



BUNGAY TOWN COUNCIL

Governance & Policies Sub Committee



Minutes of the Governance & Policies Sub Committee Meeting held on Thursday 10th December 2020 at 5.00 pm.

As permitted by the Local Authorities (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 this meeting was conducted "online

Town Council Members:

- Cllr. K. Lodge (KL) Chair, Cllr. R. Marshall (RM) Deputy Chair,
Cllr. S. Collins (SC), Cllr. D. O'Neill (DO'N), Cllr. B. Prior (BP)

Also present:

J. Burton, (JB) Clerk/ RFO Bungay Town Council and 1 member of the Public..

G&P 008 2020/2021 Apologies for Absence: To receive any apologies for absence

All members of the sub-committee were present at the meeting - **Noted.**

G&P 009 2020/2021 Declaration of Interest & Requests for Dispensations: Councillors to declare any Pecuniary or Non-Pecuniary Interests. Notwithstanding this item, Members may subsequently declare an interest at any point in the meeting.

No declarations of interest were declared or requests for dispensations requested - **Noted.**

G&P 010 2020/2021 Public Forum: Members of the public are invited to give their views on issues on this agenda, or raise issues for future consideration, at the discretion of the Chairman, for no more than 15 minutes. Members of the public may not take part in the Committee meeting itself.

The member of the public at the meeting did not want to raise any matters. – **Noted**

G&P 011 2020/2021 Minutes of the previous meeting: To approve the minutes of the Governance & Policies Sub-Committee Meeting held on 3rd November 2020 – for consideration.
It was proposed by SC, seconded by BP, and RESOLVED that the minutes of the Governance & Policies Sub- Committee Meeting held on 3rd November 2020 were a true and accurate account of the meeting and these minutes to be signed off by the Chair (KL).

| | |
|---------|---|
| For | 4 |
| Against | 0 |
| Abstain | 1 |

G&P 012 2020/2021 To appoint a Sub – Committee Vice Chair – For consideration.
It was proposed by BP, seconded by DO'N, and RESOLVED that RM be appointed as Vice Chair of the Governance & Policies Sub- Committee.

| | |
|---------|---|
| For | 4 |
| Against | 0 |
| Abstain | 1 |

Signed _____

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Date _____



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G&P 013 **To adopt the Governance & Policies Sub - Committee Terms of Reference:** for consideration
2020/2021

It was proposed by DO'N, seconded by RM, and RESOLVED that the attached Draft Terms of Reference be adopted.

| | |
|---------|---|
| For | 5 |
| Against | 0 |
| Abstain | 0 |

G&P 014 **Review Bungay Town Council Complaints Policy –** for consideration.
2020/2021 The following amendments were made to the existing Complaints Policy and the revised Policy is attached and to be signed off by the Chair (KL)

It was proposed by SC, seconded by BP, and RESOLVED that in 2.1 the complaint would be dealt with at the meeting as 'Confidential' (i.e. below the line).

| | |
|---------|---|
| For | 4 |
| Against | 1 |
| Abstain | 0 |

It was proposed by RM, seconded by BP, and RESOLVED that in 2.1 the complaint would be dealt with at a Full Town Council Meeting.

| | |
|---------|---|
| For | 5 |
| Against | 0 |
| Abstain | 0 |

It was proposed by SC, seconded by DO'N, and RESOLVED that in 3.1 a Clerk from another Council would minute the meeting.

| | |
|---------|---|
| For | 5 |
| Against | 0 |
| Abstain | 0 |

It was proposed by RM, seconded by DO'N, and RESOLVED that in 3.12 the words' or the person who is subject to the complaint' be added.

| | |
|---------|---|
| For | 5 |
| Against | 0 |
| Abstain | 0 |

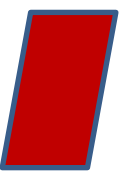
It was proposed by SC, seconded by BP, and RESOLVED that in 3.16 the wording should be amended to read 'The Chair will present the findings to all present at the Special Meeting'.

| | |
|---------|---|
| For | 3 |
| Against | 1 |
| Abstain | 1 |



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- G&P 015** **Review Bungay Town Council Lone Worker Policy** – for consideration.
2020/2021 This item to be brought forward to the next Governance & Policies Sub- Committee Meeting – **Noted.**
- G&P 016** **To discuss schedule to Review Bungay Town Council Policies, Standing Orders & Financial Regulations** – for consideration.
2020/2021 KL and JB to bring a schedule of meetings to include a review of the Bungay Town Council Standing Orders and Financial Regulations to the next Governance & Policies Sub- Committee Meeting – **Noted.**
- G&P 017** **Date of next Meeting** – for consideration.
2020/2021 It was agreed that the date of next meeting will be 14th January 2021 at 5.00 pm – **Noted.**

The meeting closed at 6.07 pm

Dated: 11th December 2020

Jeremy Burton
Clerk to Bungay Town Council,
1a, Broad Street, Bungay NR35 1EE
clerk@bungaytowncouncil.gov.uk

Signed _____

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Date _____



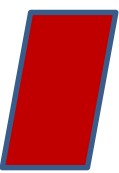
Governance & Policies Sub - Committee

Terms of Reference

- All members of this committee are town councillors and have an equal vote unless there is a split decision where the chair has the casting vote.
- The Committee will meet regularly to debate and discuss items such as the following
 - Review and recommendations of approval of Governance documents such as Standing Orders, Financial Regulations, Model Publications and Risk Analysis, donations policy.
 - To ensure that Council is fully compliant to the latest legislation with regular reviews of policies.

Signed by Chair:

Adopted Date:



COMPLAINTS POLICY

Introduction

This code deals with complaints against Council procedures or alleged maladministration which it has not proved possible to resolve to the complainants satisfaction informally.

Complaints about the conduct of individual councillors or the conduct of an employee should, for councillors, be dealt with under the code of conduct provisions and, for employees, under the Council's disciplinary procedures for staff. The complainant should be advised as appropriate.

Formal complaints against the Council will be dealt with as follows:-

1 Receipt of formal complaint and initial attempt to resolve

1.1 A formal complaint must be made in writing by or on behalf of the complainant.

(JB note –while an informal complaint can be made verbally, I don't believe that a formal complaint (that is an informal one which has not been resolved) can be dealt with unless it is made in writing. Where necessary a complainant who is not able to do this can be directed to CAB or some other similar independent body who can do this on their behalf).

It should be directed to the Council at the Council's official postal address.

1.2 On receipt the Clerk, or deputy in the absence of the Clerk, will supply a copy to the Mayor / Chair, or Deputy Mayor/ Vice Chair in the absence of the Chair.

1.3 Within 5 days of receipt the Clerk will acknowledge receipt to the complainant.

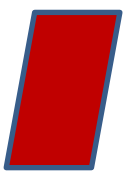
Signed _____

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Date _____



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1.4 Primarily it will be responsibility of the Chair/ Vice Chair to seek to settle the complaint directly with the complainant. This will involve consultation with the Clerk and any member or officer referred to in the letter of complaint.

1.5 If the complaint is settled directly the Chair will report the complaint and the outcome to the next full meeting of the Council.

2. Failure of initial attempt to resolve a formal complaint

2.1 If the complaint is not settled in accordance with 1 above the Chair will report the matter to the next meeting of the Full Town Council. Unless the Full Town Council directs that further attempts are made to resolve the complaint in accordance with 1 above, the Full Town Council is to make arrangements to convene a special meeting of the Council to consider the complaint. This Special Meeting (SM) will be a Confidential Meeting (i.e. below the line.) The special meeting will be held not earlier than 14 days and not later than 21 days after the meeting of the F&GPC in order to allow the complainant to prepare for and, should they choose, attend the SM. The complainant will be advised of the SM date as soon as it is decided.

2.2 Notice of the meeting will include the procedure to be followed at the SM (*JB note – 3 below*).

2.3 The complainant may bring to the SM (or send in their absence) any such representative as they wish and they may jointly and severally represent the complainant at that meeting.

2.4 Not later than 7 clear days before the SM each side shall provide to the other copies of documents or other written material that will be tabled at the SM.

3. Procedure at the Special Meeting

3.1 Minutes of the meeting will be kept by a Clerk from another Council.

3.2 The Council shall first consider whether the public and the press should be excluded.

3.3 The Chair shall explain the purpose of the meeting.

3.4 The complainant (defined as at 2.3 above if appropriate) will detail the complaint or if unrepresented the Chair will refer members to the written submissions supplied by the complainant.

3.5 If the complainant is present, members and the Clerk may ask questions of the complainant.

3.6 The Clerk will respond to the complaint on behalf of the Council.

3.7 Members may ask questions of the Clerk.

3.8 If present the complainant may ask questions of members and the Clerk.



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3.9 The Clerk may make a final statement.

3.10 If present the complainant may make a final statement.

3.11 If present the complainant will withdraw while the Council consider whether, or to what extent, the complaint has substance. The Council's standing orders on decision making at meetings of the Council will apply.

3.12 During the course of these deliberations the Council may ask the Clerk to withdraw or the person who is the subject of the complaint to withdraw.

3.13 The Council may recall the complainant (and the Clerk if absent) at any point to seek clarification on any pertinent matter.

3.14 The Council may adjourn the meeting at this point if it considers that it is necessary to seek external advice. In the case of an adjournment the meeting will stand to be reconvened immediately preceding the next full meeting of the Council after receipt of this advice with at least 3 clear days' notice being given to the complainant of the reconvention date.

3.15 In the case of an adjournment the business of the meeting will resume at 3.11.

3.16 The Chair will report the findings to all present at the Special Meeting.

4. Confirmation of decision

Within 10 days of the conclusion of the SM the Clerk will confirm by first class post to the address of the complainant the decision of the meeting and, if appropriate, advise any action to be taken.

5. Third party referral

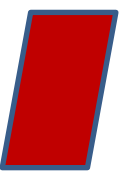
If within 21 days of the despatch of the above decision notice the complainant informs the Council in writing (delivered within the 21 day period to the official postal address of the Council) that they do not accept the decision and action referred to at 4 above and give reasons for their non- acceptance which, in the judgement of the Council, any reasonable person would consider to have substance, the matter will be referred to a third party. In this event the Clerk shall refer the original complaint, correspondence, documents and minutes of the SM, the decision notice and the complainants response to the notice, to the Chief Executive of East Suffolk District Council or Suffolk County Council, Suffolk Association of Local Councils (SALC) or some other suitably qualified and experienced individual, professional firm or other body as the Council may decide provided that the person or body is independent of the Council. The Council will follow the direction of this third party in relation to the complainant.

Signed _____

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Date _____



BUNGAY TOWN COUNCIL
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COMPLAINTS POLICY ADOPTED BY DATE

Signed _____

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Date _____