

# TOLLESHUNT D'ARCY PARISH COUNCIL

[www.tolleshuntdarcypc.org](http://www.tolleshuntdarcypc.org)

**Chairman:** John Smith - 07505 008891

**Clerk:** Michelle Curtis, PO Box 13205, Maldon, Essex CM9 9FU

Tel: 07483 325853 email: [clerk@tolleshuntdarcypc.org](mailto:clerk@tolleshuntdarcypc.org)



Notice is hereby given that the meeting of **TOLLESHUNT D'ARCY PARISH COUNCIL** will be held on **Tuesday 25<sup>th</sup> April 2023**, in the **Village Hall, Tollesbury Road**, commencing at **7.30 pm**, to which members of the Council are summoned for the transaction of the under-mentioned business.

*M. Curtis*

Michelle Curtis – Clerk to the Council

18<sup>th</sup> April 2023

Councillors: J Smith (Chairman), L Barwick (Vice-Chairman), J Brown, I Ewing,  
M Henderson, G Munson, R Scott

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## THE PRESS AND PUBLIC ARE CORDIALLY INVITED TO ATTEND

Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted however the privacy of (i) persons who object to the same and (ii) children and vulnerable adults must be respected by anonymising the identities of such.

## AGENDA

- 1. Chairman's welcome**
- 2. Apologies for Absence**  
To receive apologies for absence.
- 3. Declaration of Interest**  
Members are reminded that they are required to declare any Disclosable Pecuniary Interests, Other Pecuniary Interests or Non-Pecuniary Interests which they know they might have in items of business on the agenda. They are reminded that they will need to repeat their declarations at the appropriate point in the meeting and leave the room if required under the Code of Conduct. Unforeseen interests must be declared similarly at the appropriate time.
- 4. County and District Councillors**  
To receive information from County and District Councillors.
- 5. Public Forum**  
The Chairman will invite questions and observations from members of the public. A maximum time of **15** minutes will be allowed.

## 6. Parish Working Group

To receive a verbal update from the Parish Working Group.

## 7. Minutes

To receive and approve the Minutes of the Meeting held on 28<sup>th</sup> March 2023.

## 8. Finance

8.1 To receive and approve Monthly Financial Report as at 31<sup>st</sup> March 2023

8.2 To ratify expenditure for a plaque and rose tree to commemorate the coronation of King Charles III

8.3 To receive and approve Payments

8.4 To consider transferring some Parish Council funds into an Instant Access Savings Account with Unity Trust bank

## 9. Asset Register

To carry out a review of the Asset Register

## 10. Risk Management

To carry out a review of the Risk Management Document

## 11. Accounts 2022/23

To approve the accounts and AGAR for 2022/23 subject to Internal Audit

## 12. Planning Applications and Decisions

### 12.1 Planning Applications

Applications are circulated to all Councillors with the agenda, for study ahead of the meeting. Planning documents are also available for everyone to view on the Maldon District Council website ([www.maldon.gov.uk](http://www.maldon.gov.uk)).

To consider Planning Applications received from Maldon District Council including the following:

Application No: HOUSE/MAL/23/00243 PP-11976028

Proposal: Erection of side and rear extension, new render to existing bungalow and replacement glazing, demolition and relocation of existing garage.

Location: Mardi Gras Chapel Road Tolleshunt D'arcy

Application No: OUT/MAL/23/00288 PP-12023192

Proposal: Outline planning application with all matters reserved except for layout and appearance for the construction of a convenience store.

Location: Darcy Stores 17 North Street Tolleshunt D'arcy

### 12.2 Planning Decisions

To note decisions made by Maldon District Council

[FUL/MAL/22/01225 - Land At The Wycke Pages Lane - Refused](#)

### 12.3 Appeals

To receive notification of Planning Appeals from Maldon District Council

### 12.4 Planning Appeal Decisions

To note decisions made by the Planning Inspectorate

## **12.5 Tree Preservation Orders (TPO)**

To note TPOs made by Maldon District Council

### **13. Training**

To consider any training requests from the Clerk or Councillors

### **14. Dignity At Work Policy**

To adopt the Dignity At Work Policy

### **15. Recreation Ground – CCTV**

To receive an email from a resident regarding CCTV overlooking the Recreation Ground

### **16. Area outside the School**

**16.1** To ratify the decision to proceed the quotation from The Wooden Fence Post for clearance works on the area outside the school

**16.2** To consider the request from the volunteers to pay for the plants for the replanting of the area

### **17. First Responders**

To consider the request from the First Responders to provide funding for repairs or replacements to the kit bag

### **18. Police/Community Protection Officers (CPO)**

#### **18.1 Police Reports**

To receive Police Reports (confidential)

#### **18.2 Community Protection Officers (CPOs)**

**18.2.1** To receive the CPO reports for March 2023

**18.2.2** To review the Service Level Agreement for the Maldon District Council CPOs for 2023/24

### **19. Administration**

To receive information from the Clerk – update on current and ongoing matters

### **20. Representative Reports**

#### **20.1 Burial Ground**

**20.1.1** To receive a verbal update from Cllr Henderson

#### **20.2 Recreation Ground/Pavilion**

**20.2.1** To receive a verbal update from Cllr Brown

**20.2.2** To consider reversing the decision made at the Parish Council meeting on 31<sup>st</sup> March 2023 to submit a planning application for a change of use due to the availability of new information.

**20.2.3** To ratify the decision to allow Bee-Fit CM9 to lay a strip of Astro turf outside the Pavilion.

#### **20.3 Public Rights of Way**

**20.3.1** To receive a verbal update from Cllr Henderson

#### **20.4 Road Safety/Highway**

**20.4.1** To receive a verbal update from Cllr Munson

**21. Community Concerns**

To receive information only or note future agenda items

**22. Date of the Next Meeting**

Next meeting to be held on:

Thursday 11<sup>th</sup> May 2023 – Annual Statutory Meeting – 7.30 pm- Village Hall



Date: 02/04/2023

Tolleshunt Darcy Parish Council

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Time: 16:33

**Bank Reconciliation Statement as at 31/03/2023  
for Cashbook 1 - Current Bank A/c**

User: MICHELLE

<u>Bank Statement Account Name (s)</u>	<u>Statement Date</u>	<u>Page</u>	<u>Balances</u>
Unity Trust Bank	31/03/2023		32,833.52
			<u>32,833.52</u>
<u>Unpresented Cheques (Minus)</u>		<u>Amount</u>	
		0.00	
			<u>0.00</u>
			32,833.52
<u>Receipts not Banked/Cleared (Plus)</u>			
		0.00	
			<u>0.00</u>
			32,833.52
		<b>Balance per Cash Book is :-</b>	<b>32,833.52</b>
		<b>Difference is :-</b>	<b>0.00</b>

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<u>Account</u>	<u>Opening Balance</u>	<u>Net Transfers</u>	<u>Closing Balance</u>
320 EMR Elections	100.00		100.00
321 EMR Parish Improvements	825.78	180.00	1,005.78
322 EMR Recreation Ground	11.25	4,664.40	4,675.65
323 Unallocated	296.57		296.57
324 EMR Burial Ground	1,103.83		1,103.83
325 EMR Maypole	15.00		15.00
	<u>2,352.43</u>	<u>4,844.40</u>	<u>7,196.83</u>

## Detailed Receipts &amp; Payments by Budget Heading 31/03/2023

## Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<u>100 Income</u>							
1076 Precept	21,514	21,514	0			100.0%	
1990 Other Income	6,950	6,000	(950)			115.8%	
Income :- Receipts	<u>28,464</u>	<u>27,514</u>	<u>(950)</u>			103.5%	<u>0</u>
Net Receipts	<u>28,464</u>	<u>27,514</u>	<u>(950)</u>				
<u>110 Administration</u>							
██████████	████	████	████		████	████	
██████████████████	████	████	████		████	████	
██████████	████	████	████		████	████	
4070 Payroll Processing	0	80	80		80	0.0%	
4080 Training	75	300	225		225	25.0%	
4090 Bank Charges	108	72	(36)		(36)	150.0%	
4100 Audit Fees	375	375	0		0	100.0%	
4120 Subscriptions & Memberships	988	770	(218)		(218)	128.4%	
4130 Insurance	1,607	1,500	(107)		(107)	107.1%	
4140 Stationery	12	0	(12)		(12)	0.0%	
4150 Postage	0	10	10		10	0.0%	
4160 Telephone & Broadband	324	360	36		36	90.1%	
4170 Website	167	200	33		33	83.6%	
4180 Office Equipment	622	0	(622)		(622)	0.0%	
4190 Office Allowance	312	312	0		0	100.0%	
4200 Grants & Donations Paid	3,185	2,500	(685)		(685)	127.4%	
4230 CPOs	988	880	(108)		(108)	112.3%	
4500 Hall Hire	250	700	450		450	35.7%	
4990 Sundries	397	100	(297)		(297)	396.5%	
Administration :- Indirect Payments	<u>17,200</u>	<u>15,409</u>	<u>(1,791)</u>	<u>0</u>	<u>(1,791)</u>	111.6%	<u>0</u>
Net Payments	<u>(17,200)</u>	<u>(15,409)</u>	<u>1,791</u>				
<u>130 Amenities</u>							
4300 Defibrillator	337	400	63		63	84.2%	
4310 Grass/Hedge/Tree cutting	2,500	3,000	500		500	83.3%	
Amenities :- Indirect Payments	<u>2,837</u>	<u>3,400</u>	<u>563</u>	<u>0</u>	<u>563</u>	83.4%	<u>0</u>
Net Payments	<u>(2,837)</u>	<u>(3,400)</u>	<u>(563)</u>				
<u>135 Burial Ground</u>							
1350 Burial Ground Income	3,203	2,000	(1,203)			160.2%	
Burial Ground :- Receipts	<u>3,203</u>	<u>2,000</u>	<u>(1,203)</u>			160.2%	<u>0</u>

## Detailed Receipts &amp; Payments by Budget Heading 31/03/2023

## Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
4360 Water	55	70	15		15	78.0%	
4370 Maintenance	2,391	100	(2,291)		(2,291)	2390.9%	
Burial Ground :- Indirect Payments	2,446	170	(2,276)	0	(2,276)	1438.5%	0
Net Receipts over Payments	758	1,830	1,072				
<u>140 Pavilion</u>							
4360 Water	437	400	(37)		(37)	109.1%	
4370 Maintenance	264	1,000	736		736	26.4%	
4400 Electricity	1,562	600	(962)		(962)	260.3%	
Pavilion :- Indirect Payments	2,263	2,000	(263)	0	(263)	113.1%	0
Net Payments	(2,263)	(2,000)	263				
<u>145 Rec Ground</u>							
1450 Pitch Fees	225	250	25			90.0%	
Rec Ground :- Receipts	225	250	25			90.0%	0
4370 Maintenance	580	500	(80)		(80)	116.0%	
4550 Play Equipment	2,700	3,000	300		300	90.0%	
Rec Ground :- Indirect Payments	3,280	3,500	220	0	220	93.7%	0
Net Receipts over Payments	(3,055)	(3,250)	(195)				
<u>155 Streetlighting</u>							
4370 Maintenance	0	100	100		100	0.0%	
Streetlighting :- Indirect Payments	0	100	100	0	100	0.0%	0
Net Payments	0	(100)	(100)				
<u>160 Projects</u>							
4610 Parish Improvements	320	500	180		180	64.0%	320
4620 Rec Ground	336	5,000	4,664		4,664	6.7%	336
Projects :- Indirect Payments	656	5,500	4,844	0	4,844	11.9%	656
Net Payments	(656)	(5,500)	(4,844)				
6000 plus Transfer from EMR	656						
Movement to/(from) Gen Reserve	0						

## Detailed Receipts &amp; Payments by Budget Heading 31/03/2023

## Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
Grand Totals:- Receipts	31,892	29,764	(2,128)			107.2%	
Payments	28,681	30,079	1,398	0	1,398	95.4%	
Net Receipts over Payments	<u>3,211</u>	<u>(315)</u>	<u>(3,526)</u>				
plus Transfer from EMR	656						
Movement to/(from) Gen Reserve	<u>3,867</u>						



# Key Features Document

Instant Access Savings Account

Bank with us. Bank on us.

This information is available to you at any time on our website.  
Please read this important information carefully and retain it for future reference.

# Instant Access Savings Account

## This document explains the account:

- 1) Key features.
- 2) Provides other important information about our Instant Access Savings Account.

Please read this document carefully to ensure you understand this product and we recommend saving it and keeping it safe for future reference.

This document is supplementary to both the **General Terms & Conditions** and the Product Terms and Conditions.

## Important Information:

- The credit interest rate can change at anytime subject to our Terms & Conditions.
- You can access our UK-based customer service centre.
- No debit card available.
- We do not provide financial advice to our customers and you are not entitled to rely on us for advice or recommendations.
- All account opening requests are subject to eligibility criteria.

## FSCS Compensation Scheme

It's good to know that your savings are protected. If eligible, your savings with Unity Trust Bank may be protected up to a total of £85,000 by the Financial Services Compensation Scheme, the UK's deposit guarantee scheme.

For more information and to find out if you're eligible please visit [unity.co.uk/fscs/](https://unity.co.uk/fscs/)

## Summary:

- There are no fees and you have instant access to your money.
- If eligible your savings with Unity Trust Bank are protected by the Financial Services Compensation Scheme up to £85,000.

Protecting  
your  
money

**fscs**

Financial Services  
Compensation Scheme

# Instant Access Savings Account

	Instant Access Savings Account	Other Unity Savings Accounts		
		30-day Term Deposit	90-day Term Deposit (Deposit of £500k - £10m)	90-day Term Deposit (Deposit of £10m+)
Interest Rate as of 16 December 2022	1.70%	1.91%	1.91%	1.98%
Term	-	30 days	90 days	90 days
Minimum Deposit	None	£2m	£500k	£10m
Access	Instant	No Access	No Access	No Access
Fixed or Variable	Variable	Fixed for the term	Fixed for the term	Fixed for the term
Fee	Free	Free	Free	Free

Summary Box			
Account Name	Instant Access Savings Account		
What is the Interest Rate? (Effective December 2022)	Net Rate*	Gross Rate**	AER***
	1.36%	1.70%	1.71%
<p>* Net Rate is the amount of interest you will receive if your organisation pays tax at source.</p> <p>** Gross Rate is the contractual rate of interest payable before the deduction of income tax at the rate specified by law.</p> <p>*** AER stands for Annual Equivalent Rate and illustrates interest rate if interest was paid and compounded each year. Interest is credited quarterly in March, June, September and December.</p>			
Can Unity Trust Bank change the interest rate?	The interest rate is variable and may be altered in accordance with our Terms and Conditions for Business Savings Accounts.		



# Instant Access Savings Account

## Summary Box

<b>What would the estimated balance be after 12 months based on a £10,000 deposit?</b>	A deposit of £10,000 at an annual gross rate of 1.70% (variable) would generate an estimated balance of £10,170 in one year. This is for illustrative purposes only. (This example assumes no withdrawals, no changes to the variable interest rate over the period and interest paid annually on a cleared deposit).
<b>How do I open the account?</b>	<ul style="list-style-type: none"><li>• To open an account, you must be a UK-based organisation.</li><li>• All applications are subject to standard screening and eligibility criteria.</li><li>• There is no minimum or maximum account opening balance.</li><li>• You can open an account by visiting <a href="https://apply.unity.co.uk/">apply.unity.co.uk/</a> and completing and signing a submission form (or application form for existing customers). This will need to be printed and signed by all signatories and sent with any relevant supporting documentation (those required will be specified on the submission form) to the address below.</li></ul>
<b>How do I manage the account?</b>	<ul style="list-style-type: none"><li>• You'll be able to access your account 24 hours a day and you won't incur an account fee.</li><li>• You can close your account at any time.</li><li>• This account is not designed for transactional banking, it cannot be used to make payments. To withdraw available funds you will need to make a transfer to another account.</li></ul>
<b>When can I access my funds?</b>	<ul style="list-style-type: none"><li>• Unlimited withdrawals, you can access your funds at anytime with no notice of withdrawal required.</li><li>• Withdrawals and deposits can be made at any time to and from your nominated account only.</li></ul>
<b>Additional Information</b>	<ul style="list-style-type: none"><li>• This is a variable rate product. If rates change we will provide 60 days notice of any changes in writing.</li><li>• If you change your mind after you have opened the account and decide you don't want it, you can close your account and have your money returned, as well as any interest you have earned provided that you tell us you want to close your account within 14 days of opening your account, or when you received the Terms and Conditions.</li><li>• You can close your account at any time. To close your account please email <a href="mailto:us@unity.co.uk">us@unity.co.uk</a> attaching a scanned instruction signed in accordance with the account mandate or write to us at: <b>Unity Trust Bank PO Box 7193 Planetary Road Willenhall WV1 9DG.</b> See <a href="#">General Terms and Conditions</a> for more information.</li></ul>

# Key Features – Using your account

Service	Summary Definition
Internet Banking	This account can be accessed or viewed in Internet Banking.
Customer Service Centre	All customers can access our UK-based contact centre. Please call us on 0345 140 1000.

## Further Information

All Business Savings Accounts are subject to status and **Terms and Conditions apply.**

**Get in touch to find out more about applying for a Business Savings Account.**

### Go Paperless!

You can choose to receive online statements and we'll notify you by email or SMS when they're available. Contact us to switch to paperless statements.





# General Information



# Our commitments to our business customers

**As a lender we have committed to follow the Standards of Lending Practice for business customers. By adhering to the Standards, we are demonstrating a commitment to ensuring that our customers are treated fairly.**

- We will always lend responsibly and treat your business fairly and reasonably.
- We will ensure that all information we provide about our products and how they work is clear and understandable so that you can decide what is best for your business' needs.
- We will provide clear, upfront information on the documents required to support an application. Taking account of this will help to ensure that we can deal with your application efficiently.
- If we are unable to approve your application, we will explain why and provide a referral, where appropriate, to alternative sources of finance.
- If your application is declined, you have the right to appeal the decision.
- We will set out any requirements/conditions we may have to support any borrowing in a clear, understandable way.
- We will confirm the conditions of your business borrowing in writing and highlight any covenants or material conditions attached to it.
- We will clearly set out the type and frequency of information we will require to monitor your business' performance.
- If your business experiences difficulties, we will seek to understand the overall circumstances to try and identify suitable and pragmatic solutions. Where appropriate, we will provide details of free debt advice.



# Bank with us. Bank on us.

## Information

You can download our Key Features at: [unity.co.uk](https://www.unity.co.uk)

Unity Trust Bank is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority. Unity Trust Bank is entered in the Financial Services Register under number 204570.

Registered Office: Four Brindleyplace, Birmingham, B1 2JB. Registered in England and Wales no. 1713124.

Calls are recorded and may be monitored for security, training and quality purposes.



**TOLLESHUNT D'ARCY PARISH COUNCIL - ASSETS**

	Policy Code	Assets - Closing	Assets - Closing	Variance	Value as per	Value as per	Variance	Comments
		Balance as at 31 March 2022	Balance as at 31 March 2023		Assets 2021 -v- 2022	Insurance Policy Effective October 2021		
<b>ASSETS</b>								
<b>Gate and Fences</b>								
Gates and Fences	GF	5570.27	5570.27	0.00	6391.11	7134.00	742.89	
Fencing - R/Grnd	GF	4329.78	4329.78	0.00				New Fencing around Pavilion (July 2019)
Fencing - Recreation Ground	GF	9200.00	9200.00	0.00	9200.00	10275.00	1075.00	Gamart Engineering - Purchased 31/05/21
<b>TOTAL GATES AND FENCES</b>		<b>19100.05</b>	<b>19100.05</b>	<b>0.00</b>	<b>15591.11</b>	<b>17409.00</b>	<b>1817.89</b>	
<b>Buildings</b>								
Sports Pavilion	B	94867.23	94867.23	0.00	112112.39	125274.00	13161.61	
<b>TOTAL BUILDINGS</b>		<b>94867.23</b>	<b>94867.23</b>	<b>0.00</b>	<b>112112.39</b>	<b>125274.00</b>	<b>13161.61</b>	
<b>Street Furniture</b>								
Maypole	SF	7478.57	7478.57	0.00	8580.62	9577.77	997.15	
Bus Shelter	SF	5983.84	5983.84	0.00	6865.62	7663.83	798.21	
Youth Shelter	SF	12206.96	12206.96	0.00	14005.78	15632.25	1626.47	
2 Public Seats	SF	1323.28	1323.28	0.00	1518.29	1696.21	177.92	
2 Noticeboards	SF	496.54	496.54	0.00	569.71	637.6	67.89	
6 External Lights	SF	1114.47	1114.47	0.00	1278.7	1428.82	150.12	
6 Litter Bins	SF	831.47	831.47	0.00	1429.00	1596.56	167.56	Removal of 2 Litter Bins - £414 (1 x Rec and 1 x Memorial Bench)
Bench	SF	1238.30	1238.30	0.00	1420.78	1587.39	166.61	
Meter Box	SF	581.54	581.54	0.00	667.24	746.44	79.20	
Defibrillator		400.00	400.00	0.00				British Heart Foundation - Purchased 28/06/16
Defibrillator Case		400.00	400.00	0.00				Community Heartbeat - Purchased 28/02/17
New Benches	SF	747.00	747.00	0.00	857.07	958.3	101.23	NBB Recycled Furniture - Purchased 06/06/16
Dog Bin	SF	126.69	126.69	0.00	145.36	164.02	18.66	MDC - Purchased 12/08/16
Litter Bin	SF	152.34	152.34	0.00	174.81	196.88	22.07	MDC - Purchased 12/08/16
Litter Bins (x2)		240.00	240.00	0.00				Broxap - Purchased 14/07/17 (Rec Gnd)
Litter Bin		120.00	120.00	0.00				Broxap - Purchased 08/11/17 (Memorial Bench)
Litter Bin		120.00	120.00	0.00				Broxap - Purchased 17/01/18 (Rec Gnd)
Memorial Bench		444.00	444.00	0.00				Marmax Products - Purchased July 18 (Burial Gnd)
Picnic Benches (x2)		1033.20	1033.20	0.00				Marmax Products - Purchased Aug 18 (Rec Gnd)
Defibrillator		1440.00	1440.00	0.00				Defibshop - Purchased Nov 20
Noticeboard		1718.65	1718.65	0.00	1806.48	2017.93	211.45	Greenbarnes - Purchased Jan 2021
Noticeboard - Burial Ground		896.17	896.17	0.00				Greenbarnes - Purchase Dec 2022
Bench (Rec Gnd)			335.60	335.60				Marmax Products - 01/12/22
<b>TOTAL STREET FURNITURE</b>		<b>39093.02</b>	<b>39428.62</b>	<b>335.60</b>	<b>39319.46</b>	<b>43904.00</b>	<b>4584.54</b>	
<b>Playground Equipment</b>								
Roundabout	PE	4578.68	4578.68	0.00	5411	6041.92	630.92	
Gym Equipment	PE	24544.06	24544.06	0.00	29005.73	32387.80	3382.07	
Swings and Cradle Seats	PE	1246.00	1246.00	0.00	1472.51	1644.20	171.69	
Swings with Flat Seats	PE	1685.59	1685.59	0.00	1992.00	2224.27	232.27	
Small Climbing Frame	PE	3426.50	3426.50	0.00	4049.35	4521.50	472.15	Playdale Playgrounds - Purchased 26/07/15
Zip Wire	PE	3779.75	3779.75	0.00	4466.84	4987.67	520.83	Playdale Playgrounds - Purchased 26/07/15
Twin Rider	PE	1238.30	1238.30	0.00	1463.41	1634.04	170.63	Playdale Playgrounds - Purchased 26/07/15
Gravity Rider	PE	584.50	584.50	0.00	690.75	771.29	80.54	Playdale Playgrounds - Purchased 26/07/15
Play Equipment (Multi-Unit)	PE	15000.00	15000.00	0.00	17726.75	19793.31	2066.56	Lars Laj - Purchased 28/03/17
<b>TOTAL</b>		<b>56083.38</b>	<b>56083.38</b>	<b>0.00</b>	<b>66278.34</b>	<b>74006.00</b>	<b>2147.10</b>	

**TOLLESHUNT D'ARCY PARISH COUNCIL - ASSETS**

ASSETS	Policy Code	Assets -	Assets -	Variance	Value as per	Value as per	Variance	Comments
		Closing	Closing		Insurance	Insurance		
		Balance as at	Balance as at	Assets 2021	Policy	Policy	Insurance	
		31 March	31 March	-v- 2022	Effective	Effective	Value 2021	
		2022	2023		October 2021	October 2022	-v- 2022	
<b>Other Surfaces</b>								
Other surfaces	OS	9391.78	9391.78	0.00	10775.76	12034.00	1258.24	
Table Tennis Base	OS	1080.00	1080.00	0.00	1080.00	1204.00	124.00	
Youth Shelter Base	OS	2590.00	2590.00	0.00				
<b>TOTAL</b>		<b>13061.78</b>	<b>13061.78</b>	<b>0.00</b>	<b>11855.76</b>	<b>13238.00</b>	<b>1382.24</b>	
<b>Office Contents</b>								
Office Contents	OC				830.34	927.00	96.66	
Laptop		330.00	0.00	-330.00				DotCom Comuter Services - Purchased 22/05/2017 - Disposed of April 2022 Broken
Laptop		0.00	560.00	560.00				Tiptree Computers - Purchased 06/04/22
<b>TOTAL</b>		<b>330.00</b>	<b>560.00</b>	<b>230.00</b>	<b>830.34</b>	<b>927.00</b>	<b>96.66</b>	
<b>Goal Posts</b>								
Goal Posts	SE	396.85	396.85	0.00	455.33	508.00	52.67	
Table Tennis Unit	SE	1466.25	1466.25	0.00	1466.25	1638.00	0.00	Universal Services via O Rhodes - Purchased 04/06/21
<b>TOTAL</b>		<b>396.85</b>	<b>396.85</b>	<b>0.00</b>	<b>1921.58</b>	<b>2146.00</b>	<b>52.67</b>	
<b>Land</b>								
Burial Ground		1.00	1.00	0.00				
Recreation Ground		1.00	1.00	0.00				
Grove Farm Road (Woodland)		1.00	1.00	0.00				
Area around Noticeboard		1.00	1.00	0.00				
<b>TOTAL</b>		<b>4.00</b>	<b>4.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	
<b>TOTAL ASSETS</b>		<b>222936.31</b>	<b>223501.91</b>	<b>565.60</b>	<b>247908.98</b>	<b>276904.00</b>	<b>23242.71</b>	

TOLLESHUNT D'ARCY  
PARISH COUNCIL  
RISK ASSESSMENT AND MANAGEMENT

Area	Impact Risk H (High) M (Medium) L (Low)	Likelihood H (High) M (Medium) L (Low)	Measures to Mitigate Risk	Review Period	Additional Comments	Next Review Date	Last Review Date		
<b>FINANCE AND ADMINISTRATION</b>									
Banking	L	L	Reputable, long established companies chosen for banking, risk free investments. Three accounts held with Barclays Bank. 1) Community Account (39577924) 2) Premium Account (Henry Smith - 20441619) 3) Premium Account - (10017826) 4) Unity Trust Account	As Required As Required As Required As Required	Account Closed Account Closed Account Closed	Ongoing			
Non payment of Precept	H	L	RFO (Responsible Financial Officer) to check bank statement in May to ensure requested amount has been received.	Annually		Apr-23	Apr-22	Apr-21	Apr-20
Loss of income (Burial Ground, Recreation Ground Hire, Pavilion Rent)	L	L	Payments normally made online Receipts issued for all payments received All cash and cheques banked promptly via local town branch or local post office.	Financial Regulations reviewed annually		Ongoing			
Theft or Dishonesty	H	L	Fidelity Guarantee currently £150,000 Internal auditor to check records against receipts	Annually Annually		Aug-23 May-22	Aug-22 May-21	Aug-21 May-20	Aug-20 May-19
Financial controls and records	H	L	All cheque payments signed by two signatories. All payments to be approved in advance unless under emergency procedures.	Financial Regulations reviewed annually	Listing prepared by RFO for approval by Council at meeting	Ongoing			
	L	L	Monthly financial report prepared by RFO and reported to Council via regular monthly meetings.	Monthly		Ongoing			
	L	L	Monthly bank reconciliation prepared by RFO and reported to Council via regular monthly	Monthly		Ongoing			
	L	L	VAT payments and claims by RFO.		Checked by Internal Auditor	May-23	May-22	May-21	May-20
	H	L	Accounts software Rialtas implemented for easier ongoing data entry and access to information. Copy of accounts stored on Dropbox	Monthly		Ongoing			
	M	L	Financial Regulations and Internal Audit Procedures updated in line with new legislation	Annually		May-23	May-22	May-21	May-20
	L	L	Council will provide training when requested.	As Required		Ongoing			
Sound budgeting and periodic scrutiny of payments and receipts	H	L	RFO works on estimates and draft budgets with Council Budgets presented to Council for approval. Precept derived directly from these figures. Checked by Internal Auditor	Annually Annually		Nov-23 May-23	Nov-22 May-22	Nov-21 May-21	Nov-20 May-20
Submission of Annual Return to HM Revenue and Customs	H	L	Maintain up-to-date Real Time Information (RTI) & VAT advisory documentation in the office for ready reference purposes. Checked by Internal Auditor	As Required Annually	Prepared and submitted via Payroll Bureau	Ongoing May-23	May-22	May-21	May-20
	H	L	Moneysoft, payroll software, used for calculation of pay and deductions and maintenance of PAYE records. Regular advice and updates received from Inland Revenue Checked by Internal Auditor	As Required As Required Annually		Ongoing May-23	May-22	May-21	May-20
Complying with borrowing restrictions	L	L	No previous borrowing, nor anticipated at present.	As Required					
Robustness of Insurance Cover	M	M	Regular review of cover and choice of reputable company via Gallagher Insurance Broker Reviewed by Internal Auditor	Annually		Aug-23 May-23	Aug-22 May-22	Aug-21 May-21	Aug-20 May-20
Internal Audit Quality	M	L	Independent Internal Auditor appointed annually to carry out checks as per the requirements of the Accounts and Audit Regulations.	Annually		May-23	May-22	May-21	May-20
Standing Orders and Financial Regulations	L	L	Standing orders and financial regulations guide the procedures and decisions of the Council	Annually	Standing Orders Jan 18 Financial Regs adopted Jan 18	May-23	May-22	May-21	May-20
Loss of computer records	H	M	All word processing documents and spreadsheets backed up daily.	Monthly	Stored in safe in Clerks office.	Ongoing			
	H	M	System passwords changed every six months	Twice Annually		Apr-23	Oct-22	Apr-22	Oct-21
	H	M	Ensure suitable computer security is in place			Ongoing			
Document Control	L	L	Classify document type and retention period according to council guidelines. Dispose of documents appropriately at end of retention period.	As Required		Ongoing			
General Data Protection Regulations (GDPR)	M	L	Ensure compliance with relevant GDPR legislation in accordance with adopted policy and systems in place. Data Officer appointed via Maldon District Council	As Required		Ongoing			



Area	Impact Risk H (High) M (Medium) L (Low)	Likelihood H (High) M (Medium) L (Low)	Measures to Mitigate Risk	Review Period	Additional Comments	Next Review Date	Last Review Date			
<b>ASSETS</b>										
Assets	M	L	Buildings and play areas insured. Value increased annually by review. All community assets, buildings and infrastructure valued over £2000 insured via Came & Company.	Annually	Asset register updated May 17	May-23	May-22	May-21	May-20	
Security of Buildings, equipment etc.	H	L	All windows and doors locked on Pavilion - three key holders	Ongoing		Ongoing				
	M	L	Alarm installed and maintained by Bee-Fit CM9 (Pavilion Hires)	Ongoing		Ongoing				
	M	L	Annual inspection of fire precautions - e.g. extinguishers in Pavilion and fire blanket in kitchen.	Annually		Oct-23	Oct-22	Oct-21	Oct-20	
Play Area	M	M	Annual inspections and recommendations taken into consideration.	Annually		Apr-23	Apr-22	Apr-21	Apr-20	
<b>LIABILITY</b>										
Risk to third party, property or individuals	M	L	Public liability insurance in place.	Annually		Aug-23	Aug-22	Aug-21	Aug-20	
			All complaints thoroughly investigated and appropriate action taken.	Ongoing		Ongoing				
			Ensure formal risk assessment of all public areas/events is completed.	Ongoing		Ongoing				
Employers Liability	L	L	Certificate of Employers' Liability Insurance is displayed	Annually		Aug-23	Aug-22	Aug-21	Aug-20	
Safety of staff and visitors	L	L	Personal accident insurance cover for Council members and Clerk.	Annually		Ongoing				
			Regular checks on Pavilion, including annual fire extinguisher check.	Annually		Oct-23	Oct-22	Oct-21	Oct-20	
Contractors - Insurance	H	L	To be provided by Contractors with a copy of Public Liability Insurance, to be checked upon commencement of contract and then annually.	Ongoing		Mar-23	Mar-22	Mar-21	Mar-20	
Legal liability as consequence of ownership	M	M	Annual inspection of play area and recommendations considered.	Annually		Apr-23	Apr-22	Apr-21	Apr-20	
<b>LEGAL OBLIGATIONS</b>										
Comply with all current relevant Employment Law	L	L	Membership of SLCC and EALC.	Ongoing		Ongoing				
Proper and timely reporting via the minutes	L	L	Monthly check of all play equipment.	Ongoing		Ongoing				
Document Control	L	L	Legal documents are stored in fireproof document storage. Records held in committee room	Ongoing		Ongoing				
Councillor's Propriety - All declarations of interest completed and register of hospitality in place.	L	L	Register of Interest kept and stored in committee room	Ongoing		Ongoing				
Comply with all current relevant legislation for General Data Protection Regulations	L	L	Appointment to Data Officer via Maldon District Council.	Ongoing						

Version	Date of Changes	Date	Approver
1.0	Risk Assessment and Management Document Created.	24/04/2017	
	Reviewed and adopted by the Full Parish Council	09/05/2017	
2.0	Reviewed by the Full Parish Council	27/03/2018	
3.0	Reviewed and Amended by the Full Parish Council	26/03/2019	
3.0	Reviewed - no changes	14/04/2020	
3.0	Reviewed - no changes	27/04/2021	
4.0	Reviewed and Amended by the Full Parish Council	26/04/2022	
5.0	Reviewed and Amended by the Full Parish Council	25/04/2023	
	<b>Next Review March 2024</b>		



**Town and Country Planning Act 1990**  
**Weekly List Of Decisions**  
**Week Ending 31 March 2023**

**FUL/MAL/22/01225 Tolleshunt D'Arcy**

Conversion of agricultural building for holiday let use and single storey side extension.

Land At The Wycke Pages Lane Tolleshunt D'arcy Essex

(UPRN - 010094636165)

Mr A Seabrook

**REFUSE** for the following reasons:-

1. The proposed development would result in an unsuitably located tourist accommodation within the countryside. Insufficient information has been submitted to demonstrate that there is an identified need of such tourist accommodation and facility in the area and that the site is suitable with regard to sustainable connectivity. The development would therefore represent inappropriate development outside of the settlement boundary without justification and the principle of development is not acceptable. This is contrary to policies S1, S8 and E5 of the Maldon District Local Development Plan (2017) and the National Planning Policy Framework (2021).
2. The site is outside of a defined settlement boundary and is within an area where rural policy constraints apply. The use of this building, in this location, for the purpose of self-catering holiday accommodation in the countryside would intensify the residential use at the site and cause harm to the intrinsic character and beauty of the countryside and the character and appearance of the site. The proposal therefore represents an unjustified and detrimental form of development that is contrary to Policies S1, S8, D1 and E5 of the Maldon District Local Development Plan (2017) and the National Planning Policy Framework (2021).
3. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposal would not have a detrimental impact upon the amenities of the neighbouring residents and is considered unacceptable because of the likely impacts of noise activity and general disturbance resulting from the close proximity of the planning units, and the shared vehicle access. This is contrary to Policy S1, E5, D1 and D2 of the Maldon District Local Development Plan (2017) and the National Planning Policy Framework (2021).
4. In the absence of a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, the necessary financial contribution towards the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy has not been secured. As a result, the development would have an adverse impact on the European designated nature conservation sites, contrary to Policies S1, D1, N1 and N2 of the

Maldon District Local Development Plan (2017), and the policies and guidance in the National Planning Policy Framework (2021).

**POSITIVE AND PROACTIVE STATEMENT**

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant/Agent the opportunity to consider whether there is a way forward to seek a revision to the proposal.

Officer: Lisa Greenwood  
Dated : 24/03/2023

# TOLLESHUNT D'ARCY PARISH COUNCIL

[www.tolleshuntarcy.org](http://www.tolleshuntarcy.org)



# Dignity at Work Policy V1.0

Clerk: Michelle Curtis, PO Box 13205, Maldon, Essex CM9 9FU  
Tel: 078483 325853 e-mail: [clerk@tolleshuntarcy.org](mailto:clerk@tolleshuntarcy.org)

## **DIGNITY AT WORK POLICY**

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Tolleshunt D’Arcy Parish Council believes that civility and respect are important in the working environment, and expect all councillors, officers and the public to be polite and courteous when working for, and with the council.

### **Purpose**

Tolleshunt D’Arcy Parish Council is committed to creating a working environment where all council employees, councillors, contractors and others who come into contact with us in the course of our work, are treated with dignity, respect and courtesy. We aim to create a workplace where there is zero tolerance for harassment and

Tolleshunt D’Arcy Parish Council has signed up to the Civility Pledge, as a commitment to civility and respect in our work, and politeness and courtesy in behaviour, speech, and in the written word. Further information about the Civility and Respect Pledge is available [NALC](#) & [SLCC](#)

We recognise that there is a continuum where unaddressed issues have the potential to escalate and become larger, more complex issues and this policy sets out how concerns will be managed however the emphasis of this policy is on resolution and mediation where appropriate, rather than an adversarial process.

This document:

- explains how we will respond to complaints of bullying or harassment;
- ensures that we respond sensitively and promptly; and,
- supports our employees in ensuring their behaviour does not amount to bullying and/or harassment by giving examples.

### **Scope**

This policy covers bullying and harassment of and by clerks/chief officers and all employees engaged to work at Tolleshunt D’Arcy Parish Council. Should agency staff, or contractors have a complaint connected to their engagement with Tolleshunt D’Arcy Parish Council this should be raised to their nominated contact, manager, or the Chair of the Council, in the first instance. Should the complaint be about the chair of the council the complaint should be raised to the Vice-Chair.

Agency staff, or contractors are equally expected to treat council colleagues, and other representatives and stakeholders with dignity and respect, and the council may terminate the contract, without notice, where there are suspicions of harassment or bullying.

Complaints about other employment matters will be managed under the council’s grievance policy.

It is noted that the management of a situation may differ depending on who the allegations relate to (e.g. employees, contractor, councillor), however, the council will take appropriate action if any of its employees are bullied or harassed by employees, councillors, members of the public, suppliers or contractors.

### **The position on bullying and harassment**

All staff and council representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. Tolleshunt D’Arcy Parish Council will not tolerate bullying or

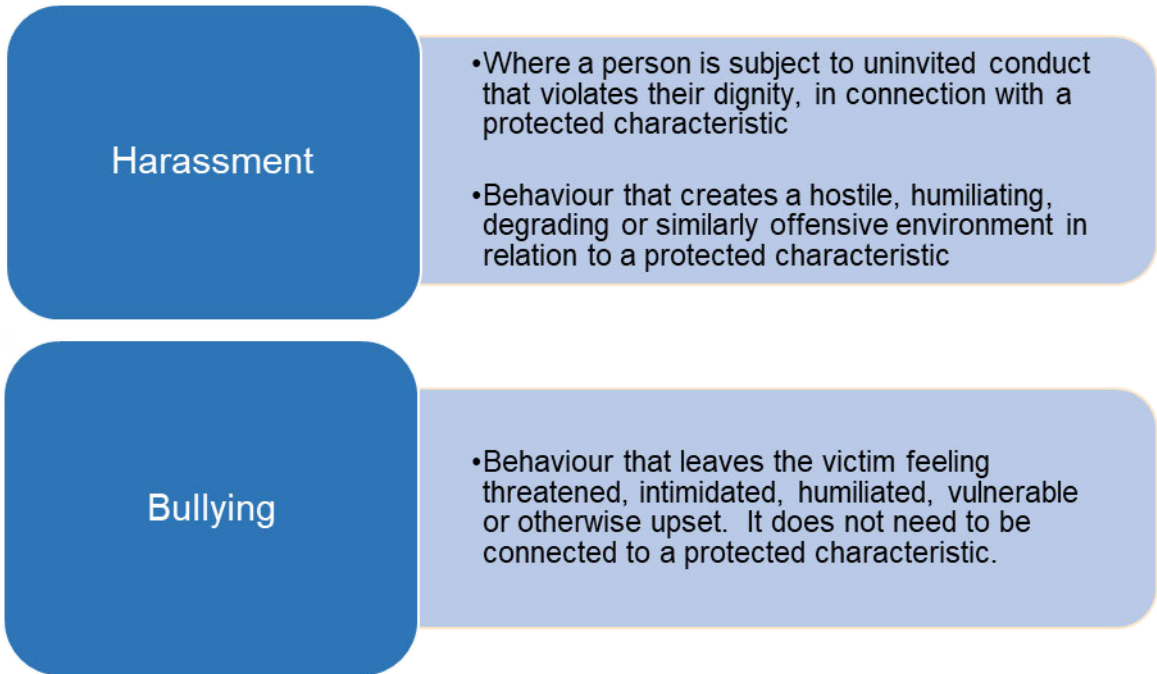
harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether harm is intended or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. You should also be aware that, if you have bullied or harassed someone (e.g. physical violence, harassment), in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

We expect all representatives of the council to treat each other with respect and uphold the values of the code of conduct, civility and respect pledge, equality opportunities policy, and all other policies and procedures set by the Council.

We expect you to demonstrate respect by listening and paying attention to others, having consideration for other people’s feelings, following protocols and rules, showing appreciation and thanks, and being kind.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. See the grievance policy for further details regarding the process. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. While we will assume that all complaints of bullying and harassment are made in good faith, in the event that allegations are found to be malicious or vexatious the person raising the complaint may be subject to action under the council’s disciplinary procedure.



## **What Type of Treatment amounts to Bullying or Harassment?**

'Bullying' or 'harassment' are phrases that apply to treatment from one person (or a group of people) to another that is unwanted and that has the effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.

Examples of bullying and harassment include:

- Physical conduct ranging from unwelcome touching to serious assault
- Unwelcome sexual advances
- The offer of rewards for going along with sexual advances e.g. promotion, access to training
- Threats for rejecting sexual advances
- Demeaning comments about a person's appearance
- Verbal abuse or offensive comments, including jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Unwanted nicknames, especially related to a person's age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Spreading malicious rumours or insulting someone
- Lewd or suggestive comments or gestures
- Deliberate exclusion from conversations, work activities or social activities.
- Withholding information a person needs in order to do their job
- Practical jokes, initiation ceremonies or inappropriate birthday rituals
- Physical abuse such as hitting, pushing or jostling
- Rifling through, hiding or damaging personal property
- Display of pictures or objects with sexual or racial overtones, even if not directed at any particular person
- Isolation or non-cooperation at work
- Subjecting a person to humiliation or ridicule, belittling their efforts, whether directly and / or in front of others
- The use of obscene gestures
- Abusing a position of power

Bullying and harassment can occur through verbal and face to face interactions, but can also take place through sharing inappropriate or offensive content in writing or via email and other electronic communications and social media.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable and behaviour could be harassment when the person had no intention to offend. We all have the right to determine what offends us. Some behaviour will be clear to any reasonable person that it is likely to offend – for example sexual touching. Other examples may be less clear, however, you should be aware that harassment will occur if behaviour continues after the recipient has advised you that the behaviour is unacceptable to them.

Harassment can also occur where the unwanted behaviour relates to a perceived characteristic (such as offensive jokes or comments based on the assumption someone is gay, even if they are not) or due to their association with someone else (such as harassment related to their partner having a disability for example).  
Equal Opportunities Policy.



All employees must, therefore, treat their colleagues with respect and appropriate sensitivity and should feel able to challenge behaviour that they find offensive even if it is not directed at them.

It is important to recognise that bullying does not include appropriate criticism of an employee's behaviour or effective, robust performance management. Constructive and fair feedback about your behaviour or performance from your manager or colleagues/Councillors is not bullying. It is part of normal employment and management routines, and should not be interpreted as anything different.

### **Victimisation**

Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because they have made a complaint or giving them a heavier or more difficult workload.

Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the council will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you.

Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

### **Reporting Concerns**

#### **What you should do if you feel you are being bullied or harassed by a member of the public or supplier (as opposed to a colleague)**

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with your nominated manager in the first instance or, with the clerk/or a councillor. Any such report will be taken seriously, and we will decide how best to deal with the situation, in consultation with you.

#### **What you should do if you feel you are being bullied or harassed by a councillor:**

If you are being bullied or harassed by a councillor, please raise this with the clerk/chief officer or the chair of the council in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is described below. Formal concerns regarding potential breaches of the Councillors Code of Conduct must be investigated by the Monitoring Officer.

The council will consider reasonable measures to protect your health and safety. Such measures may include a temporary change in duties or change of work location, not attending meetings with the person about whom the complaint has been made etc.

#### **What you should do if you witness an incident you believe to be harassment or bullying:**

If you witness such behaviour you should report the incident in confidence to the clerk/chief officer or a councillor. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.



### **What you should do if you are being bullied or harassed by another member of staff:**

If you are being bullied or harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.

#### Informal resolution

If you are being bullied or harassed, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to the council's policy and must stop. Alternatively, you may wish to ask the clerk/chief officer, your nominated manager or a colleague to put this on your behalf or to be with you when confronting the perpetrator(s).

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own nominated manager, you should raise the issue with the chair of the council. (If your concern relates to the chair, you should raise it with the chair of the personnel/staffing committee). The chair (or another appropriate person) will discuss with you the option of trying to resolve the situation informally by telling the alleged perpetrator, without prejudicing the matter, that:

- there has been a complaint that their behaviour is having an adverse effect on a member of the council staff
- such behaviour is contrary to our policy
- for employees, the continuation of such behaviour could amount to a serious disciplinary offence

It may be possible for this conversation to take place with the alleged perpetrator without revealing your name, if this is what you want. The person dealing with it will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The chair (or another appropriate person) will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as extremely serious allegation or in cases where a problem has happened before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

#### Raising a formal complaint

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about bullying and harassment through the council's grievance procedure. You should raise your complaint to the clerk/chief officer or the chair of the council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The clerk/chief officer or the chair of the council will appoint someone to investigate your complaint in line with the grievance policy. You will need to co-operate with the investigation and provide the following details (if not already provided):

- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred,

- The names of any witnesses and
- Any action taken by you to resolve the matter informally.

The alleged perpetrator(s) would normally need to be told your name and the details of your grievance in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to make temporary adjustments to working arrangements whilst the matter is being investigated.

Where your complaint relates to potential breaches of the Councillors Code of Conduct, these will need to be investigated by the Monitoring Officer. The council will consider any adjustments to support you in your work and to manage the relationship with the councillor the allegations relate to, while the investigation proceeds.

Investigations will be carried out promptly (without unreasonable delay), sensitively and, as far as possible, confidentially. When carrying out any investigations, we will ensure that individuals' personal data is handled in accordance with the data protection policy.

The council will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to understand better your complaint (see the grievance policy for further information, and details of your right to be accompanied).

After the investigation, a panel will meet with you to consider the complaint and the findings of the investigation in accordance with the grievance procedure. At the meeting you may be accompanied by a fellow worker or a trade union official.

Following the conclusion of the hearing the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the grievance procedure.

### **The use of the Disciplinary Procedure**

If at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. We will keep you informed of the outcome.

*This is a non-contractual policy and procedure which will be reviewed from time to time.*

## **GUIDANCE FOR USING THE DIGNITY AT WORK POLICY**

This is an example of an employment policy designed for a council adhering to statutory minimum requirements and does not constitute legal advice. As with all policies it should be consistent with your terms and conditions of employment.

This guidance is provided to support understanding of the policy, and its application, as well as where local adaptations may be required. The guidance is not part of the policy and should be removed from the policy adopted and shared with council employees.

The Dignity at Work Policy will replace a previous 'Bullying and Harassment' Policy, to create a policy that is focussed on encompassing behaviours beyond simply bullying and harassment, and zero tolerance with the aim of dealing with concerns before they escalate. It is important that any commitment made in the policy is applied in practice.

Wording has been suggested to demonstrate a council's commitment to promoting dignity and respect where they have signed up to the NALC, SLCC and OVW Civility and Respect Pledge. Councils that have not signed up to this are requested to consider making this pledge which is based on basic behaviours and expectations of all council representatives to create workplaces that allow people to maintain their dignity at all times. If your council has not agreed to the pledge this wording should be removed.

The policy is drafted with consideration of employment language and terminology that is reflective of a modern working environment, setting a tone that is engaging, collaborative and inclusive. A council may want to update references where relevant to reflect local terminology and structure, however should be considerate of equality, diversity and inclusion.

The examples of bullying and harassment are just that – examples. This should not be considered an exhaustive list.

### **Notes:**

#### **Protected Characteristics**

A 'protected characteristic' is defined in the Equality Act 2010 as age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is unlawful to discriminate against an individual because of any of the protected characteristics.

Discrimination includes treating people differently because of a protected characteristic. Employees can complain of harassment even if the behaviour in question is not directed at them. This is because the complainant does not actually need to possess the relevant protected characteristic. An employee can complain of unlawful harassment if they are related someone with a protected characteristic, or because a colleague believes they have a protected characteristic.

Examples of harassment related to a protected characteristic could include;

- Making assumptions about someone's ability due to their **age**, or denying development opportunities to someone based on their age. This could also include assumptions about their lifestyle or making inappropriate jokes related to age.

- Making fun or mimicking impairments related to a health condition, or using inappropriate language about disabilities. Constantly selecting social activities that make it impossible for a colleague with a **disability** to participate in.
- Refusing to treat a person as their new gender, or disclosing information about their gender identity could be harassment on the grounds of **gender reassignment**.
- **Pregnancy/Maternity** harassment could include refusing opportunities due to pregnancy or maternity leave, or inappropriate touching and invasion of personal space such as unwanted touching of a pregnant person's stomach.
- Harassment based on **race** could include derogatory nicknames, or stereotyping based on ethnicity. It could include racist comments or jokes, or assumptions about someone's lifestyle based on their ethnicity.
- **Gender** harassment could include not considering people for a job based on gender stereotyping roles, or implementing practices that disadvantage one gender over another. Rude, explicit jokes, even if not directed at an individual, or comments on individuals' dress or appearance.
- Regularly arranging team meals over periods of fasting or religious occasions or failing to adjust a dress code to accommodate religious dress could be examples of harassment based on **religion/belief**.
- Excluding same sex partners from social events could be both **sexual orientation** and **marriage/civil partnership** discrimination, as could not offering the same work-related benefits.

A person does not need to be employed or have 2 years qualifying service to make a discrimination claim at a tribunal.

- Job applicants who believe they have not been appointed because of a 'protected characteristic' can make a claim.
- New or established employees who are dismissed, or treated unreasonably because of a health condition can make a discrimination claim.
- An employee subjected to harassment can make a discrimination claim at a tribunal.
- An employee asked to retire can make a discrimination claim at a tribunal

### Legal risks

Successful unfair dismissal claims are limited to a compensation cap, whereas those for unlawful discrimination have no cap.

A positive employment culture, and swift action if conduct falls beneath acceptable standards will help mitigate the risks. An unhealthy culture will make it difficult to defend claims.

The time to defend and the cost of defending tribunal claims can be significant, irrespective of the outcome.

### Culture and behaviour

We work in eclectic communities and working environments, and a positive culture within the council enables employees with different backgrounds and beliefs to share ideas and shape how the council achieves its objectives for their community.

It is important to recognise that different individuals may find different behaviours bullying or harassing so while there is not always intent to offend or cause harm, that does not mean that the effect of the behaviour has not caused harm or offence.

It can take people a period of time to decide to raise their concerns, as they worry about consequences (perhaps from peers by complaining about a colleague who is popular, or they fear victimisation from the perpetrator or others). The council should consider whether there are opportunities (such as 121s to offer opportunity to reflect on relationships/morale) to identify issues earlier and address negative behaviours. Individuals can often mention concerns they are experiencing but not want to take it further. The council should remind the complainant that it has a zero tolerance to bullying and harassment and remind them of the policy in place to address concerns. If the allegations mentioned are significant, the council may want to suggest that it will need to investigate further, even if a 'grievance' is not raised, so as to ensure that any concerns and risks are managed, and the council is meeting its responsibilities and duty of care as an employer.

Whilst both staff and councillors jointly determine the working culture, councillors are key in demonstrating what is and isn't acceptable behaviour. This is apparent from how councillors behave with each other in council meetings and also in how standards of behaviour are applied through the use of informal discussion and formal policies.

### **Scope**

All council representatives are expected to uphold the values of the Dignity at Work Policy, however this policy sets out how allegations from employees will be managed. As indicated in the policy, concerns from a contractor, agency worker etc. should be raised to the identified person, and an appropriate approach will be considered based on the situation and relationship of the complainant with the council.

Likewise, concerns raised about the behaviour of a contractor or agency worker would not generally be managed via the full process (such as the disciplinary process) but appropriate action would be considered based on the situation. To treat people (such as contractors, or a casual worker) engaged by the council the same as an employee could blur the status of the employment relationship, so consider seeking professional advice if needed.

### **Managers**

Recognising that councils are of varying sizes, where the term manager/nominated manager is used it is recognised this could be the clerk/chief officer, another employee of the council, or a councillor depending on the situation. It is good practice to have a clearly identified person who is the responsible 'line manager' or equivalent contact for an employee so that there is clarity on how the employee should report concerns to, who they notify if they are sick or to request leave etc. More often for council employees this may be the clerk/chief officer, and for the clerk/chief officer this could be the chair/deputy Chair, or possibly chair of a staffing/personnel committee.

### **Bullying and harassment & performance management**

The policy sets out that bullying and harassment does not include appropriate criticism of an employee's behaviour or effective, robust performance management. It is not uncommon for an employee, when receiving critical feedback, to claim that this is bullying and/or harassing. It is the role of the nominated manager to provide effective and constructive feedback to encourage performance at the required standard.

Even when the feedback is not positive it should be fair, communicated in a professional and reasonable manner and shared with the objective of aiding understanding and achieving an improvement to overcome the shortfalls. There is no absolute definition of when the feedback may not be appropriate. Often it will be for the person/panel hearing the dignity at work complaint/grievance to determine whether the performance management has upheld the standards expected in terms of respect and civility and any feedback has been shared in a fair and professional way.

### **Responsibilities**

All staff and representatives of the council are responsible for their own behaviour in the workplace and for taking steps to revise unacceptable behaviour and appropriately challenge that of others.

Leaders – councillors, clerks, chief officers, managers - are responsible for ensuring that these standards of treating people with civility, respect and courtesy are upheld, both through their own example, and by communicating and promoting these expectations to all employees. They are also responsible for ensuring that concerns raised are treated seriously and addressed in line with this policy in a timely manner.

### **During the investigation**

Employers have a duty of care to provide a safe place of work. If a complaint is made, discuss how to manage working relationships whilst the allegation is being investigated and until the outcome is disclosed. This is as much for the protection of the alleged perpetrator as for the aggrieved.

Consider whether a neutral person should be offered as a 'listening ear' for both parties in the investigation. This could be a councillor or nominated manager who is not involved in the investigation or allegations and can be a point of check in as raising, or being subject to allegations can be stressful.

Offer other support that may be appropriate to the situation such as signposting to support groups, time off for counselling etc. If you have suspended a staff member, your duty of care continues and it is important to consider their wellbeing and mental health.

Ensure that you communicate regularly with both parties.

The investigation and any subsequent hearing should be completed in accordance with the grievance policy which sets out a process for dealing with concerns. You should ensure that the grievance policy adopted adheres to any local policies and procedures, with consideration of any timescales and escalation routes in your locally adopted policy.

### **Confidentiality**

It may be possible for concerns to be raised with the perpetrator without disclosing the name of the complainant however in a small council it is likely that it will be clear that the accused will know where the accusation has come from. The council representative (clerk/chief officer/councillor) speaking to the alleged perpetrator must be clear that the discussion is confidential and the individual would be at risk of formal disciplinary action if there is any sort of victimisation or retaliation for the individual raising their concern.

During any formal investigation it may be necessary to disclose the nature of the allegations and where they came from to ensure a fair and balanced investigation and process. This should be discussed with the person raising the concerns to understand any issues and how they may be mitigated. In some situations it may be appropriate to provide anonymised witness statements however this would be a last resort, and

could compromise the fairness of the process. Where there is a genuine fear of consequences and this may need to be considered, it is recommended that professional advice is sought. For the same reason it can be difficult for a council to consider an anonymous complaint, however if the concerns are significant and compromise the council in their duty of care to employees, then consideration of how the deal with the matter may be required.

**Victimisation**

All employees have the right to raise genuine concerns without the fear of reprisals. If the aggrieved (or a witness) is treated differently / less favourably because they have raised a complaint, then this is victimisation. This would include isolating someone because they have made a complaint, cancelling a planned training event, or giving them a heavier or more difficult workload. Victimisation can lead to a claim to an employment tribunal.

**False allegations**

If an employee makes an allegation that they know to be untrue, or gives evidence that they know to be untrue, the council should consider the matter under the disciplinary procedure. Such an allegation would be potentially be gross misconduct.

**Complaints against Councillors**

Following the Ledbury case, the law is clear that any formal complaint about a councillor regarding a breach of the code of conduct must be referred to the Monitoring Officer for investigation (either by the complainant, or the Council with agreement of the complainant). During the investigation, it is critical to ensure that where an employee of the council has made the complaint, that the council agrees reasonable measures with the employee to protect their health and safety. Such measures may include a temporary change in duties, change of work location, not attending meetings with the person about whom the complaint has been made etc.

Careful consideration is required where a grievance is raised against the council as a whole due to lack of support related to councillor behaviours. The specific allegations will need to be considered to determine whether the allegations can be addressed by the council, or require exploration of the councillors behaviour in order to respond, in which case the Monitoring Officer may be required to investigate the alleged behaviours of a/any councillors where this may relate to the code of conduct. It is a matter of fact whether the complaint is against the council and can therefore be dealt with by the council’s grievance procedure or against a councillor and can only be dealt with by the Monitoring Officer.

Version	Details of Changes	Date	Approver
V1.0	Template from NALC & SLCC	25/04/23	TDPC
	<b>Next Review May 2024</b>		

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**From:** [REDACTED]  
**Sent:** 15 April 2023 20:53  
**To:** clerk@tolleshuntarcy.org  
**Subject:** CCTV playing field

Good evening

Today whilst we were at the playing field with our son we noticed that the house which is next to the car park and backs onto the playing field has CCTV in their garden but it points out to the public field.

This concerned us as it is a public area so I just wanted to email to see if there was a reason they have their camera pointing the playing fields at all?

Look forward to hearing from you.

Many thanks,

[REDACTED]



Dear Tolleshunt Darcy Parish Council

I would like to start by thanking you for using my services with the trailer hire to the volunteers who did a amazing job!

After collecting the trailer I was asked my opinion and a idea on price to rejuvenate the area

My Proposal is as follows:



Here we suggest cutting the ivy growing up the mature trees and trimming any low branches



Moving along the path towards the school entrance we would suggest the clearing of all lower growth from the trees allowing the trees to concentrate on their upper growth rather than sending out lower shoots





Again around the Tollesbury Road sign we feel all the lower growth to be removed leaving sign visible. Also making sure the pavement is as wide as can be for passing foot traffic.



Clearing of this area again opening up the area to allow new plants to be planted will certainly make the area more attractive. In this image you can see the Service Valve sign for the water board but its hard to find the manhole so areas like this will be cleared to make access more

available as and when the waterboard require. Majority of the non mature trees we would suggest also to be removed allowing more light in to the area and allowing anything left or to be planted more room to breath.

Cost would be £600 this includes all waste to be removed from site and recycled

I am more than happy to answer any questions you may have and happy to meet on site to walk around and discuss ideas etc.

Many thanks

James Chillingworth

The Wooden Fence Post

07899667861

[thewoodenfencepost@hotmail.co.uk](mailto:thewoodenfencepost@hotmail.co.uk)



09-04-2023

G Warner Garden  
Services

1 Festival gardens  
Tolleshunt Darcy

CM9 8TX

Tel: 07516955001

Quote for clearing wooded area  
bordering Tolleshunt Darcy School would  
be £700-00.

kind regards G. Warner





Quote.

12/04/2023

To cut back wood and clear shrubbery outside school on the corner of Tollesbury road £700

Green waste removal £75

Total £775

Dan Jackson

Director

Tidy up solutions

07973683378



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**From:** Catherine Wheddon  
**Sent:** 17 April 2023 08:06  
**To:** Tolleshunt Darcy  
**Subject:** Re: First Responders

Hi Michelle

We managed to secure, and have been paid, the £1,500 locality fund, which covered the de-fib. The total kit bag cost was about £2k so  
The other £500 has come out of our public funding. This means we will not require the parish council to pay for the de-fib, but I would like to ask that in future, if and when requested, the parish council can fund repairs or replacements to the kit bag  
Thanks for all your help  
Catherine

Parish/Town Council	Month	Total Number of Hours
Tolleshunt D'Arcy	March	2
Number of Tru Cam Patrols	Hours Spent on Tru Cam	Number of Offenders
4	2	27

Officer	Parish	Date	Start	Finish	Total	Speed Enforcement Patrol (TRUCAM)	Drivers caught speeding	Comments/Any other duties
LF/AR	Tolleshunt D'Arcy	07/03/2023	10:20	10:50	00:30	M018	5	
BC/LF	Tolleshunt D'Arcy	13/03/2023	13:45	14:15	00:30	M018	8	
SC/AR	Tolleshunt D'Arcy	14/03/2023	14:50	15:20	00:30	M018	13	
BC/DR	Tolleshunt D'Arcy	16/03/2023	14:30	15:00	00:30	M018	1	
					<b>2:00:00</b>		<b>27</b>	



MALDON DISTRICT COUNCIL

## **Service Level Agreement April 2023**

### **1. Introduction**

This Service Level Agreement is between Maldon District Council and Tolleshunt D'Arcy Parish Council

#### **Period of Agreement**

This agreement will commence from 1<sup>st</sup> April 2023 and continue until 31<sup>st</sup> March 2024, unless otherwise specified.

### **2. Financial Arrangements**

2.1 The Council will be charged £40.53 per hour for 2 hours per month.

2.2 Payment will be made on production of an invoice from Maldon District Council, on a quarterly basis.

### **3. Services to be provided**

3.1 To provide TRUCAM speeding patrols in partnership with Essex Police, Safer Roads Partnership.

### **4. Monitoring and Evaluation**

4.1 The Community Engagement Co-ordinators will maintain communication with the council in a variety of ways; phone, email, video calls, in person, the frequency may vary depending on the season and needs of the council.

4.2 The Agreement will be monitored, and reports will be sent to the council on a monthly - basis.

4.3 The Community Engagement Co-ordinators will meet with the council to discuss any improvements to the Service Level Agreement as and when required.

#### **5.1 Contractual Arrangements**

5.1 Any alterations or changes to this agreement, which can be requested by either party, will need to be proposed in writing and a minimum of 1 months- notice given.

5.2 In the event of either party breaching this agreement, both parties will meet to discuss the breach and reach an agreement on the action to be taken.





## Service Level Agreement April 2023

### 6. Complaints

6.1 Complaints regarding the service will be dealt with by the Community Engagement Co-ordinator/s.

6.2 Maldon District Council have a complaints procedure in place, and this is accessible to all service users and can be accessed via our website [www.maldon.gov.uk](http://www.maldon.gov.uk)

### 7. Insurance

Maldon District Council has a maximum of £5 million Public Liability Insurance.

### 8. Statement of Good Practice

Maldon District Council shall ensure that:

- Any advice and/or information given is not biased in any way
- All services provided are delivered in a manner which reflects an awareness of differing racial, cultural, political, or religious wishes and/or beliefs.

Maldon District Council will ensure that it works on behalf of the entire community and actively challenges disadvantage and promotes equality of opportunity within the local community.

### 9. Authorisation

Authorised Signatory: ..... for Maldon District Council

Name: .....

Date: .....

Authorised Signatory: .....Parish / Town Council

Name: .....

Date: .....