main purpose of your job

2. List the main key tasks & accountabilities (keep this simple but in a way that makes it clear what you do & are responsible for). Against each task please estimate the percentage of your time you spend on it, on average.

3. Do you directly manage other staff – please indicate who / how many?

4. Who do you report to?

5. Do you have authority to

- Recruit and/or dismiss staff?
- Incur or authorise expenditure?

6. Dimensions

Please indicate here any facts & figures associated with your job.

- Do you control a budget, if so for how much money?

- Do you control /responsibility over other assets such as property, plant, machinery? Please indicate what value and whether you are responsible for this or are only indirectly accountable through using it.

- Set out some volumes related to your key tasks e.g. how many callers, letters, events etc.? Estimates only are needed

7. Decisions

Give some examples of decisions you take on your own in relation to your work.

8. People & communications

List here the categories of people you come into contact with and need to communicate with as a part of your job. Briefly describe the nature and method of the communication.

9 Knowledge /skills

Briefly set out the key areas of knowledge that you require in your job. Also set out the skills and/or qualifications that are required to do the job. Do you consider you have had adequate training for the job you do and if not please advise what your needs are.

10. Describe the main changes that have occurred to your job over the past five years (or since your appointment if in post for a lesser period) and also briefly describe any changes that you would like to see for the future.

Signed..... Date.....

**When completed please seal in an envelope marked “Private and Confidential for the attention of Chris Rolley” and leave with the Town Clerk by no later than Tuesday 9 September 2014.
Thank you for your co-operation.**

www.chrisrolley.co.uk

Appendix F

NATIONAL ASSOCIATION OF LOCAL COUNCILS
AND
SOCIETY OF LOCAL COUNCIL CLERKS
JULY 2013
2013/14 NATIONAL SALARY AWARD FOR LOCAL COUNCIL CLERKS
REVISED SCALES

The rates of pay applying from 1st APRIL 2013 are:

SCP	£	Hourly £p	SCP	£	Hourly £p
4	12,266	£6.375	9	13,725	£7.134
5	12,435	£6.463	10	14,013	£7.283
6	12,614	£6.556	11	14,880	£7.734
7	12,915	£6.713	12	15,189	£7.895
8	13,321	£6.924	13	15,598	£8.107
14		15,882		£8.255	

Scale	Salary £	Scale	Salary £	Scale	Salary £
15	16,215	16	16,604	17	16,998
18	17,333	19	17,980	20	18,638
21	19,317	22	19,817	23	20,400
24	21,067	25	21,734	26	22,443
27	23,188	28	23,945	29	24,892
30	25,727	31	26,539	32	27,323
33	28,127	34	28,922	35	29,528
36	30,311	37	31,160	38	32,072
39	33,128	40	33,998	41	34,894
42	35,874	43	36,676	44	35,578
45	38,422	46	39,351	47	40,254
48	41,148	49	42,032	50	43,085
51	44,158	52	45,268	53	46,390
54	47,415	55	48,743	56	49,963
57	51,208	58	52,918	59	54,619
60	56,330	61	58,053	62	59,752
63	61,475	64	63,162	65	64,763
66	66,398	67	68,071	68	69,794

Spinal Column Points (scp) for each LC profile in the evaluation of Clerks' jobs

Scale	Points below Substantive Range	Substantive Benchmark Range	Points above Substantive Range
LC1	15-17	18-22	23-25
LC2	26-29	30-34	35-38
LC3	39-42	43-47	48-51
LC4	52-55	56-60	61-64

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Appendix H

Camborne Town Council



	Essential Attributes	Desirable Attributes
Qualifications	<p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p>	<p>[Redacted]</p> <p>[Redacted]</p>
Experience	<p>[Redacted]</p> <p>[Redacted]</p>	<p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p>
Personal Attributes	<p>[Redacted]</p> <p>[Redacted]</p>	<p>[Redacted]</p>
Circumstances and Health	<p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p>	<p>[Redacted]</p>

CAMBORNE TOWN COUNCIL

AMENITIES AND PROJECTS OFFICER

JOB DESCRIPTION

Responsible to: Town Clerk

1.0 Job purpose:

To assist the Town Clerk in the day to day management of the Council, to line manage the Handyman team and other staff engaged in provision of Amenities services, and to undertake other projects as required.

2.0 Duties & Responsibilities

- 2.1 Responsible for the efficient and effective management of Town Council facilities, buildings and assets, and all outdoor staff, including the Handyman and his Assistant.
- 2.2 To produce a comprehensive maintenance and development plan, including a refurbishment and enhancement programme for all Council assets.
- 2.3 To manage maintenance and other contracts on behalf of the Town Council.
- 2.4 To arrange, monitor and review utility supplies and relevant charges.
- 2.5 Develop partnership working with other agencies and the community.
- 2.6 To manage and implement projects in accordance with Council priorities.
- 2.7 To organise and co-ordinate outdoor events on behalf of the Town Council and/or community.
- 2.8 Development of new community initiatives in accordance with Council priorities.
- 2.9 To ensure safe methods of working at all times and to undertake and review Health and Safety and Risk Assessments for Council properties other than the Office.
- 2.10 To prepare reports to relevant Amenities Committee meetings monitoring the facilities and assets and any other relevant matters.
- 2.11 To attend meetings, conferences, seminars and training courses associated with the work and role of Amenities and Projects Officer as required and authorised by the Council.
- 2.12 To act as the official representative of the Council as required by the Council when the Town Clerk is not available.

- 2.13 To undertake any other duties required by the Council consistent with the level and scope of the post.

Camborne Town Council

Proposed Person Specification for the Amenities and Projects Officer

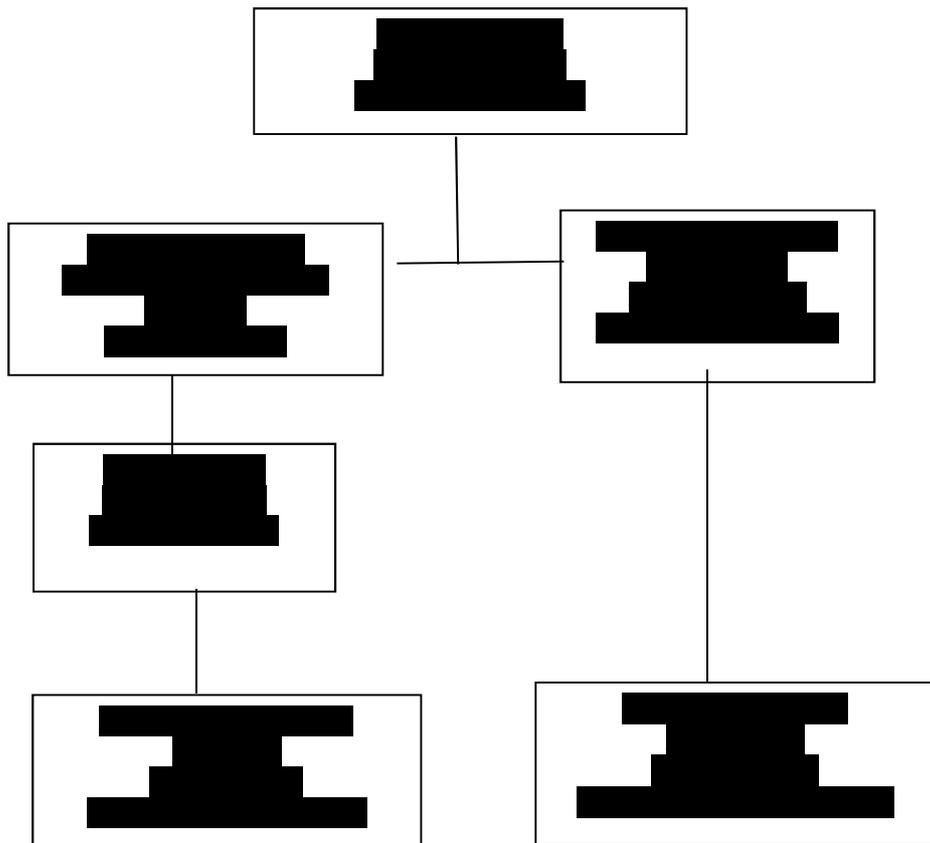
	Essential Attributes	Desirable Attributes
Educational Qualifications	<ul style="list-style-type: none"> • Evidence of a commitment to continuing professional development • 5 GCSE's including two of English, Maths and a Science. 	<ul style="list-style-type: none"> • Appropriate management, technical or professional qualification
Management	<ul style="list-style-type: none"> • Evidence of ability to provide leadership to enable, motivate and develop staff. • Evidence of ability to prioritise work, set targets, achieve positive outcomes and delegate effectively. • Evidence of ability to organise and manage resources effectively. • Previous practical experience in health and safety and knowledge of legislation requirements. 	<ul style="list-style-type: none"> • Knowledge of current employment legislation • Ability to understand technical issues, including writing contract specifications • Trained or experienced in negotiations.
Communication Skills	<ul style="list-style-type: none"> • Excellent oral and written communication skills, including an ability to relate to, and communicate with councillors, staff, members of the public and external agencies. • Ability to provide objective advice to councillors in a timely and coherent manner, including analytical report writing and analysis. 	
Information Technology	<ul style="list-style-type: none"> • Experience and practical ICT skills including Windows, Word, Excel and the Internet. 	Experience of website maintenance.
Meetings and Administration	<ul style="list-style-type: none"> • Practical experience of servicing committees, report writing and standing orders 	<ul style="list-style-type: none"> • General knowledge of the law as it affects Local Councils.
Finance	<ul style="list-style-type: none"> • Previous experience of being a budget holder. • Ability to grasp the full implications of all financial decisions 	<ul style="list-style-type: none"> • Experience of bidding for external funds.
Other	<ul style="list-style-type: none"> • Willingness to work out of office hours in order to attend Council meetings and Council business • Ability to operate with complete impartiality in a political environment. • A current and clean driving licence. 	

Camborne Town Council



	Essential Attributes	Desirable Attributes
Educational Qualifications	[REDACTED]	[REDACTED]
Management	[REDACTED]	[REDACTED]
Communication Skills	[REDACTED]	
Information Technology	[REDACTED]	[REDACTED]
Meetings and Administration	[REDACTED]	[REDACTED]
Finance	[REDACTED]	[REDACTED]
Other	[REDACTED]	

Proposed Staff Establishment Structure – Camborne Town Council





ADVICE NOTE: Disciplinary Procedure (Example) 2009

1. PURPOSE AND SCOPE

This procedure is designed to help and encourage all council employees to achieve and maintain high standards of conduct whilst at work or representing the council. The aim is to ensure consistent and fair treatment for all. This procedure is prepared in accordance with the dismissal and dispute resolution procedures as set out in the Employment Act 2008 and the ACAS Code of Practice APR 2009

2. PRINCIPLES

- a) No disciplinary action will be taken against an employee until the case has been fully investigated
- b) At every stage in the procedure the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made.
- c) At all formal stages the employee will have the right to be accompanied by a trade union representative or work colleague during the disciplinary interview.
- d) No employee will be dismissed for a first breach of discipline except in the case of gross misconduct when the penalty of dismissal without notice or payment in lieu of notice may be applied.
- e) An employee will have the right to appeal against any disciplinary penalty imposed.
- f) The procedure may be implemented at any stage if the employee's alleged misconduct warrants such action.

3. THE PROCEDURE FOR MISCONDUCT and GROSS MISCONDUCT

3.1.1 The following list provides examples of **misconduct** which will normally give rise to formal disciplinary action:

- Unauthorised absence from work
- Persistent short-term and/or frequent absences from work without a medical reason
- Lateness for work or poor time keeping
- Inappropriate standard of dress
- Minor breaches of Health and Safety or other Society rules or procedures

- Failure to perform your job to the standard expected or in line with your job description/objectives
- Time wasting
- Disruptive behaviour
- Misuse of the council's facilities (e.g. telephones, computers, email or the internet)
- Refusal to carry out reasonable requests or instructions
- Smoking in unauthorised areas
- Failure to follow an agreed council Procedure

This list is not exhaustive and offences of a similar nature will result in disciplinary action being instigated N.B. persistent or frequent absence on medical grounds and long term sickness absence will be dealt with using a procedure for Incapacity, which is described in the Absence Policy.

3.1.2 The following list provides examples of offences which are normally regarded as **gross misconduct**:

- Theft, fraud, deliberate falsification of records, or other acts of dishonesty
- Fighting, assault on another person
- Deliberate damage to property of the council, its workers or members
- Gross incompetence in the conduct of work
- Gross negligence which results in the council or employees being put at risk.
- Being under the influence of illegal drugs or excessive alcohol
- Acts of incitement towards or actual acts of discrimination, harassment or victimisation including on the grounds of sex, race, colour, ethnic origin, disability, sexual orientation, age, religion or belief
- Serious acts of insubordination
- Serious breach of duty to keep information of the council, its service providers and its clients confidential
- Unauthorised entry to computer records
- Serious breach of the council's Security Policy, Health & Safety Policy, Confidentiality or e-mail and Internet Policy
- Any action, whether committed on or off the premises, that is likely to or does bring the council into disrepute
- Serious negligence which causes or might causes significant loss, damage or injury
- Accepting bribes or incentive payments from suppliers
- Unauthorised use of Society funds or credit
- Working with an external agency to provide information which would be detrimental to and cause commercial risk to the council.

This list is not exhaustive and other offences of a similar gravity will result in disciplinary action being instigated at Gross Misconduct level which carries a potential penalty of dismissal. Gross Misconduct is generally any conduct which

places extreme pressure on the mutual trust which exists in an employment relationship.

3.2 INFORMAL ACTION

Minor misconduct will be dealt with informally usually in a confidential one-to-one meeting between the employee and line manager. In the case of the Clerk being the individual against whom there is a complaint or allegation the matter should be handled discreetly by members of the Staffing (or similar) committee and involve an informal meeting initially. However, where the matter is more serious or informal action has not brought about the necessary improvement the following procedure will be used:

3.3 FORMAL ACTION

3.3.1 The level of warning you may receive for misconduct/gross misconduct will depend on how serious the council considers the alleged actions to be and your previous conduct in all the circumstances. In the event of alleged gross misconduct the formal process may commence at Stage 4 –see 3.4 below.

3.3.2 **Disciplinary Letters** If there is a concern about an employee's conduct or behaviour then a letter will be given to the employee advising him/her of the allegation(s) and reasons why this is unacceptable. The letter should invite the employee to attend a meeting at which the alleged misconduct will be discussed and will inform the employee of their right to be accompanied to the meeting. The letter will specify at which stage the disciplinary procedure is being invoked (see 4 stages below) and if invoked at Stage 4 for Gross Misconduct the letter will warn that a potential outcome could be dismissal. The time, date and venue of the meeting will also be advised. Any documents to be produced at the meeting will also be provided.

3.3.3 **Disciplinary Meetings.** The time and location of a disciplinary meeting should be agreed with the employee and it should be held in a private location with no interruptions. This will normally be without undue delay but allowing the employee to prepare their case e.g. within 5 days of the letter being sent, where practically possible. At the meeting the manager (or in the case of the Clerk being disciplined, the Chair of the hearing panel) will state the complaint against the employee and go through the evidence which has been gathered. The employee will also be allowed to ask questions, present evidence and call witnesses if advance notice has been given that they will do so.

If the employee is unable to attend the meeting due to unforeseeable reasons out of their control (e.g. illness) then the council will reasonably rearrange the meeting. However, if the employee fails to attend the meeting without good reason the meeting can be held in the employee's absence.

3.4 OUTCOMES AND PENALTIES

Stage 1 - Oral Warning

In the instance of a first complaint that conduct does not meet acceptable standards, the employee will normally be given a formal ORAL WARNING. He or she will be advised of;

- the reason for the warning,
- that it is the first stage of the disciplinary procedure,
- the improvement that is required and the timescales for achieving this improvement,
- together with a review date and any support available (where applicable) and
- his or her right of appeal.

A brief note of the oral warning will be kept but it will be spent after 6 months, subject to satisfactory conduct.

Stage 2 - Written Warning

If the offence is a serious one, or if further to previous formal disciplinary action, a WRITTEN WARNING will be given to the employee by the Line Manager. This will give details of the complaint, the improvement required and the timescale. It will warn that action under Stage 3 will be considered if there is no satisfactory improvement and will advise of the right of appeal. A copy of this written warning will be kept on file but it will be disregarded for disciplinary purposes after 12 months subject to satisfactory conduct..

Stage 3 – Final Written Warning

If there is still a failure to improve and conduct or performance is still unsatisfactory, or the misconduct is sufficiently serious, a FINAL WRITTEN WARNING will normally be given to the employee. This will give details of the complaint, will warn that dismissal will result if there is no satisfactory improvement and will advise of the right of appeal. A copy of this final written warning will be kept by the Line Manager (or in the case of the Clerk being disciplined by the Chair of the Hearing Panel) but it will be spent after 12 months (in exceptional cases the period may be longer) subject to satisfactory conduct.

Stage 4 – Dismissal or other sanctions

If conduct is still unsatisfactory and the employee still fails to reach the prescribed standards, or where the Society reasonably believes Gross Misconduct has occurred, DISMISSAL may result. Only the appropriately convened hearing panel can take the decision to dismiss an employee. The employee will be given a written statement of allegations against him/her, invited to a meeting and then be notified in writing of the reasons for the decision taken at the hearing. Penalties at

this stage may include dismissal with notice or summary dismissal (i.e. without any notice), Final Written Warning with/without demotion, loss of pay or loss of seniority. If dismissal is the outcome, the employee will be advised of the date on which employment will terminate. In all cases the employee has a right of appeal.

Very exceptionally, if an offence of Gross Misconduct is extremely serious an employee can be dismissed immediately without a meeting. In this situation a letter setting out reasons for dismissal would be sent to the employee offering the opportunity for an appeal hearing.

3.5 SUSPENSION

If you are accused of an act of gross misconduct, you may be suspended from work on full pay while the council investigates the alleged offence. Only the appropriately convened committee has the power to suspend. This enables a swift and thorough investigation to occur. Whilst suspended pending disciplinary investigation regular contact with a nominated person at the council will be maintained although access to premises, equipment or systems may be denied. The Investigator who compiles evidence for the disciplinary hearing must play no part in the subsequent decision-making to ensure impartiality. Councils need to consider the implications of such arrangements on its hearing and appeal panel plans early on in the disciplinary process.

3.6 APPEALS

The Appeals stage of the disciplinary process is part of the Code of Practice to which an employee has a right. It can be exercised after any of the stages of disciplinary action for Misconduct/Poor Performance or Gross Misconduct.

An employee who wishes to appeal against a disciplinary decision should inform the Chair/Mayor (or Chair of the relevant committee) within five working days, in writing and giving reasons for the appeal. An Appeal may be raised if:

- The employee thinks the finding or penalty is unfair
- New evidence has come to light
- The employee thinks that the procedure was not applied properly

Where possible the Appeal will be heard by a separate panel of elected members who have not been involved in the original disciplinary hearing, who will view the evidence with impartiality. The employee will have the right to be accompanied by a colleague or accredited Trade Union official or lay member at the appeal hearing. The outcome of the appeal and reasons for it will be advised to the employee as soon as possible after the meeting and be confirmed in writing. At the Appeal hearing any disciplinary penalty imposed will be reviewed but it cannot be increased. The decision taken at the Appeal hearing will be final.

3.7 THE RIGHT TO BE ACCOMPANIED

At each formal stage of disciplinary interview an employee has the right to be accompanied and can make a reasonable request for such a person to accompany them. An employee can ask any other employee or a trade union representative or an appropriately accredited official employed by a trade union to accompany them, to give support and help them prepare for the disciplinary interview. This right is enshrined in the 1999 Employment Relations Act. As this is an internal process there is no provision to have any external person accompany or represent an employee e.g. partner, parent, solicitor etc. the companion can address the hearing, put and sum up the employee's case, respond on behalf of the worker to any views expressed at the meeting, confer with the employee. The companion cannot however answer questions on the employee's behalf or address the hearing if the employee does not wish him/her to or prevent the employee explaining their case.

3.8 HEARING PANELS

The SLCC advise that councils establish hearing panels to hear disciplinary and grievance hearings on an annual basis so that if a dispute does arise in the workplace the elected members involved are already trained and briefed on their duties as a hearing or appeal panel member. In situations where individual members are implicated in the dispute or have undertaken an investigatory role then they will need to be substituted as panel members.

3.9 NOTE-TAKING

It is highly recommended that a note-taker be provided to every meeting/hearing which arises as a result of a disciplinary process as Employment Tribunals are particularly keen to view contemporaneous notes of events which have led to an employment dispute. Councils will need to give this requirement careful consideration in order to respect employee confidentiality.

3.10 GRIEVANCES RAISED DURING DISCIPLINARIES

In some circumstances when a disciplinary process has commenced an employee chooses to exercise his/her right to raise an internal grievance about the employment relationship with the council or individual Members. The SLCC recommends, in line with ACAS advice, that disciplinary matters are placed on hold until grievances have been aired and actions towards a resolution have been progressed. In exceptional circumstances it is pragmatic to deal with the two disputes concurrently but SLCC would advise caution and specialist advice should be sought if this arises.

3.11 CRIMINAL CHARGES OR CONVICTIONS

If an employee is charged with or convicted of a criminal offence this does not automatically give rise to a disciplinary situation. Consideration needs to be given to how a charge or conviction may affect an employee's ability to undertake his or her job duties and their relationships with the employer, colleagues, subordinates or customers.

4. GETTING IT WRONG

Failure to follow the ACAS Code of Practice (available at www.acas.org.uk) can lead to an Employment Tribunal awarding an uplift of an award against the council of up to 25%. Tribunals dealing with unfair dismissal claims are particularly interested in whether the employer followed a procedure and whether the employer acted fairly and reasonably. One way in which to avoid such a penalty is to have an agreed procedure, communicate that procedure to staff and Members, revisit and review the procedure regularly and have some training for those who are expected to operate the procedure.

ADVICE NOTE: Grievance Procedure Model

1. PURPOSE AND SCOPE

It is the policy of the council to give employees the opportunity to air and seek redress for any individual employment grievance which they may have. Grievances may be any concerns, problems or complaints employees wish to raise with the council. This document describes the procedure which aims to facilitate a speedy, fair and consistent solution to an individual employee's employment grievance. This procedure is produced in line with the ACAS Code of Practice 2009 as set out in the Employment Act 2008.

2. PRINCIPLES

- g) At every stage in the procedure the employee will be given the opportunity to state his or her case before any decision is made.
- h) Grievances will be dealt with promptly and consistently
- i) At all formal stages the employee will have the right to be accompanied by a work colleague or trade union representative during the Grievance Hearing.
- j) An employee will have the right to appeal against any outcome of a Grievance Hearing.
- k) At no time will an employee be penalised or victimised for having raised a Grievance against the council

3. PROCEDURE

- 3.1 Wherever possible, any grievance should be raised informally with the employee's line manager, or if this is inappropriate with the next level of management. In the case of the Clerk to the council raising a grievance this should be directed to the Chair or Mayor of the council unless the complaint is about the Chair or Mayor in which case another Member can be identified to handle the Clerk's concerns. The recipient of the grievance from a clerk should share the grievance with the relevant committee established to handle employment matters and the issues should be treated with discretion and confidentiality at all times.
- 3.2 **Written Statement:** If the employee does not consider it appropriate to raise the grievance informally, or if requested by the person the employee spoke to informally, then the employee should submit a formal grievance in writing to their line manager, or if this is inappropriate to the next level of management.

- 3.3 **Meeting or Hearing:** Generally, within a reasonable period of time e.g. five working days of receipt of a written complaint, the line manager or Chair of the appropriately convened committee or hearing panel will arrange a meeting with the employee. The Hearing Manager will endeavour to make the meeting arrangements mutually convenient and will arrange a confidential location, free from interruptions. The manager will investigate the substance of the complaint and hear submissions from the employee concerned together with such other submissions or evidence as s/he shall consider appropriate and take such steps as s/he shall consider necessary to resolve the issue raised. It may be necessary to adjourn the meeting in order for an investigation to take place. Careful consideration of the evidence and the necessary steps required to resolve the problems will be given to the grievance. The employee may call witnesses by prior arrangement with the panel. There is no right for a Member or employee implicated in an employee's grievance to cross examine the aggrieved during a grievance hearing but the panel may wish to make its own investigations through interviewing these individuals and/or other witnesses separately. The Panel may ask the employee what he or she would like to happen as a result of raising the grievance and bear this in mind when preparing the response.
- 3.4 **Response:** The Hearing Manager will advise the decision to the employee in writing and, where appropriate, include an action plan to assist in the resolution of the problem. Councils which handle internal disputes effectively generally consider the options and costs in a timely fashion, then agree and publicise the workable solutions, monitor, review and learn from the experience. There may be some value in exploring Mediation as a way in which to resolve differences between two parties. The SLCC can advise on approaches and bodies which may be able to assist (n.b. external organisations may levy a fee for such services)
- 3.5 **Appeal:** If the employee is dissatisfied with the decision of the line manager on his/her complaint, s/he may appeal against the decision to the Chair/Mayor or other elected Member by written notice within five working days of the decision. An Appeal may be raised if:
- The employee thinks the finding, or action plan, is unfair
 - New evidence has come to light
 - The employee thinks that the procedure was not applied properly

On receipt of the appeal the council's Appeals Panel shall arrange to meet and consult with the employee, the line manager or Members concerned and any other persons, as s/he shall consider appropriate without unreasonable delay. The Appeal Hearing Chair shall consider the issues and shall then take all such steps, as s/he may consider necessary to resolve those issues. Where the council's Chair or Mayor has chaired the initial grievance meeting the Vice Chair or Chair of another committee will hear the appeal as a hearing manager the decision of the Appeal Hearing will be final. The council will need to ensure that the Members involved in the hearings are able to act impartially and reasonably at all times.

The outcome of the appeal should be conveyed to the employee in writing in a timely manner.

- 3.6 **Bullying or Harassment:** If a grievance concerns alleged bullying or harassment the matter should be reported promptly to the employee's Line Manager, or another manager/Member if more appropriate, with an indication of the required action. The complaint will then be investigated and any action taken and any resolution achieved will be reported back. If the solution is not satisfactory to the complainant, the matter will be discussed further and, if appropriate, an alternative solution agreed. The decision at this stage will generally conclude the enquiry. If a further appeal or review is available the employee will be notified. As a result of an investigation into a claim of harassment disciplinary action may be instigated against any alleged perpetrators of the action or in the case of alleged perpetrators being elected Members a Code of Conduct complaint lodged by the council through the Standards process/Ombudsman in Wales

Refer to the Dignity at Work/Bullying and Harassment Policy for further details

- 3.7 **Right to be Accompanied:** At any formal stage of the procedure an employee may be accompanied by a fellow employee of their choice or their trade union representative or official of a trade union (appropriately accredited) but as this is an internal procedure they will not be entitled to be accompanied by any external supporter e.g. partner, parent, solicitor etc. This right to be accompanied is enshrined in the Employment Relations Act 1999. To exercise this right the employee should make a reasonable request. The companion will be allowed to address the hearing, put and sum up the employee's case, respond to views expressed at the hearing and to confer with the employee during the hearing (sometimes in an adjournment) but is not allowed to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer from explaining their case.
- 3.8 **Hearing Panels** The SLCC advise that councils establish hearing panels to hear disciplinary and grievance hearings on an annual basis so that if a dispute does arise in the workplace the elected members involved are already trained and briefed on their duties as a hearing or appeal panel member. In situations where individual members are implicated in the dispute or have undertaken an investigatory role then they will need to be substituted as panel members.
- 3.9 **Confidentiality:** So far as is reasonably practicable, the council will keep any grievance or complaint of harassment confidential between the manager or Member investigating the grievance or complaint, the employee and the person about whom the grievance or complaint is made. If it is necessary to investigate the matter with any other employee or person, the employee will be so advised.
- 3.10 **Record Keeping:** In all cases, written records of the nature of the grievance raised, the employer's response, action taken (with reasons), details of any appeal

and subsequent developments will be retained and kept in accordance with the Data Protection Act 1998.

- 3.11 **Grievances raised during Disciplinary.** In some circumstances when a disciplinary process has commenced an employee chooses to exercise his/her right to raise an internal grievance about the employment relationship with the council or individual Members. The SLCC recommends, in line with ACAS advice, that disciplinary matters are placed on hold until grievances have been aired and actions towards a resolution have been progressed. In exceptional circumstances it is pragmatic to deal with the two disputes concurrently but SLCC would advise caution and specialist advice should be sought if this arises.

4. GETTING IT WRONG

Following the repeal of the 2004 Dispute Resolution regulations employees no longer HAVE to raise a grievance before going to an employment tribunal. However, establishing a mechanism for differences and disputes to be resolved internally can often allow the employment relationship to continue. Failure to follow the ACAS Code of Practice (available at www.acas.org.uk) when dealing with grievances can lead to an Employment Tribunal awarding an uplift of an award against the council of up to 25%. Tribunals dealing with constructive dismissal and discrimination claims are particularly interested in whether the employer followed a procedure when dealing with an internal dispute and whether the employer acted fairly and reasonably. One way in which to avoid such a penalty is to have an agreed procedure, communicate that procedure to staff and Members, revisit and review the procedure regularly and have some training for those who are expected to operate the procedure.

Camborne Town Council

Revenue Budget 2015/2016

Committee and Cost Centre Analysis

Finance and Administration (Budget and Development Committee)

Expenditure	
Salaries	Employers National Insurance
Employers Pension Contributions	Staff Contingency
Staff Travel	Cornwall Council Charges
Uniform Business Rates – Office	Printing and Stationary
Postages	Office Equipment, including maintenance
Telephones	Photocopier Charges
Consumables	Subscriptions
Licences	Job Vacancy Recruitment
Insurance	Bank Charges
Income	
Bank Charges	Miscellaneous

Corporate Management (Budget and Development Committee)

Expenditure	
Salaries	Employers National Insurance
Employers Pension Contributions	Members Travel
Members Training	Mayoral Expenses/Allowance
Council expenses	Deputy Mayor's Expenses
Staff Training	Annual Meeting
Audit Fees	Elections
Legal Costs	Health and Safety
Income	
Miscellaneous	Council Tax Support Funding

Community Development (Budget and Development)

Expenditure	
Salaries	Employers National Insurance
Employer's Pension Contributions	Community Support – General
Advice and Information Services	Youth Services
Community Grants and Donations	Devolved Services Fund
New Accommodation Fund	
Income	
Miscellaneous	

Amenities (Amenities Committee)

Expenditure	
Salaries	Employers National Insurance
Employers Pension Contributions	Uniform Business Rates – Store
Utilities, Handyman Store/Workshop	PWLB Loan Repayment – Handyman Store/Workshop
Vehicle costs	Equipment Maintenance
Consumables	Specialist Hire
Machinery purchases	Store Maintenance
Street Furniture, purchase and maintenance	Public Protection
Community Projects	Environmental Grants
Community Events	Town Promotions
Grant to Trevithick Day	St Piran's Day
Christmas in Camborne	Surveys
Income	
Enys Road Allotments	Agency Income
Miscellaneous Income	

Planning and Development (Planning Committee)

Expenditure	
Salaries	Employers National Insurance
Employer's Pension Contributions	Listing of Buildings
Parish Plan	
Townscape Heritage Initiative	
Income	
Miscellaneous	