

Notice/Summons

Councillors:

G Taylor (Chair), R Jones, J Newark, I Nilsson-Forrest, J Redfearn, D Walker, L Welch.

You are hereby summoned to attend the following meeting:

Acaster Malbis Parish Council Meeting

When: Monday 12 February 2024 at 19:30

Where: Acaster Malbis Memorial Hall, Acaster Malbis

Members of the press and public are invited to attend, rules of attendance are available on our website.

Craig Booth

Craig Booth, Clerk

posted: **6 Feb 2024**

Meeting Agenda

165 Apologies

165.1 To receive apologies and approve reasons for absence.

166 Declarations of Interest

166.1 To receive declarations of interest from councillors on items on the agenda.

166.2 To receive written requests for dispensations for disclosable pecuniary interests (if any).

166.3 To grant any requests for dispensation as appropriate.

167 Council Minutes

167.1 To confirm the minutes of the council meeting on **8 January 2024** as a correct record.

168 Public Participation

168.1 Fifteen minutes is allocated for public participation. Up to five members of the public will be given no more than three minutes each to speak.

Planning & COYC Report

169 Planning Applications

169.1 Any applications received after the agenda was posted.

170 Planning Decisions

170.1 23/02175/FUL – 31 Lakeside, Acaster Malbis – Single storey rear extension.

Approved.

170.2 To receive an update from the Planning Coordinator on planning decisions by COYC.

171 City of York Council Ward Member Report

171.1 To consider matters raised with/by the Ward Member Cllr M Nicholls.

Finance

172 Financial matters

172.1 To approve/note payments as detailed in Appendix 1 and any payments after posting agenda.

172.2 To note receipts as detailed in Appendix 2.

172.3 To approve the bank reconciliation report up to **31 January 2024** in Appendix 3.

172.4 To note the internal controls undertaken prior to the meeting.

Discussion & Decision Items

173 Clerk's Report

173.1 To receive the clerk's report on matters since the last meeting.

174 John Knowles Charity

174.1 To note the resignation of Christine Oldroyd as a trustee.

174.2 To consider the appointment of a new trustee to the charity.

175 Subject Access Request Policy

175.1 To consider adopting a new subject access request policy DR038-1 (Appendix 4).

176 Financial Regulations

176.1 To consider adopting the revised financial regulation DR012-5 (Appendix 5).

177 Risk Assessment

177.1 To consider adopting the revised risk assessment DR025-3 (Appendix 6).

178 Strategic Plan

178.1 To consider adopting the Strategic Plan DR035-1 (Appendix 7).

179 Email and Web Hosting

179.1 To consider the report on the current email and web hosting supplier (Appendix 8).

180 Noticeboard

180.1 To consider the report on the replacement of the noticeboard (Appendix 9).

180.2 To consider creating a noticeboard working group with these terms of reference (Appendix 10).

181 Flooding

181.1 To consider the effectiveness of the flood signs around Acaster Malbis.

182 Annual Parish Meeting

182.1 To discuss items to be included on the Annual Parish Meeting on 18 March 2024.

Correspondence, Training & Security

183 Correspondence

To consider the following new correspondence and decide action where necessary.

- 183.1 Email received regarding increased traffic on Temple Lane.
- 183.2 Email received from Acaster Marine regarding the Slipway.
- 183.3 Email received from One Planet York re membership.
- 183.4 White Rose Bulletin (Jan 19, Feb 2).
- 183.5 YLCA Law and Governance (Jan 2024).
- 183.6 CPRE North & East Yorkshire Update (Feb 2024).
- 183.7 Weekly list of planning applications from COYC.

184 Training and Employment

- 184.1 To receive reports from councillors having attended training or meetings of outside bodies.

185 Policing and Security

- 185.1 To receive a Community Speed Watch report.
- 185.2 To receive local crime reports.

Next Meeting

186 Information or items for inclusion on next meeting agenda

- 186.1 To include any item on the agenda for the next meeting.
- 186.2 To exchange information not on the agenda. No discussion or decision may take place.

187 Date of the Next Meeting

- 187.1 To confirm the date of the next meeting as 11 March 2024.

Acronyms:

AMPC	Acaster Malbis Parish Council	COYC	City of York Council
AMMH	Acaster Malbis Memorial Hall	YLCA	Yorkshire Local Council Association

Appendix 1 Payments

Payments to note/approve (N/A)

To whom	s137	N/A	Description	Total
Printerland		N	Toner Cartridge	297.20
Information Commissioners Office		N	ICO Data Protection Fee	40.00
HSBC Bank		N	Bank Charges	8.00
C.H.Booth		A	Clerk's Salary – February	436.20
HMRC – PAYE Deducted		A	HMRC Tax	15.80
			Total	£797.20

Transfer of £797.19 from Money Manager to Current Account.

Appendix 2 Receipts

Receipts to note

From whom	Description	Total
	Total	£0.00

Appendix 3 Bank Reconciliation

Bank Reconciliation

Bank	On		Total
HSBC Money Manager	31/01/2024		12,515.52
HSBC Community Account	31/01/2024		500.01
Petty Cash	31/01/2024		0.00
Total (A)			£13,015.53

Cash Book	On		Total
Cash in hand	01/04/2023		11,842.33
Receipts to date	31/01/2024		8,571.18
Payments to date	31/01/2024		(7,397.98)
Total (B)			£13,015.53

As totals **A = B** there no issue to report.



SUBJECT ACCESS REQUEST POLICY

1 Purpose

Acaster Malbis Parish Council (the council) is a data controller under the provisions of the General Data Protection Regulations (GDPR) and is responsible for ensuring compliance with personal data in accordance with the regulations.

This document sets out the council's policy for responding to subject access requests (SAR) under the GDPR. All councillors and staff are legally bound to comply with the regulations and other relevant council policies.

2 What is GDPR?

The GDPR gives individuals the right to know what information is held about them. It provides a framework to ensure that personal information is handled properly.

The GDPR works in two ways. Firstly, it states that anyone who processes personal information must comply with a number of underlying principles, which make sure that personal information is:

- Fairly, lawfully and transparently processed.
- Processed for specific and lawful purposes.
- Adequate, relevant and limited.
- Accurate and up to date.
- Not stored for longer than is necessary.
- Processed securely and is protected.

Secondly, it provides individuals with important rights (Articles 13 & 14):

- Right to be informed.
- Right of access.
- Right to rectification.
- Right to erasure (right to be forgotten).
- Right to restrict processing.
- Right to data portability.
- Right to object.
- Rights related to automated decision making including profiling.

3 Subject Access Request (SAR)

3.1 What is a SAR?

A SAR is a request for personal information held by the council. An individual (the data subject) has the right to see what personal data the council holds about him/her and as such are entitled to be given a description of the information, what we use it for, who we might pass it onto, and any information we might have about the source of the information. This right is, however, subject to certain exemptions that are set out in the GDPR.

3.2 What is Personal Information?

Personal information/data is information about a living individual, which is capable of identifying that individual. It is not just a name and address but any information that can identify them (directly or indirectly).

Some examples include: a phone number or email address, photo, ID number, location data, or one or more factors specific to the physical, physiological, genetic, mental, economic or social identify of that person. Any other contact information or a person's employment history, or credit history are also all personal data.

3.3 How do I make a request?

An SAR should be in writing and should include:

- A clear topic label e.g. subject access request.
- The date of the request.
- Your name (including any alias).
- Your current contact details (must include address).
- A comprehensive list of what personal data you want to access.
- Any details, dates, or search criteria to help identify what you require.
- How you would like to receive the information.

The request should be sent by email to the parish.clerk@acastermalbis-pc.gov.uk or from the [contact](#) page on the council website.

4 Action upon receipt of a SAR

4.1 Identity check

The council will first check that it has enough information to be sure of the identity of the data subject. Accepted forms of proof of identity are provided in Appendix 1.

If the SAR is from a representative of the individual concerned, then the representative is entitled to the personal data if the data subject's written consent is supplied for the release of their personal data. If the SAR has been made by someone appointed under the Mental Capacity Act 2005, that person must confirm that they have the capacity to act and explain how he/she is entitled to access the information of the data subject. The consent of a parent/guardian is required to a SAR issued in respect of a data subject who is under 13 years old.

Should an individual make a SAR and they are not the data subject, they must stipulate the basis under the GDPR that they consider makes them entitled to the information.

4.2 Collate information

The council will check that it has enough information to find the records that have been requested. If it feels it needs more information, then it will promptly ask for this. It will gather any manual or electronically held information (including emails) and identify any information provided by a third party or which identifies a third party.

If the council has identified information that relates to third parties, it will write to them asking whether there is any reason why such information should not be disclosed. It does not have to supply the information unless the third party has provided their consent or it is reasonable to do so without their consent. If the third party objects to the information being disclosed, the council may seek legal advice on what action it should take.

Before sharing any information that relates to third parties, the council will where possible anonymise information that identifies third parties not already known to the person making the SAR (e.g. the council's employees), and edit information that might affect another party's privacy. It may

also summarise information rather than provide a copy of the whole document. The GDPR requires the council to provide information not documents.

4.3 Issue its response

Once any queries around the information requested have been resolved, copies of the information in a permanent form will be sent to the person submitting the SAR except where he/she agrees otherwise, where it is impossible, or where it would involve undue effort. In these cases, an alternative would be to allow you to view the information on screen at the council's office.

The council will explain any complex terms or abbreviations contained within the information supplied in response to the SAR.

If a SAR is submitted in electronic form, any personal data shall be provided by the council by electronic means, if possible.

4.4 Timeframe for responding to a SAR

The council has one calendar month starting from the date it receives the SAR. If more time is needed to respond to complex requests, an extension of time for another two months is permissible, provided the council communicates this to the data subject in a timely manner within the first month. In many cases, it may be possible to respond in advance of the one calendar month target and the council will aim to do this where possible.

If the council cannot provide any information requested, it will inform the data subject accordingly without delay and at the latest within one month of receipt of the SAR.

5 Fees

The GDPR does not allow a fee to be charged for a SAR.

6 Grounds for non-compliance with a sar

Previous requests that are manifestly unfounded or excessive – because of its repetitive character the council can charge a reasonable fee or refuse to provide the information requested. If the council refuses to provide the requested information it will inform the data subject without undue delay and at the latest within one month of receipt of the SAR.

If a data subject has made a previous SAR, the council must respond if a reasonable interval has elapsed since the previous request. A reasonable interval will be determined upon the nature of the information, the time that has elapsed, and the number of changes that have occurred to the information since the last request.

Exemptions – the GDPR contain a number of exemptions to the council's duty to disclose personal data and it may seek legal advice if it considers that they might apply. Possible exemptions would be information covered by legal professional privilege, information used for research, historical and statistical purposes, confidential references given or received by the council, the prevention, investigation, detection or prosecution of criminal offences, important public interests – in particular economic or financial interests, including budgetary and taxation matters, public health and security. This, however, is not an exhaustive list.

7 Errors in council records

If the council agrees that its information is inaccurate, it will correct it and where practicable, destroy the inaccurate information. It will consider informing any relevant third party of the correction. If the council does not agree or feels unable to decide whether the information is inaccurate, it will make a note of the alleged error and keep this on file.

8 Complaints

If a data subject is not satisfied with the council's action, they can seek recourse through our internal complaints procedure or the Information Commissioner or the courts.

The clerk to the council will deal with any written complaint about the way a request has been handled and about what information has been disclosed. The clerk can be contacted by email at parish.clerk@acastermalbis-pc.gov.uk.

If a data subject wishes to do so, they have the right to lodge a complaint with the Information Commissioner. The Information Commissioner can be contacted as follows:

Telephone:

0303 123 1113

Website:

<https://ico.org.uk/global/contact-us/>

Address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF.

DRAFT

Appendix 1 – Identification

- Current UK/EEA Passport
- UK Photocard Driving Licence (Full or Provisional)
- Firearms Licence/Shotgun Certificate
- EEA National Identity Card
- Full UK Paper Driving Licence
- State Benefits Entitlement Document*
- State Pension Entitlement Document*
- HMRC Tax Credit Document*
- Local Authority Benefit Document*
- State/Local Authority Educational Grant Document*
- HMRC Tax Notification Document
- Disabled Driver's Pass
- Financial Statement issued by bank, building society or credit card company+
- Judiciary Document such as a Notice of Hearing, Summons or Court Order
- Utility bill for supply of gas, electric, water or telephone landline+
- Most recent Mortgage Statement
- Most recent Council Tax Bill/Demand or Statement
- Tenancy Agreement
- Building Society Passbook which shows a transaction in the last 3 months and your address

*These documents must be dated in the past 12 months.

+These documents must be dated in the past 3 months.

ACASTER MALBIS PARISH COUNCIL

FINANCIAL REGULATIONS

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~~These Financial Regulations were adopted by the council at its meeting held on [enter date].~~

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. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders¹ and any individual financial regulations relating to contracts.

1.2. 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 internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.

1.3. The council's accounting control systems must include measures:

- for the timely production of accounts;
- that provide for the safe and efficient safeguarding of public money;
- to prevent and detect inaccuracy and fraud; and
- identifying the duties of officers.

1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.

1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.

1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.

1.7. Members of council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.

1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. The Clerk has been appointed as RFO for this council and these regulations will apply accordingly.

1.9. The RFO;

- acts under the policy direction of the council;
- administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
- determines on behalf of the council its accounting records and accounting control systems;
- ensures the accounting control systems are observed;

¹ Model Standing Orders for Councils (2018 Edition) is available from NALC (©NALC 2018)

- maintains the accounting records of the council up to date in accordance with proper practices;
- assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
- produces financial management information as required by the council.

1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.

1.11. The accounting records determined by the RFO shall in particular contain:

- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
- a record of the assets and liabilities of the council; and
- wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.

1.12. The accounting control systems determined by the RFO shall include:

- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
- procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
- identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
- procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
- measures to ensure that risk is properly managed.

1.13. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:

- setting the final budget or the precept (council tax requirement);
- approving accounting statements;
- approving an annual governance statement;
- borrowing;
- writing off bad debts;
- declaring eligibility for the General Power of Competence; and
- addressing recommendations in any report from the internal or external auditors, shall be a matter for the full council only.

1.14. In addition, the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve any grant or a single commitment in excess of £5,000; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

1.15. In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in *Governance and Accountability for Local Councils - a Practitioners' Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

2. Accounting and audit (internal and external)

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

2.2. 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 council.

2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.

2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.

2.5. 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.

2.6. The internal auditor shall:

- be competent and independent of the financial operations of the council;
- report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;

- to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
- has no involvement in the financial decision making, management or control of the council

2.7. Internal or external auditors may not under any circumstances:

- perform any operational duties for the council;
- initiate or approve accounting transactions; or
- direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.

2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.

2.10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3. Annual estimates (budget) and forward planning

3.1. Each committee (if any) shall review its three-year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of [November] each year including any proposals for revising the forecast.

3.2. The RFO must each year, by no later than December, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the council.

3.3. The council shall consider annual budget proposals in relation to the council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.

3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.

3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

4. Budgetary control and authority to spend

4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the council for all items over £5,000;

- a duly delegated committee of the council for items over £1,000; or
- the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items between £250 and £1,000.
- The Clerk for items below £250.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. 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 ('virement').

4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.

4.4. The salary budgets are to be reviewed at least annually in December ~~October~~ for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.

4.5. In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.

4.6. No expenditure shall be authorised 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 and the requisite borrowing approval has been obtained.

4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.

4.8. 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 shall show explanations of material variances. For this purpose "material" shall be in excess of £500.

4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

5. Banking arrangements and authorisation of payments

5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They

shall be regularly reviewed for safety and efficiency. The council shall seek credit references in respect of members or employees who act as signatories.

5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to council. The council / committee shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.

5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.

5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council meeting.

5.5. The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:

- a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council;
- b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council; or
- c) fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council.

5.6. For each financial year the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council [,or a duly authorised committee,] may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council.

5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.

5.8. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the council.

5.9. 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.

5.10. The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.

5.11. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

6. Instructions for the making of payments

6.1. The council will make safe and efficient arrangements for the making of its payments.

6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.

6.3. All payments shall be affected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council.

6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed two members of council in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.

6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.

6.6. Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council at the next convenient meeting.

6.7. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates 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.

6.8. If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced

by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.

6.9. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.

6.10. If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.

6.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.

6.12. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.

6.13. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.

6.14. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.

6.15. Where internet banking arrangements are made with any bank, the Clerk / RFO shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.

All transactions made will be reviewed against the approved payments, and signed off by a member allocated the Online Banking Control & Verification role. A signed copy of the internal control will be received and noted at the next meeting of the council.

6.16. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.

6.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by two of the Clerk / the RFO / a member. A programme of regular checks of standing data with suppliers will be followed.

6.18. Any Debit Card issued for use will be specifically restricted to the Clerk / RFO and will also be restricted to a single transaction maximum value of £500 unless authorised by council or finance committee in writing before any order is placed.

6.19. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the council. Transactions and purchases made will be reported to the council and authority for topping-up shall be at the discretion of the council.

6.20. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk / RFO and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.

6.21. The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the Clerk / RFO (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

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 salary rates shall be as agreed by council, or duly delegated committee.

7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.

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.

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 borrowings shall be affected 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 application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.

8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.

8.3. The council will arrange with the council's banks and investment providers for the sending of a copy of each statement of account to the Chairman of the council at the same time as one is issued to the Clerk or RFO.

8.4. 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.

8.5. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

8.6. All investments of money under the control of the council shall be in the name of the council.

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

8.8. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

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 at least 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.

9.10. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting (see also Regulation 16 below).

10. Orders for work, goods and services

10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of 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 11.1 below.

10.4. A member may not issue an official order or make any contract on behalf of the council.

10.5. 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 this regulation need 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 legal professionals acting in disputes;

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); and

vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.

b) Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £30,000 or more, the council shall comply with the relevant requirements of the Regulations².

c) The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)³.

d) 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.

e) 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

² The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

³ Thresholds currently applicable are:

a) For public supply and public service contracts 209,000 Euros (£181,302)

b) For public works contracts 5,225,000 Euros (£4,551,413)

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.

f) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.

g) Any invitation to tender issued under this regulation shall be subject to Standing Orders and shall refer to the terms of the Bribery Act 2010.

h) When it is to enter into a contract of less than £30,000 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 obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £100 the Clerk / RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.

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

j) Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

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 council.

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 council 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 and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held 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 tangible moveable property shall be purchased or otherwise acquired, 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 sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. 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. 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).

14.5. Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.

14.6. 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 Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers in consultation with the Clerk.

15.2. The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.

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

15.4. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.

15.5. All appropriate members and 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 annually 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 / RFO 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 / RFO shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

18. Suspension and revision of Financial Regulations

18.1. It shall be the duty of the council to review the Financial Regulations of the council from time to time. 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.

~~The Model Financial Regulations templates were produced by the National Association of Local Councils (NALC) in July 2019 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.~~



RISK ASSESSMENT

1 Introduction

The council has a number of duties in respect of risk management under the Accounts and Audit Regulations 2015 as follows:

- the council must have a sound system of internal controls that effective arrangements for the management of risk.
- The financial control systems must include measures to ensure that risk is appropriately managed.
- the council must undertake an effective audit to evaluate the effectiveness of its risk management.

This document provide a risk assessment of the management of risk for the business and financial processes of the council. Health and Safety risk assessments are created separately for individual process or events.

2 Risk Matrix

		Impact		
		Negligible (1)	Moderate (2)	Severe (3)
Likelihood	High (3)	Medium (3 x 1)	High (3 x 2)	Very High (3 x 3)
	Possible (2)	Low (2 x 1)	Medium (2 x 2)	High (2 x 3)
	Unlikely (1)	Very Low (1 x 1)	Low (1 x 2)	Medium (1 x 3)

3 Notes to Table

Risk Values:

- H – High These must be addressed and this level is unacceptable.
M – Medium This level is tolerable but use risk reduction if practical.
L – Low Level of risk is acceptable. Monitor and review.

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Subject	Risks Identified	Level	Management of risk	Review/Assess
Financial – Precept				
Councillors	Losing Councillor membership or having more than 5 vacancies at any one time	Low	When a vacancy arises there is a legal process to follow. This either leads to a by-election or a co-option process. Any by-election would be arranged by City of York Council (COYC). If it is a co-option process, AMPC will co-opt as required. If there is more than 5 vacancies at any one time the council becomes inquorate and the legal process of COYC takes place.	Existing procedures are adequate and are reviewed regularly. Procedures of COYC are adequate.
Precept	Inadequacy of existing funds and precept	Low	Budget derived from an approved business plan and review quarterly by council (actual vs forecast). Precept calculated from budget and precept notice sent to City of York and acknowledgement sought.	Existing procedures adequate.
	Amount not received from City of York Council	Low	The clerk informs the council when the money is received. (Normally April and September).	Existing procedures adequate.
Financial Records	Inadequate records	Low	The council has Financial Regulations which set out the requirements.	Review of Financial Regulations annually.
	Financial irregularities	Low	Council has a monthly internal control check looking at transactions in the cashbook vs actual and this is reported to council. Monthly bank reconciliation reported to council.	Existing procedures adequate.
	Failure to comply with legislation	Med	Subscribing to local council association YLCA, training, Internal Audit to offer advice as appropriate.	Existing procedures adequate.
Bank and Banking	Inadequate checks	Low	The council has Financial Regulations which set out the requirements for banking, cheques and bank reconciliation. The Clerk reconciles the bank accounts once a month when the statement is issued, any problems /irregularities are dealt with immediately. The bank reconciliation is presented to the council every month at a full council meeting. This is signed by the Chair.	Review of Financial Regulations annually. Existing procedures adequate.
	Bank mistakes	Low		
	Loss	Low		
	Charges	Low		
	Loss of signatories	Low	Council chooses to replace signatories or a councillor resigns. Signatories are also confirmed at the Annual meeting every May.	Review signatories at the Annual meeting and after resignation.
Debit card	Loss through theft or dishonesty	Low	The council has Financial Regulations which set out the requirements.	Existing procedures adequate. Review of Financial Regulations annually.
VAT	Re-claiming	Low	The council has Financial Regulations which set out the requirements.	Existing procedures adequate.
Litigation	Potential risk of legal action being taken against the council	Medium	Public Liability Insurance covers general personal injury claims where the council is at fault, but not spurious or frivolous claims (these cannot be insured against).	Insurance is adequate and is reviewed annually but there is a

Acaster Malbis Parish Council

Subject	Risks Identified	Level	Management of risk	Review/Assess
				risk of other claims.
Reporting and Auditing	Lack of information and/or clear information	Low	Financial Information is a monthly agenda item. Internal control is a monthly process.	Existing procedures adequate.
Direct costs	Goods not supplied but billed	Low	Invoices only paid when goods received or work has been completed.	Existing procedures adequate.
Overhead expenses	Incorrect invoicing	Low	Invoices are checked against purchase / contract orders.	Existing procedures adequate.
Grants payable	Power to pay	Low	All such expenditure goes through the required council process of approval, minuted accordingly. Power to pay recorded in Scribe.	Existing procedures adequate.
	Authorisation of council to pay	Low	All applications follow the Grants Policy and complete an application form.	Existing procedures adequate.
	Transparency	Low	All applications are discussed at full council meetings and decisions recorded in minutes. Applications are available for the public to inspect.	Existing procedures adequate.
Best Value Accountability	Work awarded incorrectly	Low	Normal council practice is to seek at least three quotations if possible as per the Financial Regulations.	Existing procedures adequate.
	Overspend on services	Medium	If a problems is encountered with a contract the clerk would investigate the situation, check the quotation / tender, research the problem and report to the council.	Review of Financial Regulations annually.
Employees	Loss of Clerk	Low	Data held in cloud; passwords in password manager. Password manager held by chair in safe.	Existing procedures adequate.
	Fraud	Low	Monthly Internal control procedure to check bank. Bank limits on transactions.	Existing procedures adequate.
Salaries	Salary paid incorrectly	Low	This is agreed monthly and is presented at full council meeting.	Existing procedures adequate.
	Wrong hours paid	Low	Hours are per contract are overtime is agreed by council but is very rare.	Existing procedures adequate.
	Wrong rate paid	Low	This is reviewed when NALC issue new pay scales or before if required.	Existing procedures adequate.
	Wrong deductions of NI or Tax	Low	The clerk operates a Real Time HMRC PAYE system to ensure the council is complying with current regulations.	Existing procedures adequate.
	Unpaid Tax and NI to HMRC	Low	System warns if payments are to be made & email warning are received.	Existing procedures adequate.
Councillor Allowances	Councillors overpaid Income tax deductions	n/a	No allowances are claimed by councillors.	No procedure required.
Election Costs	Risk of an Election Cost	Low	Risk is higher in an election year but is included in the budget. When a scheduled election is due the Clerk will obtain an estimate of costs from COYC. There are no measures which can be adopted to minimize the risk of having an election, as this is a democratic process.	Council should consider having a Contingency Fund for Election Costs.

Acaster Malbis Parish Council

Subject	Risks Identified	Level	Management of risk	Review/Assess
VAT	Re-claiming	Low	The council has Financial Regulations which set out the requirements. Claimed yearly as total purchase value is low.	Existing procedures adequate.
Internal Audit	Completion within the time limits	Low	Internal Auditor appointed annually by the council. Internal Auditor is supplied with all the documents to audit and has access to Scribe and all accounting information.	Existing procedures adequate.
Annual Return	Completion / Submission within time limits	Low	Annual Return is completed and signed by the council, submitted to the internal auditor for completion and signing then posted on website as an exempt council.	Existing procedures adequate.
Legal Powers	Illegal activity or payments	Low	All activity and payments within the powers of the council to be resolved and minuted at full council meetings. The power used is recorded in Scribe.	Existing procedures adequate.
Minutes / Agendas / Notices / Statutory Documents	Accuracy and legality	Low	Minutes and agenda are produced in the prescribed manner by the clerk and adhere to the legal requirements.	Existing procedures adequate.
	Not approved	Low	Minutes are approved and signed at the following council meeting.	Existing procedures adequate.
	Not displayed/published	Low	Minutes and agenda are displayed according to legal requirements.	Existing procedures adequate.
	Business Conduct	Low	Business conducted at council meetings should be managed by the Chair.	Members adhere to Code of Conduct.
Records – paper	Loss through theft or fire damage	Low / Medium	Modern records are predominantly electronic. Where practicable key paper records are scanned and held as per electronic records. The council records are either stored in a locked filing cabinet in the clerk's home.	Damage (apart from fire) and theft is unlikely and so provision is adequate.
Records – electronic	Loss through theft, fire, corruption of computer	Low	Council's records are stored on the a cloud account and the clerk's computer. Clerk's computer is backed up nightly to portable hard disk. Website is backed up weekly to cloud backup.	Existing procedures adequate.
Members Interests	Conflict of Interest	Medium	Declarations of Interests is an agenda items for all meetings.	Existing procedures adequate.
	Register of Members Interests	Medium	Register of members of Interests forms should be reviewed regularly by councillors.	Members take responsibility to update their Register.
Website	Inadequate or outdated information and lack of public engagement with the use of website.	Low	Website updated by clerk as necessary to comply with Transparency Code for Smaller Authorities.	Existing procedures adequate.
Insurance	Adequacy	Low	An annual review is undertaken (before the time of the policy renewal) of all insurance arrangements in place. Employers and employee liability insurance is a necessity and within policies. Ensure compliance measures in place. Fidelity checks in place.	Existing procedures adequate. Review insurance provision annually.
	Cost	Low	Competitive quotations are sought. Multi-year deals assessed for value.	Review insurance provision annually.

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Subject	Risks Identified	Level	Management of risk	Review/Assess
	Loss or damage	Low	Insurance and asset register updated annually.	Existing procedures adequate.
Assets	Risk / damage / injury to third parties	Low	All assets owned by the council are regularly inspected and maintained. All repairs and relevant expenditure for these repairs are actioned/authorised in accordance with the correct procedures of the council. All assets are insured; annual asset inspection and review.	Existing procedures adequate. Review insurance provision annually.
Data Protection	Failure to implement Policy provision	Low	The council is registered with the Information Commissioner.	Ensure Annual Renewal of Registration.
		Low	The council has a Data Protection Policy, Privacy Notice, SAR Policy and Data Breach Policy.	Policies to be reviewed regularly.
Freedom of Information	Failure to implement Policy provision	Low	The council has a model publication scheme for Local Councils in place and this is reviewed regularly.	Monitor and report any impacts of requests made under the FOI Act.
Meeting Location	Adequacy	Low	The council Meetings are held in the Village Hall. Risk assessment have been provided by the hall trustees. The premises and the facilities are considered to be adequate for the clerk and public who attend from Health & Safety, disability discrimination and comfort aspects.	Existing location adequate.



STRATEGIC PLAN

for

Acaster Malbis Parish Council

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Introduction

This Strategic Plan provides information about the goals and aspiration of Acaster Malbis Parish Council over the short, medium and long term.

The aim of the plan is to give residents of the parish of Acaster Malbis a clear understanding of what their parish council would like to achieve going forward.

Each year a number of goals and aspirations will be taken from this plan and will form the Business Plan for the next council year that starts in May.

The goals are divided into 2 discrete sections; continue goals and development goals.

Continue goals are those activities/goals that the council currently undertakes and wishes to sustain or improve each year.

Development goals are those that are new to the parish and are aspirational in nature. Some of the goals may be aspirational, long term and may not be achievable.

Definitions

The following is the definition of the duration used in the document for short, medium and long term.

Short: within 3 years

Medium: 3-10 years

Long: over 10 years.

Mission Statement

We aim to be a forward-thinking council that adapts to changing circumstances, embraces innovation, and continuously seeks to improve the services and facilities we provide to our residents.

Vision Statement

Our vision is to be a vibrant and inclusive community that is connected, engaged, and resilient. We seek to foster a sense of belonging among all members of our community and to promote a high quality of life for all.

Continue Goals

Continue goals are those goals that we strive to complete each and every year. These goals may be modified each year to reflect any changes in circumstance or additional objectives around the goal in question.

GC01 Strategic Plan

To produce and maintain a Strategic Plan for Acaster Malbis for the short, medium and long term. The plan will include:

- Mission Statement.
- Vision Statement.
- A number of goals that continue every year.
- A number of development goals that we would like to achieve over the short, medium and long term.

GC02 General Power of Competence

To be able to declare the General Power of Competence for the council year commencing May 2024. This will require:

- A clerk qualified to CiLCA level.
- At least 5 elected councillors (66% of councillors) elected in 2023.

GC03 Grass Cutting and Verge Maintenance

To put in place a grass cutting and verge maintenance contract to supplement the activity of the City of York Council's grass cutting program. This will require:

- Establishing the frequency and extent of COYC's verge maintenance.
- Creating a cutting plan and schedule.
- Creating a tender for the contract.
- Letting a contract.

GC04 Footpath Maintenance

It is important for the wellbeing of the residents of Acaster Malbis that the footpaths within the parish are maintained and accessible. Although not directly responsible for their maintenance, the council can help by:

- Monitoring the condition of footpaths and associated furniture (stiles, waymarker etc).
- Producing a yearly report on the condition of the footpaths and send it to COYC.
- Checking accessibility on footpath routes.

GC05 Himalayan Balsam Control

To continue the project to control the Himalayan Balsam in the parish, that will include:

- Re-work areas that were previously visited.
- Visit new areas with an identified problem e.g. South Ings, drainage ditches, Stub Wood.
- To increase community awareness and involvement of the project.

GC06 Dog Fouling

Dog fouling continues to be an issue in various parts of the village. The following measures will be undertaken to help control the issue:

- Communication campaign to promote awareness.
- Review the locations of the current dog waste bins in the village.
- Replace old signage that is faded or damaged.
- Adopt a zero-tolerance campaign that commits the council to report all occurrences of dog fouling to COYC for enforcement.

GC07 Speeding in the Village

In general the traffic through the village is light, but there are a few vehicles travelling through the village at speeds in excess of the 30mph speed limit.

- Continue with Community Speed Awareness monitoring.
- Purchase own equipment e.g. monitor equipment, signs etc.

GC08 Slipway Rent

To review the rent charge on The Slipway to ensure that the village is getting a market value return on the lease. The current lease operates on a 3-year fixed price arrangement and the next opportunity to review the rent will be December 2024.

GC09 Village in Bloom

The village has a single planter near to the Pinfold on Mill Lane. The aim of this goal is to extend planting in the village that may include:

- Extend village planting
- Additional daffodils in verges
- Planters with edible crops

GC10 Hedge Maintenance

Develop a better strategy for dealing with overgrown hedges in the village.

- Note the hedges that are known for causing obstruction to road or footway users.
- Report the hedge to COYC in a timely manner before they become a significant problem.

GC11 Littering

- Coordinate the activities of active litter pickers in the village.
- Check the current littering signage throughout the village.
- Add additional signage where littering is seen to be a problem.
- Update the website with advice on littering and how to report it to City of York Council.

Development Goals

GD01 Community Pub

The Ship Inn has been registered with the City of York Council as an asset of community value meaning that the parish council has the option to purchase the pub for 6 months assuming that Stonegate wish to sell.

This goal is for the council to have a plan ready should Stonegate wish to sell the The Ship Inn.

GD02 Village Green

The parish council does not own any land that can be used for community activities. The goal is to be able to purchase land should it become available. The land could be used for the following activities that would become goals in their own right should land become available:

- Children's Play Park
- Community Garden
- Cricket/Football Pitch
- Village Green for picnics/festivals/events etc.

GD03 Village Seating

There are at present two places in the parish where seating is provided (the Pinfold on Mill Lane, the verge at Lakeside). The goal is to identify further areas where seating could be placed and then install the additional seating.

GD04 Tree Protection

There are many trees in the village, but not so many have Tree Protection Orders placed upon them. The goal is to identify trees 'of merit' that should have a protect order and pursue this with the City of York Council.

GD05 Village Signs

There are village signs marking the boundary of the village from various roads. These signs should be maintained as follows:

- Check visibility of the sign at a reasonable height
- Replace signs that are missing or are in poor condition.
- Raise the height of the signs where they are obscured by grass and are difficult to mow.

GD06 Designated Footpaths & Walks

There are a number of pleasant walks in and around the parish, but these are not necessarily well known or documented. The goal is to produce a framework around which walks can be documented and mapped and made available to the public.

GD07 Volunteers Scheme

There are lots of volunteers in the community that provide an invaluable service. The scheme is to bring the volunteers together and keep them informed about activities in the village that require assistance. The goal will be to create a list comprising:

- Community helpers
- Skills available
- Shared resources

GD08 Water Level Telemetry

To add local telemetry such that the flood levels can be more accurately monitored and information made available to the residents via the council website. This might include:

- Local river level gauge
- In-footway flood detectors
- Flood warning road signs

With this telemetry it might be possible to remotely control the Moor End sewage pumps to stop/start at the correct times.

GD09 Road/Footway Cleaning

The amount of road/gulley cleaning from the City of York Council is reducing as part of cost saving measures. Our goal is to add additional street cleaning services to maintain the village road and footways to an acceptable standard. This may include:

- Organise private road sweeping
- Organise private gully cleaning
- Develop better contacts in COYC for organising/reporting of issues.

GD10 Pinfold

The pinfold is one of a few assets held by the parish council and is largely unutilised.

The goals for the pinfold are as follows:

- Refurbish interior – remove weeds and replace weed membrane as appropriate.
- Add a plaque setting out the historical context of the Pinfold.
- Plant some scented roses and other scented plants to create a scented garden.

GD11 Local Council Award Scheme

It is important the council is recognised as a well run council and to meet its full potential. In order to help with this, the goal is to achieve an award on the Local Council Award Scheme. The awards possible on the scheme are:

- Foundation Award – demonstrates that a council meets the requirements for operating lawfully and according to standard practice.
- Quality Award – demonstrates that a council achieves good practice in governance, community engagement and council improvement.
- Quality Gold Award – demonstrates that a council is at the forefront of best practice and achieves excellence in governance, community leadership and council development.

GD12 Emergency Planning

Take more responsibility for publishing/coordinating/communicating Emergency Plans in the parish.

- Establish an Emergency Planning Working Group.
- Publish documentation on the council website.
- Publish contact details on the noticeboards.

GD13 Village Hall Noticeboard

The noticeboard at the village hall has been deteriorating for a number of years. There have been a number of plans to rejuvenate the noticeboard, however, for various reasons this has not happened.

The goal is to look at new designs and options for a new noticeboard and replace the current one. Consideration should be given to having a shared noticeboard with the trustees of the Memorial Hall.

EMAIL & WEBSITE HOSTING BRIEFING NOTE

1 Background

The council has used Advanced Computer Solutions (Yorkshire) Ltd as an email and web hosting supplier for a number of years. ACS is a single person company.

On 1 Aug 2023, ACS were taken over by their largest client Yorkshire Feedstuffs Ltd. who are a manufacturer and supplier of animal feed.

2 Risks and Issues

2.1 Proper Practices Compliance

The Practitioners' Guide¹ is the document that defines the proper practices as required by the Audit and Accountability Regulations. There are two instances in the guide where our choice of IT supplier means that we cannot comply with those practices:

"1.26 Email management – every authority should have an email account that belongs to the council and to which the council has access".

"5.208 For the purposes of user management, councils should ensure that the proper officer can add and remove member and staff email accounts. Commercial 'dashboard' email and web systems offer centralised searching of all data contained within the system for effective compliance with GDPR Subject Access Requests and Freedom of Information Requests."

2.2 Single point of failure

As ACS is a single person company, it is by definition a single point of failure – if the only employee is not available for any reason, then any service we have is lost.

2.3 Domain Control

We have no direct control over our .gov.uk domain – all requests would need to be made via ACS.

2.4 Costs

	ACS	Cloud Next
Domain renewal	£60.00	£55.00
Domain admin	£25.00	
Website certificate	£50.00	
Email Boxes	£144.00	
Hosting fee	£120.00	£99.99
	£399.00	£154.99

The costs of the service provided by ACS are expensive compared to other providers.

1 Joint Panel on Accountability and Governance March 2023 – [Practitioners' Guide](#)

2.5 Website availability

25-Jan-2024	Server certificate expiry.
21-Nov-2023	Web server crashed.
10-Sep-2023	Server physically moved (no notice provided).
25-Jul-2023	Server certificate expiry.
13-Jul-2023	Denial of service attack
18-Mar-2022	Denial of service attack.

On a positive note, Alan has been responsive to any service requests and resolved issues quickly.

3 Alternate Suppliers

There are a number of alternate suppliers that provide hosting and email services. One of the largest suppliers when dealing with .gov.uk domains is Cloud Next Ltd – this company is used by a significant number of local councils in the UK.

3.1 Migration

The migration of the website is fairly straightforward and is a matter of backing up the current website and restoring on the new servers.

Email box can be migrated to the new platform given the account name and the password.

There might be some downtime of the respective services during a migration process.

4 Recommendation

It is recommended that the council migrate the hosting to Cloud Next Ltd as it will allow the council to meet the proper practices in full, provides better resilience, and reduce the overall cost to the council.



Craig Booth
Clerk/RFO
Acaster Malbis Parish Council



NOTICEBOARD REPLACEMENT BRIEFING NOTE

1 Background

The current noticeboard situated outside of the Acaster Malbis Memorial Hall (AMMH) was commissioned by the council, and manufactured in Acaster Malbis, for £100 in July 1996.

The noticeboard has not been maintained well over years and has wood rot in a number of places and requires significant repair.

The council decided to replace the old noticeboard with a new noticeboard with low maintenance in mind. A budget item for noticeboard replacement was added to the 2024/25 [budget](#) (item 4.2 GD13), with the council looking at a Classic range noticeboard 2 x A1 at £1,100 + VAT. This style of noticeboard would re-use the existing mounting uprights.

2 Noticeboard Legislation

The principal requirement for the council to display notices comes from the Local Government Act 1972. This act requires the council to display a meeting notice 3 clear days before a meeting in a conspicuous place in the village. The majority of notices must be displayed on a website, but posting on a noticeboard is optional.

With a noticeboard in the bus shelter on Intake Lane, this is enough to meet any legal obligation to display notices in a conspicuous place.

3 Memorial Hall Feedback

The noticeboard proposed by the council was sent to the trustees of AMMH prior to their meeting on 11 Jan 2024. After discussion at that meeting, the following feedback was received.

- The trustees preferred a noticeboard from the Prestige range with ornate styling.
- It was requested that both sides of the noticeboard should be locked.
- It was requested that the noticeboard be RAL matched to the door colour if possible.
- It was suggested that the lettering should say 'Acaster Malbis' or 'Parish of Acaster Malbis' and not refer to Acaster Malbis Parish Council.

After pointing out the significant price difference between the Classic and Prestige range of noticeboards, the trustees have indicated that they would consider part funding the replacement noticeboard.

Due to the style of the [Prestige](#) range, a new installation would be required and the existing steel frame could not be re-used. The new installation would require concrete works to install the posts – this will be a further cost (the cost of which has not been sought).

With a new installation required, it has been suggested that the noticeboard could be re-sited from its present location to either end of the building.

3.1 Observations

1. The original intention was to leave one side of the noticeboard open for the benefit of residents. This would no longer be possible.

2. Re-siting an expensive noticeboard into a position where it will be seen by fewer people is perhaps questionable given that there is no natural foot traffic at this location.
3. The preferred option is an ornate noticeboard. The council may wish to consider whether such an ornate design is the best fit for a building that is plain in appearance and lacking in any ornate features.

4 Options

4.1 Do Nothing

There is no legal requirement for a noticeboard at the Memorial Hall, the council could simply decide to continue using the current one until it reaches end of life and remove it.

4.2 Change of Location

If the noticeboard were relocated away from AMMH, a smaller and less expensive noticeboard could be purchased, for example.

A 2 x A2 noticeboard from the [Classic](#) range would cost £815 + VAT.

Although not an exhaustive list, possible locations might include:

Right of AMMH driveway:

- Would require approval from the Highways Authority.
- No natural pedestrian traffic via a footway.

Near the post box on Mill Lane:

- Would require approval from the Highways Authority.
- Optimal for pedestrian traffic as this is the only footway past the Memorial Hall.

Mounted on the Pinfold:

- No approval would be required.
- No natural pedestrian traffic via a footway.

4.3 Bus Shelter Noticeboard Upgrade

A new noticeboard could replace the existing noticeboard in the bus shelter on Intake Lane. No approval/permission is required from another body, and it would meet the council's plan to provide a public place for notices.

This would then become the principal noticeboard for the council.

4.4 Memorial Hall Prestige Upgrade

The council could be party to a joint scheme with the trustees of AMMH to install a premium noticeboard at this site.

A 2 x A1 noticeboard from the [Prestige](#) range would be £2,330 + VAT.

Installation costs are unknown.

Notes:

1. Both doors would be locked and would not provide the public access.
2. A written agreement would be required from the trustees to permit the long-term use of the noticeboard.
3. The council would be able to reclaim VAT on any contribution, the trustee of the Memorial Hall would not.

5 Recommendation

In this instance, there is no officer recommendation as there is merit in all the options presented above. However, councillors should be mindful of the reasonable use of public money, and seeking value for money from those funds.

In order to pursue the replacement of the noticeboard at AHM it is recommended that a noticeboard working group be created with members from both organisations with an obligation to create a firm proposal incorporating the discussion points above.

The working group would only be able to make recommendations, only the full council would be able to take a decision.



Craig Booth
Clerk/RFO
Acaster Malbis Parish Council



NOTICEBOARD WORKING GROUP TERMS of REFERENCE

1 Working Group

The Noticeboard Group is a working group of Acaster Malbis Parish Council.

2 Members

The Noticeboard Group comprises a number of councillors and a number of trustees of Acaster Malbis Memorial Hall.

3 Chair

A chair will be appointed by the working group at their first meeting.

4 Meetings

The working group will call meetings as and when required and these may be in person or remote.

5 Terms of Reference

- The group has no spending powers.
- The group cannot make any decision that binds either party.
- The group will recommend a noticeboard as follows:
 - Style, size and colour.
 - Recommended supplier(s).
 - Location of the noticeboard.
 - Costs of the noticeboard and installation.
 - A form of agreement about the rights of either party to use the noticeboard.

The terms of reference of this group may only be changed by the council.

6 Notes

Informal minutes will be made of each meeting and will be circulated to members of the group. A copy of the notes will be sent to the clerk to the council for record keeping purposes.

7 Reporting to Council

The group will report a joint recommendation to the council and the trustees for the respective groups to make a decision as to whether to proceed.