



AGENDA FOR THE MEETING OF COUNCIL MATTERS COMMITTEE MONDAY 14TH JULY 2025 AT 6.30PM IN THE GUILDHALL

There are stairs to the Council Chamber but if any member of the public has mobility issues the Council can relocate to the lower Guildhall.

You are hereby SUMMONED to attend the **Council Matters Committee** on **Monday 14th July 2025** at **6.30pm** in the Guildhall for the purpose of transacting the following business:

Committee Members: Councillors L Auletta, C Beavis, T Bennett, J Chinnock, J Hannam, D Peters, E Price and M Trant.

1. WELCOME AND APOLOGIES FOR ABSENCE

The Chair will read out the following statement:

Welcome to everyone attending and observing the meeting.

A reminder that open proceedings of this meeting will be video recorded. If members of the public make presentations, they will be deemed to have consented to being recorded. By entering the Council Chamber attendees are also consenting to being recorded.

This meeting is limited to 90 minutes and therefore members are asked to raise their points succinctly and not repeat the same view expressed by colleagues if it does not add to the debate.

To receive apologies and to confirm that any absence has the approval of the Council.

The Committee will adjourn for the following items:

PUBLIC QUESTION TIME

A period of 15 minutes will be allowed for members of the public to ask questions or make comment regarding the work of the Committee or other items that affect Totnes.

The Committee will convene to consider the following items:

2. CONFIRMATION OF MINUTES

To approve the minutes of 9th June 2025 and update on any matters arising. Document attached [page 3].

3. BUDGET MONITOR

To consider the Budget Monitor. Document attached [page 5A].

4. MAYOR'S ENGAGEMENTS AND BUDGET

To consider the Mayor's engagements since April 2025 and the current budget. Documents attached [page 6].

5. FINANCIAL REGULATIONS

To review the Financial Regulations. Document attached [page 8].

6. DEATH OF A SENIOR NATIONAL FIGURE PROTOCOL

To review the Death of a Senior National Figure Protocol. Document attached [page 22].

7. HOME WORKING POLICY

To review the Home Working Policy. Document attached [page 34].

8. MATERNITY, PATERNITY, ADOPTION AND NEONATAL LEAVE AND PAY POLICY

To review the Maternity, Paternity, Adoption and Neonatal Leave and Pay Policy. Document attached [page 38].

9. DATE OF NEXT MEETING

To note the date of the next meeting of the Council Matters Committee – Monday 8th September 2025 at 6.30pm in the Guildhall. No document.

*The Committee will be asked to **RESOLVE** to exclude the press and public “by reason of the confidential nature of the business” to be discussed and in accordance with the Public Bodies (Admission to Meetings) Act 1960. (CONFIDENTIAL by virtue of relating to legal and/or commercial matters, staffing and/or the financial or business affairs of a person or persons other than the Council)*

10. BANK STATEMENTS AND RECONCILIATIONS (Standing Item)

To consider the bank statements and reconciliations for June (financial). Documents attached.

11. POTENTIAL LOAN FROM TOTNES MUSEUM

To consider a potential loan from Totnes Museum (legal). Verbal update.

12. STAFF ATTENDANCE

To note sickness and overtime balances (staffing). Document attached.

13. STAFFING UPDATE

For any general or urgent updates that required confidential sharing with Councillors (staffing). Verbal update.

Catherine Marlton
Town Clerk
9th July 2025

USE OF SOUND RECORDINGS AT COUNCIL & COMMITTEE MEETINGS

The open proceedings of this Meeting will be audio and video recorded. If members of the public make a representation, they will be deemed to have consented to being recorded. By entering the Council Chamber or Zoom meeting, attendees are also consenting to being recorded.

Televised, vision and sound recordings or live broadcastings by members of the press or public at Council or Committee debates are permitted and anyone wishing to do so is asked to inform the Chairman of the respective Committee of their intention to record proceedings.



DRAFT MINUTES FOR THE MEETING OF COUNCIL MATTERS MONDAY 9TH JUNE 2025 AT 6.30PM IN THE GUILDHALL

Present: Councillors D Peters (Chair), L Auletta, C Beavis, T Bennett, J Hannam, E Price and Trant.

Apologies: Cllr J Chinnock.

In Attendance: C Marlton (Town Clerk).

1. APOLOGIES FOR ABSENCE

The Chair read a statement about how the meeting would be conducted and recorded. The apologies were accepted.

The Committee adjourned for the following items:

PUBLIC QUESTION TIME

There were no members of the public present.

The Committee convened to consider the following items:

2. CONFIRMATION OF MINUTES

To approve the minutes of 19th May 2025 and update on any matters arising.

The minutes were **AGREED** unanimously as an accurate record of the proceedings.

3. BUDGET MONITOR

To consider the Budget Monitor.

The budget monitor was **AGREED**.

4. STRATEGY DELIVERY WORKING GROUPS

To consider any budgetary recommendations from the following (document attached):

a. Environment and Public Realm Working Group, 28th May 2025.

It was **AGREED** to appoint Parklife to carry out the maintenance of the wild areas at the cemetery in 2025 (cost £1460 + VAT).

5. COMMUNICATIONS AND SOCIAL MEDIA PROTOCOL

To review the Communications and Social Media Protocol.

To **RECOMMEND** to Full Council that the revised Communications and Social Media Protocol is adopted.

6. ANTI-FRAUD AND CORRUPTION POLICY

To review the Anti-Fraud and Corruption Policy.

To **RECOMMEND** to Full Council that the revised Anti-Fraud and Corruption Policy is adopted.

7. COUNCIL GRANTS PROCESS

To consider a request from Full Council to setup a Task and Finish Group to review the Council Grant process, the handling of ad hoc funding requests and future options.

It was **AGREED** to set up a Task and Finish Group to discuss the Council Grant process moving forward, to which all members are invited to participate.

It was **AGREED** that the Town Clerk should set a meeting date as soon as possible to discuss how to deal with funding requests outside of the Community Grants process, given applications have been received after the deadline. Proposals should be considered by July Full Council given the August recess.

It was noted that the longer term plan for Community Grants and financial support from 2026 onwards should be considered on completion of the Community Audit/Mapping work which is being managed through the Community Working Group.

8. DATE OF NEXT MEETING

To note the date of the next meeting of the Council Matters Committee – Monday 14th July 2025 at 6.30pm in the Guildhall.

Noted.

*The Committee will be asked to **RESOLVE** to exclude the press and public “by reason of the confidential nature of the business” to be discussed and in accordance with the Public Bodies (Admission to Meetings) Act 1960. (CONFIDENTIAL by virtue of relating to legal and/or commercial matters, staffing and/or the financial or business affairs of a person or persons other than the Council)*

9. BANK STATEMENTS AND RECONCILIATIONS (Standing Item)

To consider the bank statements and reconciliations for May (financial).

These were reviewed and **AGREED**.

10. GUILDHALL COTTAGE

To consider the repairs required and future use of Guildhall Cottage (financial).

It was **AGREED** that the Town Clerk should set a meeting date as soon as possible to discuss the interim and future potential uses of the Guildhall Cottage. Proposals should be considered by July Full Council given the August recess and the length of time for the List Building Consent application process.

11. RECRUITMENT

To consider (staffing):

- a. The job description and timeline for the Assistant Town Maintenance Officer position;**
- b. Councillor appointment to the interview panel; and**
- c. Recruitment timeline.**

a and c. The job description and recruitment timeline were **AGREED**. The merits of a fixed term contract for 12 months were discussed. It was **AGREED** to appoint on a permanent ongoing basis with a review in 12 months on the impact of the role on Council operations.

b. It was **AGREED** that the interview panel would be Clerk, Cllr Bennett, Cllr Peters.

12. STAFFING UPDATE

For any general or urgent updates that required confidential sharing with Councillors (staffing).
None.

The meeting closed at 8.15pm

Catherine Marlton
Town Clerk
June 2025

ITEM 4 – MAYOR’S ENGAGEMENTS AND BUDGET

Mayoral Engagements

Date	Event
April	
1	Opening of the Museum
27	Lord Mayor of Exeter Civic Service
May	
6	Elizabethan Market Opening
8	VE Day wreath Laying
8	VE Day Beacon Lighting
15	Town Meeting
16	Plymouth Mayor Choosing
17	Rugby Club Awards
17	TAODS performance
21	Mayor Making Ceremony
June	
4	TAODS AGM
5	Event at Barrel House in aid of Palestine.
7	The Mansion Open Day - Deputy Mayor Attended
11	Meeting with Brazilian Group from English in Totnes

Mayoral Budget 2025/26

<u>Civic Events Budget 25/26</u>	As at 30/6/25		<u>Mayoral travel Budget 25/26</u>	
<u>Emily Price</u>	<u>1/4/25 -</u> <u>20/5/25</u>		Allocation	210.00
Allocation	479.45		<u>Expenditure</u>	
<u>Expenditure</u>				
Y/E adjustment	-10.00			
Poppy wreath (VE Day)	20.00			
Medal ribbons	4.96			
Balance remaining to c/f	464.49			
			Balance remaining	210.00
<u>Tim Bennett</u>	<u>21/5/25 -</u> <u>31/3/26</u>			
Allocation	3020.55			
B/f	464.49			
Civic Event income				
<u>Expenditure</u>				
Elizabethan Society reception	8.18			
Food for Mayoral Choosing	100.44			
Buffet for Mayoral choosing	281.60			
Medal engraving	42.00			
Mayoral board signwriting	95.00			
Balance remaining	2957.82			
<u>Event costs</u>	382.04			
Mayoral Choosing				



Financial Regulations

TOTNES TOWN COUNCIL

AGREED JULY 2024

NEXT REVIEW JULY 2025

These Financial Regulations are produced in accordance with Governance and Accountability for Local Councils and were adopted by the Council at its meeting of 8th July 2024 with revisions adopted on 2nd September 2024.

TOTNES TOWN COUNCIL FINANCIAL REGULATIONS

Contents

1. General
2. Risk management and internal control
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12. Income
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Appendix 1 - Tender process

1. General

1.1 These Financial Regulations govern the financial management of the council and may only be amended or varied by resolution of the council. They are one of the council's governing documents and shall be observed in conjunction with the council's Standing Orders.

1.2 Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of councillor into disrepute.

1.3 Wilful breach of these regulations by an employee may result in disciplinary proceedings.

1.4 In these Financial Regulations:

- 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
- "Approve" refers to an online action, allowing an electronic transaction to take place.
- "Authorise" refers to a decision by the council, or a committee or an officer, to allow something to happen.
- 'Proper practices' means those set out in The Practitioners' Guide
- Practitioners' Guide refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council Clerks in Wales.
- 'Must' and **bold text** refer to a statutory obligation the council cannot change.
- 'Shall' refers to a non-statutory instruction by the council to its members and staff.

1.5 The Responsible Financial Officer (RFO) holds a statutory office, appointed by the council. The Clerk has been appointed as RFO and these regulations apply accordingly. 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 control systems;
- ensures the accounting control systems are observed;
- ensures the accounting records are kept up to date;
- seeks economy, efficiency and effectiveness in the use of council resources; and
- produces financial management information as required by the council.

1.6 **The council must not delegate any decision regarding:**

- **setting the final budget or the precept (council tax requirement);**
- **the outcome of a review of the effectiveness of its internal controls**
- **approving accounting statements;**
- **approving an annual governance statement;**
- **borrowing;**
- **declaring eligibility for the General Power of Competence; and**
- **addressing recommendations from the internal or external auditors**

1.7 In addition, the council shall:

- determine and regularly review the bank mandate for all council bank accounts; and
- authorise any grant or single commitment in excess of £10,000.

2. Risk management and internal control

2.1 The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.

2.2 The Clerk shall prepare, for approval by the council, a risk register covering all activities of the council. This register and consequential risk management arrangements shall be reviewed by the council at least annually.

2.3 When considering any new activity, the Clerk shall complete a risk assessment including risk management proposals.

2.4 At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.

2.5 The accounting control systems determined by the CLERK must include measures to:

- **ensure that risk is appropriately managed;**
- **ensure the prompt, accurate recording of financial transactions;**
- **prevent and detect inaccuracy or fraud; and**
- **allow the reconstitution of any lost records;**
- **identify the duties of officers dealing with transactions and**
- **ensure division of responsibilities.**

2.6 At least once in each quarter, and at each financial year end, a member who is a cheque signatory shall verify the bank reconciliations (for all accounts) produced by the RFO. The member shall sign and date the reconciliations and the original bank statements (or similar document) as evidence of this.

2.7 Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.

3. Accounts and audit

3.1 All accounting procedures and financial records of the council shall be determined by the Clerk in accordance with the Accounts and Audit Regulations.

3.2 The accounting records determined by the Clerk must be sufficient to explain the council's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:

- **day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;**
- **a record of the assets and liabilities of the council;**

3.3 The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual Governance and Accountability Return.

3.4 The Clerk shall complete and certify the annual Accounting Statements of the council contained in the Annual Governance and Accountability Return in accordance with proper

practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the Clerk shall submit them (with any related documents) to the council, within the timescales required by the Accounts and Audit Regulations.

3.5 The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.

3.6 Any officer or member of the council must make available such documents and records as the internal or external auditor consider necessary for the purpose of the audit and shall, as directed by the council, supply the Clerk, internal auditor, or external auditor with such information and explanation as the council considers necessary.

3.7 The internal auditor shall be appointed by the council and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.

3.8 The council shall ensure that the internal auditor:

- is competent and independent of the financial operations of the council;
- reports to council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
- can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
- has no involvement in the management or control of the council

3.9 Internal or external auditors may not under any circumstances:

- perform any operational duties for the council;
- initiate or approve accounting transactions;
- provide financial, legal or other advice including in relation to any future 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.

3.10 For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.

3.11 The Clerk 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 documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

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

4. Budget and precept

4.1 Before setting a precept, the council must calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.

4.2 Budgets for salaries and wages, including employer contributions shall be reviewed by the council at least annually in December for the following financial.

4.3 No later than December each year, the Clerk shall prepare a draft budget with detailed estimates of all income and expenditure for the following financial year along with the reserves forecast for the following three financial years, taking account of the lifespan of assets and cost implications of repair or replacement.

4.4 Unspent budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds for partially completed projects may only be carried forward (by placing them in an earmarked reserve) with the formal approval of the full council.

4.5 The draft budget, including any recommendations for the use or accumulation of reserves, shall be considered by the Council Matters committee and a recommendation made to the council.

4.6 Having considered the proposed budget and three-year reserves forecast, the council shall determine its council tax requirement by setting a budget. The council shall set a precept for this amount no later than the end of January for the ensuing financial year.

4.7 Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must and must disclose at the start of the meeting that Section 106 applies to them.

4.8. The Clerk shall **issue the precept to the billing authority no later than the end of February** and supply each member with a copy of the agreed annual budget.

4.9 The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.

4.10 Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the Council Matters Committee.

5. Procurement

5.1 **Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.

5.2 The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.

5.3 Every contract shall comply with the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.

5.4 For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Procurement Act 2023 and

The Procurement Regulations 2024 or any superseding legislation (“the Legislation”), must be followed in respect of the tendering, award and notification of that contract.

5.5 Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:

5.6 For contracts estimated to exceed £60,000 including VAT, the Clerk shall advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation. Tenders shall be invited in accordance with Appendix 1.

5.7 For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation regarding the publication of invitations and notices.

5.8 For contracts greater than £5,000 excluding VAT the Clerk shall seek at least 3 fixed-price quotes;

5.9 where the value is between £1000 and £5,000 excluding VAT, the Clerk shall try to obtain 3 estimates which might include evidence of online prices, or recent prices from regular suppliers.

5.10 For smaller purchases, the Clerk shall seek to achieve value for money.

5.11 Contracts must not be split into smaller lots to avoid compliance with these rules.

5.12 The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:

- i. specialist services, such as legal professionals acting in disputes;
- ii. repairs to, or parts for, existing machinery or equipment;
- iii. works, goods or services that constitute an extension of an existing contract;
- iv. goods or services that are only available from one supplier or are sold at a fixed price.

5.13 When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the council or Council Matters committee. Avoidance of competition is not a valid reason.

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

5.15 Individual purchases within an agreed budget for that type of expenditure may be authorised by:

- Members of the Management Team for specific budget lines as decided by the Clerk for any items below £1000 excluding VAT .
- The Town Maintenance Officer for the TMO Tools & Consumables budget up to £100 excluding VAT.
- The Clerk, under delegated authority, for any items below £5,000 excluding VAT.
- The Council Matters committee for all items of expenditure over £5,000 excluding VAT.
- the council for all items over £10,000 excluding VAT.

Such authorisation must be supported by a minute in the case of council or committee decisions, or other auditable evidence trail.

5.16 No individual member, or informal group of members may issue an official order or make any contract on behalf of the council.

5.17 No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the council or a duly delegated committee acting within its Terms of Reference, except in an emergency.

5.18 In cases of serious risk to the delivery of council services or to public safety on council premises, the Clerk may authorise expenditure of up to £5,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair as soon as possible and to the council as soon as practicable thereafter.

5.19 No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless the council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.

6. Banking and payments

6.1 The council's banking arrangements shall be made by the Clerk and authorised by the council; banking arrangements shall not be delegated to a committee. All members shall be signatories on the bank mandate for the current account.

6.2 The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.

6.3 All invoices for payment that do not have a supporting signed requisition form shall be examined, verified and certified by the Clerk or budget holder if under £1000, 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. The Clerk shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading.

6.4 A schedule of the payments required shall be prepared by the Clerk and, together with the relevant invoices, be presented to a member who is a bank signatory to sign the schedule confirming the invoices match the schedule and approving them for payment.

6.5 All payments shall be made by online banking, unless the council resolves to use a different payment method.

6.6 The Clerk shall have delegated authority to authorise payments only in the following circumstances:

- i. any payments of up to £5,000 excluding VAT, within an agreed budget.
- ii. payments of up to £5,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.
- iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998, where the due date for payment is before a member is able to review the

invoice, where the Clerk certifies that there is no dispute or other reason to delay payment, provided that a member reviews the invoice retrospectively.

iv. Fund transfers within the councils banking arrangements up to the sum of £10,000.

v. A payment for an online/telephone order that is made by debit card in advance of receiving the goods and invoice provided that a member reviews the invoice retrospectively.

6.7 A record of regular fixed and variable Direct Debits made shall be drawn up and signed by one member annually or when new DDs are added to authorise the regular payments.

7. Electronic payments

7.1 Where internet banking arrangements are made with any bank, the Clerk shall be appointed as the Service Administrator. A minimum of two people will be involved in any online approval process.

7.2 No employee or councillor shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.

7.3 The Finance & HR Manager shall set up all items due for payment online. A list of payments for approval, together with copies of the relevant invoices, shall be signed by an authorised signatory.

7.4 In the prolonged absence of the Finance & HR Manager the Lettings & Finance Officer shall set up any payments due before the return of the Finance & HR Manager.

7.5 The Clerk shall check the payment details against the invoices before approving each payment using the online banking system. In the absence of the Clerk the Governance & Projects Manager shall approve the payments using the online banking system.

7.6 Evidence shall be retained showing which member of staff approved the payments online and a printout of the transaction confirming that the payment has been made shall be appended to the payment listing for audit purposes.

7.7 Regular payments (such as gas, electricity, and water) may be made by variable direct debit, provided that the instructions are signed by two authorised signatories.

7.8 Wages payments may be made by BACS provided that each payment is approved online by the Clerk and evidence is retained.

7.9 If thought appropriate by the council, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed by two members and evidence of this is retained.

7.10 Account details for suppliers may only be changed upon written notification (including by e-mail) by the supplier verified by the Finance & HR Manager. This is a potential area for fraud and the individuals involved should ensure that any change is genuine.

7.11 Members and officers shall ensure that any computer used for the council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.

7.12 Remembered password facilities {other than secure password stores requiring separate identity verification} should not be used on any computer used for council banking.

8. Payment cards

8.1 Any debit card issued for use will be in the name of the Clerk and will be restricted to a single transaction maximum value of £1000 unless authorised by the Full Council or the Council Matters Committee before any order is placed.

8.2 The debit card shall not be used to make cash withdrawals.

8.3 The debit card will be securely stored by the Finance & HR Manager and will only be provided to staff with the PIN on receipt of a signed requisition form detailing the proposed purchase. The card will be signed out and signed back in and the Finance & HR Manager will, within 24 hrs of the card use, confirm the amount on the requisition form matches the amount paid out of the bank.

8.4 Proper VAT invoices must be obtained for all purchases made with the debit card and invoices must be signed retrospectively by a member.

9. Petty Cash

9.1 The council will not maintain any form of cash float. All cash received must be banked intact.

10. Payment of salaries and allowances

10.1 As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.

10.2 Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.

10.3 Salary rates shall be agreed by the council, or a duly delegated committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the Council Matters committee.

10.4 Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.

10.5 Deductions from salary shall be paid to the relevant bodies within the required timescales.

10.6 Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in confidential record, with the total of such payments each calendar month reported in the cashbook. Payroll reports will be reviewed by the Clerk to ensure that the correct payments have been made.

10.7 Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council.

10.8 Before employing interim staff, the council must consider a full business case.

11. Loans and investments

11.1 Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.

11.2 Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the full council, following a written report on the value for money of the proposed transaction.

11.3 The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

11.4 All investment of money under the control of the council shall be in the name of the council.

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

11.6 Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

12. Income

12.1 The collection of all sums due to the council shall be the responsibility of and under the supervision of the Clerk.

12.2 The council will review all fees and charges for statutory work done, services provided, or goods sold at least annually as part of the budget-setting process, following a report of the Clerk. The Clerk shall be responsible for the collection of all amounts due to the council.

12.3 Any sums found to be irrecoverable and any bad debts shall be reported to the council by the Clerk and shall be written off in the year. The council's approval shall be shown in the accounting records.

12.4 All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the Clerk considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.

12.5 Personal cheques shall not be cashed out of money held on behalf of the council.

12.6 The Clerk shall ensure that VAT is correctly recorded in the council's accounting software and that any VAT Return required is submitted from the software by the due date.

12.7 Where significant sums of cash are regularly received by the council, the Clerk shall 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 record such as ticket issues where possible, and that appropriate care is taken for the security and safety of individuals banking such cash.

12.8 Any income that 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.

13. Payments under contracts for building or other construction works

13.1 Where contracts provide for payment by instalments the Clerk shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.

13.2 Any variation of, addition to or omission from a contract must be authorised by the Clerk to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

14. Stores and equipment

14.1 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.

15. Assets, properties and estates

15.1 The Clerk shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.

15.2 The Clerk shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their 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.

15.3 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.

15.4 No interest in land 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. In each case a written report 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 where required by law).

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, except where the estimated value of any one item does not exceed £5000. In each case a written report shall be provided to council with a full business case.

16. Insurance

16.1 The Clerk shall keep a record of all insurances effected by the council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the council's review of risk management.

16.2 The Clerk shall give prompt notification to the Council's Insurance Broker of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.

16.3 The Clerk shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to the council at the next available meeting. The Clerk shall negotiate all claims on the council's insurers.

16.4 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, or duly delegated committee.

17. Suspension and revision of Financial Regulations

17.1 The council shall review these Financial Regulations annually and following any change of clerk or RFO. The Clerk shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.

17.2 The council may, by resolution 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 presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.

17.3 The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

Appendix 1 - Tender process

1) Any 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.

2) The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post, unless an electronic tendering process has been agreed by the council.

3) Where a postal process is used, 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. 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.

- 4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- 5) Any invitation to tender issued under this regulation shall be subject to Standing Order section 15 and shall refer to the terms of the Bribery Act 2010.
- 6) Where 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, 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.



Protocol for the Conduct of Council Business on the Death of a Senior National Figure

TOTNES TOWN COUNCIL
AGREED JANUARY 2024
REVIEW DATE: **MAY** 2025

Officer Note: The review has been delayed whilst awaiting further information from the National Association of Civic Officers – to date, no new guidance has been issued since the coronation of HM King Charles III. There are therefore no substantive changes proposed to the current protocol.

South Hams District Council ~~has~~ issued guidance¹ of the steps that should be taken when Operation London Bridge (the late HM Queen Elizabeth II) was enacted. As part of the planning for such an event, Totnes Town Council ~~has~~ a policy to oversee its conduct of business during a time when national mourning has been declared.

Background: There are codename operations for the plan of what will happen in the days after the death of senior figures of the Royal Family, and announcement of these bridges being 'down' will set the plan in motion. The codenames are as follows:

- Operation Menai Bridge – HM The King (State Funeral)
- Other Royal family members will be given Non-Ceremonial Royal Funerals.

Following the death of a member of the Royal Family, the Lord Chamberlain will consult with the Prime Minister before seeking the Sovereign's Commands with regard to the type of mourning to be observed. No

¹ Based on the document National Association of Civic Officers 'Marking the Death of a Senior National Figure', Third Edition issued April 2017.

action should be taken until there is a formal announcement of the death (therefore any 'media reports are coming in' stories should be ignored). The forms of mourning and their implications for Totnes Town Council are as follows:

- **National Mourning** – observed by all. Flags are lowered to half mast from the day of death until the day of the funeral. Marking a silence may be observed.
- **Royal Mourning** – no implications for Totnes Town Council.

Wider guidance from South Hams District Council (as the local authority) can be expected and timings for Proclamation Day are still to be confirmed (as they need to follow Devon County Council arrangements). However, the Chairman will make the announcement of the new Sovereign on Proclamation Day (2 days after the day of death of the Sovereign) or possibly the day after which the Mayor of Totnes will be invited to, and which can then be followed by the Mayor of Totnes' announcement to the town.

TOTNES TOWN COUNCIL PROTOCOL FOR MARKING THE DEATH OF A SENIOR NATIONAL FIGURE OR LOCAL HOLDER OF HIGH OFFICE

This protocol sets out the action to be taken in the event of the death of:

HM The King *

HM The Queen
HRH The Prince of Wales
HRH The Princess of Wales
HRH Prince George
HRH Princess Charlotte
HRH Prince Louis
HRH The Duke of Edinburgh
HRH The Princess Royal
HRH The Duchess of Edinburgh

The Prime Minister
Any former Prime Minister
The Members of Parliament for South Hams
A serving Mayor or Leader of the Council
A serving member of the Council

This protocol is to be kept under annual review, and the contact list will be updated annually in May.

*** Bold type indicates the action is only required in the event of the death of the Sovereign.**

PART 1 - Implementation of the Protocol on official confirmation of the death

Plans should only be implemented following an official announcement – 'reports of' are not official. On hearing/seeing an official announcement the Town Clerk, in consultation with the Mayor, is authorised to implement the protocol.

Action Required	Authorised By	Other Notes
Totnes Town Council's Mourning Protocol will be implemented on the formal announcement of the death of	Implementation will be authorised by the Town Clerk or in their absence by the management team.	

any one of those persons named above.		
Council Website – home page updated immediately/next working day to reflect the period of national mourning, details on condolence book, flag flying, meetings affected, proclamation details.	Implementation will be authorised by the Town Clerk or in their absence by the management team.	A template page is held which can be updated and published by Council Officers.

PART 2 – Flag Flying

Half mast flying has specific protocols and officers must ensure that they are aware of the correct method to employ and observe this when lowering a flag to half mast, or changing a local flag to the Union Flag for lowering to half mast. Please see notes at Annex A.

Action Required	Implemented By	Other Notes
<u>On announcement of Death.</u> Immediately the flags being flown will be lowered to half mast. In the event of no flag being flown on the day, the Union Flag will be raised and lowered to half mast immediately. In the case of the death of a senior Royal family member flags will be replaced with the Union Flag.	Town Maintenance Officer (TMO), following instruction from the Town Clerk or management team.	See Annex A which sets out the correct procedure for flying a flag at half mast.
<u>Applicable only following the death of the Sovereign:</u> On Proclamation Day (D+1) (the day following the death of the Sovereign, when the new Sovereign is proclaimed) flags will - at 1100 hours - be raised to full mast and flown throughout the day at full mast. On the day following Proclamation Day (D+2) they will be returned to half-mast at 1300 hours.	At the Civic Hall by the Town Maintenance Officer.	
<u>On Subsequent Days.</u> Following the death of the Sovereign or other members of the Royal Family identified in the list on page 1, flags will continue to be flown at half mast until 0800 hours on the day following the funeral (D+11).	At the Civic Hall by the TMO, following instruction from the Town Clerk or Governance and Projects Manager.	The funeral of the Sovereign will take place 10 days after the day of death. For other senior members of the Royal Family the number of days will be fewer, usually 8 days.

supply of suitable paper; - 3 x pens; - 1 x white table cloth; and - 1 x photo frame to hold a photograph of the relevant person.		the King for Council use will be released in 2024. These items are held in a clear box in the Governance and Projects Officer's office.
<p><u>Mayor's Statement.</u> The Mayor will issue a statement via the Clerk, expressing the sadness of the Council and people of Totnes at the news of the death of The statement will also appear on the home page of the Council's website and noticeboard and will be included in social media posts.</p> <p>The statement will confirm that flags are to be flown at half mast and will give details of the Book of Condolence and any minute's silence to be observed. In the case of the death of the Sovereign it will include arrangements for the Proclamation Day announcement. In the case of the death of the Sovereign or a member of the Royal Family it will also mention any arrangements for an e-Book of Condolence on the Royal website.</p>	<p>Statement to be issued by the Town Clerk, administrators to ensure a copy of the statement appears on the home page of the Council's website, its noticeboard and Facebook page.</p> <p>Statement to be emailed to all Councillors and to the Totnes Times.</p>	Guidance on the content of the statement is set out at Annex B.
<p><u>Closing Condolence Book.</u> When a Condolence Book has been closed the Clerk will discuss with SHDC arrangements for retention.</p>		<i>[Note: SHDC collected the condolence books for the Late Queen Elizabeth II.]</i>

PART 4 – Council Meetings and Events during the Period of Mourning

The Mayor and Deputy Mayor are to attend appropriate events where they continue, however if the country is in national mourning, parties, dinners and more celebratory events should be declined.

Action Required	Implemented By	Other Notes
Council meetings – the period of mourning affects the number of days' notice for holding a Council meeting. Therefore, no formal/statutory Council meetings	The Town Clerk or management team.	Clerks to Committees to discuss requirement of meetings (whether to postpone/cancel) with Mayor and/or Chairs, and/or reallocate urgent Council

(i.e. Full Council and Committees) can take place if the required number of days' notice or the meeting date itself is during the period of national mourning. Councillors will be notified of any changes as soon as the period of mourning is confirmed.		business onto agendas accordingly. Working groups are unaffected as they are not formal Council meetings.
To review the programme of engagements undertaken by the Mayor to ensure it is appropriate in a time of national mourning and that it sits comfortably with the national mood.	The Mayor, Town Clerk and the Mayor's PA	Consideration may also be given to supporting local faith groups in attending any Service on the eve of the funeral. [Note: for the Late Queen, a service was organised by the Exeter Diocese for St Mary's Church, with SHDC issuing invites to the Mayor.]

PART 5 – Proclamation Day

At 1100 hours on Proclamation Day (D+1) the official proclamation of the new King will be read at St James' Palace. At noon it is read at the Royal Exchange, then the heralds set out for Edinburgh/ Cardiff and Belfast. (D+2) the heralds read their proclamation in the capitals. Then the local proclamations can be read. **SHDC timings are TBC, depending on DCC arrangements.** The Mayor of Totnes will be invited to the SHDC Proclamation announcement which will be read by the Chairman of the Council, and will pass a copy of the Proclamation to the Mayor for TTC records.

Action Required	Implemented By	Other Notes
<u>In Totnes the Proclamation will be read as follows:</u> By the Mayor or Deputy Mayor at the Brutus Stone. Timings dependent on Devon County Council and South Hams District Council arrangements. The Mayor and Deputy Mayor to be robed.	Town Clerk to be alongside the Mayor Town Sergeant	<i>[Timings will depend on when SHDC are making their announcement as TTC will need to follow this and it is suggested that a 5pm timing is adopted]</i> Official wording will be promulgate or suggested wording of the Proclamation is at Annex D.
<u>Invites.</u> All those listed in Annex C to be invited to be present. Councillors and Officers to wear dark clothing. Black Arm bands to be available.	Mayor's PA and Administrators.	Black arm bands stored in the clear box in the Governance and Projects Officer's office.
Reading of the Proclamation to be publicised.	Notification of the reading of the Proclamation to be given by the Town Clerk to those identified at Annex C.	Notify the local Police of the date and time – a formal road closure is not required.

	Town Clerk and Administrators to ensure that the public are informed by press release and items on the Council's website, noticeboard and Facebook page.	
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PART 6 – Dress Code

During the official mourning period black arm bands will be available for wearing when representing the Council. Councillors and Officers when on official duty should wear dark coloured clothing, at a minimum for the first day after the announcement, Proclamation Day, for any official minute's silence and on the day of the funeral.

Action Required	Implemented By	Other Notes
<u>Supplies.</u> A stock of arm bands will be held in the Council Offices. They will be available from the Administrator for use by Councillors and Town Clerk attending on Council business following the death of a senior national figure.	The stock to be issued and maintained in good order by the Mayor's PA.	Black rosettes and arm bands are stored in the clear box in the Governance and Projects Officer's Office. At the time of the annual review of this protocol consideration will be given to the number of items in stock, their condition and the need for cleaning, repair or replacement. A list of suppliers for these items is set out at Annex F.
<u>Chains of Office.</u> On the death of the Sovereign, the Totnes Town Council chains of office will not be worn by the Mayor or Deputy Mayor and instead badges of office will be worn on a black neck ribbon. The only exception is at Proclamation events (SHDC or Brutus Stone). Black rosettes (for wearing on the Mayoral robes) and black gloves will be available.	Mayor's PA.	Existing ribbons to be used on the reverse from the day of death until and including the day of the funeral of the Sovereign. Held by the Mayor's PA. Rosettes stored in the clear box in the Governance and Projects Officer's Office. Black Gloves stored in the Muniment Room.
<u>Maces.</u> From the day of death until and including the day of the funeral of the Sovereign, the maces will have a black ribbon tied in a bow around the shaft. The only exception	Administrators.	The black ribbon for the maces is held with the black rosettes and arm bands in the clear box in the Governance and Projects Officer's Office.

is at Proclamation events (SHDC or Brutus Stone).		
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PART 7 – Marking a Silence

Where the death of a senior member of the Royal Family is to be marked by a Silence, an announcement will be made by Buckingham Palace.

Action Required	Implemented By	Other Notes
<p><u>Leading the Silence.</u> The Mayor will lead a Public Silence outside of the Guildhall.</p> <p>Those listed at Annex C to be invited. Mayor and Deputy Mayor to be robed with black rosettes and black gloves. Dark clothing requested. Black arm bands to be available.</p>	<p>Notification of the reading of the Proclamation to be given by the Mayor's PA to those identified in Annex C.</p>	
<p><u>Publicity.</u> The Public Observing of the Silence to be publicised. Arrangements for media access.</p>	<p>Clerk and officers to ensure that the public are informed by press release and item on the Council's website, noticeboard and Facebook page.</p>	

PART 8 – Letters of Condolence

This is separate to the book of condolence and should be sent to the Palace or other residence as directed by the official announcements.

Action Required	Implemented By	Other Notes
<p>As soon as practical, a letter of condolence will be drafted and circulated to the Town Mayor before dispatch. It will include details as to whether any book of condolence has been opened and how it will be retained after it is closed.</p>	<p>Town Clerk</p>	<p>Only one letter to be sent.</p>

Further advice can be found in the National Association of Civic Officers 'Marking the Death of a Senior National Figure' Third Edition issued April 2017.

Flying Flags at Half Mast

Full details of the correct way to fly flags at half mast is given on the website of the Flag Institute (www.flaginstitute.org).

It is important that the guidance given by the Flag Institute is adhered to strictly.

Half mast means the flag is flown two-thirds of the way up the flagpole, with at least the height of the flag between the top of the flag and the top of the flagpole. Flags cannot be flown at half mast on poles that are more than 45° from the vertical, but a mourning cravat can be used instead (see the Flag Institute's website for further details).

When a flag is to be flown at half mast, it should first be raised all the way to the top of the mast, allowed to remain there for a second and then be lowered to the half mast position. When it is being lowered from half mast, it should again be raised to the top of the mast for a second before being fully lowered.

When a British national flag is at half mast, other flags on the same stand of poles should also be at half mast or should not be flown at all. Flags of foreign nations should not be flown, unless their country is also observing mourning.

ANNEX B

Content of the Public Statement to be Issued by the Mayor of Totnes on the Announcement of the Death of a Senior National Figure or other Prominent Figure

The statement should begin with a suitable expression of the sadness of Totnes Town Council on hearing the announcement.

It should go on to state that flags will be flown at half mast.

If it is an occasion when Books of Condolence will be opened, then reference could be made to that.

When a decision has been taken on the Mayor's programme of events and engagements it might be stated that events are being cancelled as a mark of respect or that they will begin with a period of silence.

If in doubt, do not rush out a statement which commits the Council to action before that action has been discussed and has the necessary agreement.

ANNEX C

Those to be invited to be present at the Reading of the Proclamation on the accession of a new Sovereign and at the Public Observance of a Two Minute Silence

- All Members of the Council
- Honoured Citizens/Freemen of the Town
- Past Mayors (if not serving Members of Council)
- Police
- Local Fire Commander

- A representative of the Lord Lieutenant (Deputy Lieutenant)
- Representative of different faith groups in town (St Mary's Church/St John's Church / St Mary and St George Roman Catholic Church / Methodist / United Reform / The Gospel Hall/ The Kingdom Hall/ The Quakers)

NOTE:

The Proclamation will be read at County Hall by the High Sheriff. The Lord Lieutenant will be present at that ceremony.

The Proclamation will be read by the Mayor, with the Town Clerk alongside them.

ANNEX D

Suggested words for the Mayor Reading the Proclamation

The Mayor (or in their absence the Deputy Mayor or the immediate past Mayor) to say:

We come together this afternoon following the passing of our late Sovereign, Queen Elizabeth the Second. Our sadness at this time is shared by people across the globe, as we remember with affection and gratitude the lifetime of service given by our longest-reigning Monarch.

But the basis on which our monarchy is built has ensured that through the centuries the Crown has passed in an unbroken line of succession. Today's ceremony marks the formal Proclamation to the people of Totnes of the beginning of our new King's reign.

Yesterday the Accession Council met at St. James's Palace to proclaim our new Sovereign. The flags which had flown at half-mast since The Queen's death were raised briefly to their full height to mark the start of His Majesty's reign.

The Accession Council also made an Order requiring High Sheriffs to cause the Proclamation to be read in the areas of their jurisdiction. The High Sheriff of Devon discharged that duty earlier today and now, with my humble duty, I now bring the words of the Proclamation to the residents of Totnes.

Ladies and Gentlemen. The Proclamation of the Accession.

READS THE PROCLAMATION

At the end of the Proclamation the Mayor will say: **God Save The King**

Official Guests repeat: **God Save The King**

All present join in saying: **God Save The King**

Finally, the Mayor will call for three cheers for His Majesty The King.

Dispersal

TTC Actions – Summary List

Announcement Day:

- (If announcement before 10pm otherwise by 9.30am following morning) flag to be lowered to half mast (Union flag to replace any others in the event of a member of the Royal Family).
- (If announcement before 5pm) condolence book and photographs to be readied for following day.
- Statement to be approved by Mayor/Deputy Mayor for release.
- Advise press of the proclamation details.
- Send invitations for proclamation.
- Website home page updated.

D+1:

- Condolence book opened.
- Flag to be raised to full mast at 11am when national proclamation read.
- Statement released if not already.

D+2:

- Flag returned to half mast at 1pm.
- South Hams District Council proclamation at 2pm.
- Totnes Town Council proclamation at 5pm – from the Brutus Stone.

Funeral day:

- (D+10) Sovereign funeral.
- 2 minutes silence (if announced by Buckingham Palace).

Funeral day +1:

- 8am raise flag to full mast.
- Condolence book closes at 4pm (prepared for binding and insertion to the council archive/ return to SHDC).
- Condolence letter issued on behalf of Mayor to Private Secretary of deceased, if Sovereign deceased it goes to new Sovereign's private secretary and includes details of condolence book archive.

[Note: D = day of death, for example D=1 is the day after the announcement of the death]

Equipment List and List of Possible Suppliers

All items are in a box labelled 'Operation London/Menai Bridge' in the Governance and Projects Officer's office.

Condolence Books: to be issued by South Hams District Council.

Pens (x3): issued by South Hams District Council.

Black arm bands (x20).

Black Ribbons for the Mayor's and Deputy's badges of office: reverse of existing ribbons, held by Mayor's PA.

Black Rosettes for Mayoral Robes (x 2) (replacements can be purchased from Toye, Kenning and Spencer).

Table cloth: issued by South Hams District Council.

Photo frame: issued by South Hams District Council.

Framed photograph – new photo awaited.



HOME WORKING POLICY

TOTNES TOWN COUNCIL

AGREED JULY 2024

REVIEW JULY 2025

INTRODUCTION

Totnes Town Council understands that there may be instances when an employee needs to work from home, the Covid-19 pandemic has been an example of this.

In general and depending on the nature of that employee's role the Council may consider occasional home working appropriate.

DEFINITION

Occasional home working is when an employee undertakes some of their duties from home on an ad hoc basis. This is usually planned and may be for complete or part days. Examples of the type of work considered suitable for home working include report writing, preparations for meetings, project work etc. Working from home enables work to be carried out more efficiently in a quiet location and without disruption. It may also prove a more efficient use of time if employees who have been away from their work base for part of day, are closer to their home on their return journey and can complete the working day at home rather than at their normal place of work.

In cases where office facilities are shared, or the employee risks continual interruption, the Town Clerk may agree that an employee can work from home for a short-specified period. This may include agreeing to home working for a fixed period e.g. two weeks as well as shorter ad hoc periods. Managers and employees should be aware of the potential impact home working could have on teams e.g. isolation from the team, and/or Council activities, a reduction in effective managerial support or supervision.

Due to the nature of individual tasks some roles within the Council are not deemed suitable for home working.

CONDITIONS

- Home working arrangements should work for both the Council and the employee.
- Wherever possible requests for home working should be made at least one week before the employee wishes to start the arrangement.
- Risk assessments of the home working environment, in line with legal requirements, must be undertaken.
- Requests will be considered on their own merits, considering resources, impact on colleagues and working relationships.
- When working from home employees are responsible for ensuring they are contactable during normal contracted working hours. This must be via a Council mobile telephone or a work e-mail address.
- As a general rule it is not considered necessary for those working from home to require supplies of stationery etc. Large volumes of printing and collating of documents should be carried out on Town Council premises. Certain circumstances such as the Covid-19 pandemic have demonstrated that those working from home will require supplies plus IT support where needed. Arrangements therefore are to be made to support employees in such circumstances.
- Under no circumstances should home working be used as an alternative method of meeting carers needs (i.e. childcare).
- Home working arrangements will be reviewed considering any change of circumstances, whether relating to employee, work they are required to undertake, or the working environment.
- In the event that staff are required to work from home because of government pandemic rules then team meetings will be had by virtual means on a regular basis.

Home working arrangements will be reviewed on an annual basis, or sooner if circumstances change.

Employees must be aware that any abuse of the home working arrangement may result in the Council taking disciplinary action.

EMPLOYER RESPONSIBILITIES

Health & Safety - In line with the Health & Safety at Work Act 1974 ("the Act") and their Health & Safety Policy the Council will ensure, as far as reasonably practical, the health, safety and welfare at work of all employees, including those working from home.

Insurance - The Council accepts liability for accidents which are proven to have been caused by the authorised use of equipment provided by them in line with any instructions issued.

Data Protection, Security & Confidentiality - Council employees will be instructed that in instances where their colleagues are working from home, they will not disclose any personal details e.g. telephone numbers to anyone outside of the Council.

EMPLOYEE RESPONSIBILITY

Health & Safety - Employees are expected to carry out their work in such a way as to ensure, as far as reasonably practical, that there is no risk to health and safety to themselves, members of their family or visitors.

Insurance - Home working may have an effect on domestic insurance policies. Employees wishing to work from home must inform their insurance company of the change in circumstances and the use, and identity, of equipment owned by the Council. An employee's mortgage provider may need to be informed. Employees living in council or privately rented accommodation should notify their landlord and/or examine the terms of their lease. Any equipment belonging to the employee but being used for Council business should be operated in line with any instructions issued. It is reasonable for the Council to assume that this done.

Accidents, Incidents & Dangerous Occurrences - In line with the Council's Accident Reporting Procedure, employees must inform their line manager of any accidents, incidents or dangerous occurrences which take place whilst working at home. The initial report should be via telephone with the appropriate paperwork being completed on the employee's return to the workplace.

Policies and Procedures - All work carried out on Council business is covered by the requirements of the Council's policies and procedures, even if this work is undertaken at home.

Data Protection, Security & Confidentiality - Arrangements for home working should ensure that the employee can maintain the security and confidentiality of documents within the home environment whilst complying with Data Protection legislation and the Council's Confidentiality, Data Protection and IT Usage Policy (employees should be aware that even when using their personal equipment to undertake Council business they must comply with this procedure). Specifically, homeworkers are under a duty to:

- Keep all documentation belonging to us in the locked filing cabinet at all times except when in use,
- Ensure that documents are saved to the server rather than the laptop computer's hard drive.
- If you have a telephone conversation where you are discussing confidential work matters, you should ensure that such calls take place in privacy to avoid inadvertent breach of confidentiality.

Remote Access - Employees who wish to work from home may use remote access to the server subject to the Town Clerk's approval. Employees must not divulge any information held on the database to any third party. All Data Protection, GDPR, security and confidentiality rulings must be adhered to.

Expenses – any home working should be short-term and therefore employees are not entitled to claim home working incidental costs such as for broadband, lighting and heating. The Town Clerk has discretion to approve expense claims for consumables such as printer ink, printer paper and stationery that cannot be sourced from the office.

EQUIPMENT

The Council has 2 laptops which can be used for short-term homeworking.

Staff must ensure the equipment is stored securely at all times when it is taken away from the Council premises and is not used by anyone who is not a Council employee. The equipment should not be connected to any devices that could introduce viruses.

The laptop computer and other equipment provided by us must be used only for work-related purposes.

If any equipment owned by the Council is subsequently lost or damaged by an employee that employee will be expected to pay for its replacement.



MATERNITY, PATERNITY, ADOPTION AND NEONATAL LEAVE AND PAY POLICY

TOTNES TOWN COUNCIL
AGREED DECEMBER 2024
REVIEW JULY 2025

Maternity Policy

1 Definitions

The following definitions are used in this policy:

- "Expected week of childbirth" (EWC) means the week, starting on a Sunday, during which the employee's doctor or midwife expects them to give birth; and
- "Qualifying week" means the fifteenth week before the expected week of childbirth.

2 To Whom This Policy Applies

The occupational maternity scheme shall apply to all pregnant employees regardless of the number of hours worked per week.

3 Notification Requirements

An employee shall notify the Town Clerk in writing at least 28 days before their absence begins or as soon as is reasonably practical:

An employee shall notify the Town Clerk in writing at least 28 days before their absence begins or as soon as is reasonably practical:

- That they are pregnant;
- Of the EWC, providing a copy of form MATB1 as supplied by a registered medical practitioner; and

- The date on which they intend to start their maternity leave.

The employee may vary the date on which they intend to start their maternity leave provided that they notify their employer of the revised start date. To start the leave sooner, the employee must tell the employer at least 28 days before the **new** start date. To start the leave later, the employee must tell the employer at least 28 days before the **old** start date. If either of these are not reasonably practicable, the employee must tell the employer as soon as is reasonably practicable.

4 Health and Safety

On receipt of written notification from an employee that they are pregnant, the Town Clerk should carry out a risk assessment. The employee and relevant manager should be fully informed of any risks identified. The manager and employee have an ongoing responsibility to monitor any potential risks that may be present.

5 Ante-Natal Care

Any pregnant employee has the right to a reasonable amount of paid time off to attend ante-natal appointments made on the advice of a registered medical practitioner, which may include relaxation classes and parent-craft classes. Employees must produce evidence of appointments if requested to do so.

6 Maternity Leave

6.1 Ordinary and Additional Maternity Leave

All pregnant employees, regardless of their length of service, are entitled to 26 weeks' ordinary maternity leave (OML) and 26 weeks' additional maternity leave (AML) providing a right to one year's maternity leave in total.

Maternity leave shall commence no earlier than 11 weeks before the EWC or from the time of childbirth if that is earlier.

From the beginning of the fourth week before the EWC, an employee's maternity leave may be triggered if they are absent due to a pregnancy-related illness.

7 Maternity Pay

7.1 Less Than One Year's Continuous Service

Payments for employees who have less than 1 year's continuous local government service at the beginning of the eleventh week before the EWC shall be the employee's entitlement to Statutory Maternity Pay (SMP) or Maternity Allowance (MA).

Statutory maternity pay (SMP) will be payable if the employee has been employed continuously for at least 26 weeks ending with the 15th week before the EWC, and has an average weekly earnings at least equal to the lower earnings limit for National Insurance contributions.

SMP is payable for 39 weeks. For the first six weeks it is paid at 90 percent of the average weekly earnings. The following 33 weeks will be paid at the lower SMP rate or 90 per cent of the average weekly earnings whichever is the lower.

Employees who do not qualify for Statutory Maternity Pay may be entitled to Maternity Allowance, for up to 39 weeks. To qualify, they must have been employed or self-employed for 26 weeks out of the 66 weeks before the expected week of childbirth.

Details of the current rates of Statutory Maternity Pay and Maternity Allowance may be found on the government's website www.gov.uk

7.2 More Than One Year's Continuous Service

Payments for employees who have completed 1 year's continuous service with a body listed on the Redundancy Modification Order (which includes local government) at the 11th week before the EWC shall be as follows:

First six weeks of absence:

The employee will be entitled to nine-tenths of a week's pay. This will be offset against payments made by way of SMP (or Maternity Allowance [MA] for employees not eligible for SMP). This means that any SMP or MA payments will not be paid in addition to the nine-tenths of a week's pay; instead the higher of these amounts will be paid.

Weeks 7 – 52 of absence:

An employee who declares in writing that they intend to return to work will, for the subsequent 12 weeks' absence, receive half a week's pay. They will also receive SMP (or MA and any dependent's allowances if the employee is not eligible for SMP), if eligible to do so. The only reason that any deduction will be made is if the combined pay and SMP (or MA and any dependent's allowances if the employee is not eligible for SMP) exceeds their contractual full pay.

As an alternative to the twelve weeks' half pay the equivalent amount (i.e. 6 weeks' pay) may be paid over any other mutually agreed distribution.

The twelve weeks' half pay (or equivalent payment) made by the employer during maternity leave is made on the understanding that the employee will return to local authority employment for a period of at least three months. In the event that they do not do so, they will be required to refund the monies paid. This may be varied at the discretion of the employer if there is good reason to do so. Payments made to the employee by way of SMP are not refundable.

For the remainder of the maternity leave period the employee will receive their entitlement to SMP (which currently ends after 39 weeks in total), where eligible. Once the SMP payments have ended any remaining maternity period will be unpaid.

For employees not intending to return to work, payments during their maternity leave period following the first 6 weeks will only be their entitlement to SMP (currently ending after week 39), where eligible.

8 Pension

The following information relates to employees who are members of the Local Government Pension Scheme.

Employee Contributions During Maternity Leave

Employees will pay pension contributions at their 'normal' percentage rate during any period of paid leave.

Employees will not pay pension contributions during any period of unpaid leave. However, there is a distinction between the following:

- Periods of unpaid Ordinary Maternity Leave when the employer continues to make pension contributions.
- Periods of unpaid Additional Maternity Leave and Additional Adoption Leave, when the employer does not make any pension contributions.

In the latter case the employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount 'lost' during the unpaid leave. Information about this is set out in the employer's information below.

Employer Contributions During Maternity Leave

The Town Council will pay employer contributions on the employee's Assumed Pensionable Pay (APP). APP is calculated with reference to the average pensionable pay the employee received in the 3 months immediately preceding the period of reduced or nil pay. If, however, the employee's pay during their leave is higher than APP, the Town Council will pay contributions based on this higher amount.

APP does not apply during any unpaid period of Additional Maternity Leave. The employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount of pension 'lost' during the unpaid leave.

If the employee notifies the Town Clerk in writing within 30 days of returning to work that they wish to enter into an APC then:

- The employee will pay 1/3 of the cost of the APC
- The employer will pay 2/3 of the cost of the APC.

If the employee notifies the Town Clerk of this decision later than 30 days after returning to work then the whole cost will be borne by the employee, unless the Town Council voluntarily agrees to contribute to the APC.

9 Continuous Service

Maternity leave counts as continuous service for statutory and contractual purposes.

10 Leave During Maternity Leave

10.1 Annual Leave

Annual leave continues to accrue during maternity leave.

10.2 Bank/Public Holidays

Bank/public holidays continue to accrue during maternity leave.

10.3 Carry Forward of Annual Leave

The employee and their line manager should review annual leave arrangements prior to maternity leave being taken. Where taking maternity leave means that the employee is unable to take their full annual leave entitlement in the current annual leave year, the outstanding leave (including any days in lieu of bank/public holidays) can be carried over to the next annual leave year.

10.4 Treatment of Leave Where an Employee Changes Their Hours after Maternity Leave

If an employee changes their hours after taking maternity leave, all leave accrued up to the agreed date when their hours change is calculated based on their original hours and any leave accrued subsequently is calculated on their new hours.

For an example of calculating this, see Appendix A.

11 Returning To Work

11.1 Notification requirements

Managers must assume that an employee will return after 52 weeks. An employee need only notify their employer that they are returning to work if they are going to do so before the end of their maternity leave. Otherwise, the employee simply returns at the end of their maternity leave. However, as the return to work impacts on the half pay element of the Green Book maternity pay, a manager can ask the employee to inform them if they intend to return to work. Please note that an employee can change their mind up to the point when they actually give notice and resign. If an employee can let their manager know when they are likely to return as soon as possible that would be appreciated.

11.2 Early return

If an employee wishes to return early or on a different date than they had previously notified, they must give 21 days' notice.

11.3 Keeping In Touch

An employee can work up to 10 days' during their maternity leave, in agreement with their manager, without bringing their maternity leave to an end. Working for part of a day will count as one day and the employee will not lose any SMP (Statutory Maternity Pay) for working up to 10 days.

Work is defined as any work done under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace.

Managers need to ensure that they keep in touch with their employees whilst they are on maternity leave. If the employee does not wish to be contacted, then they should notify their line manager. Newsletters and any other relevant correspondence will be sent to all employees whilst they are on maternity leave.

Neonatal Policy

12 What is Neonatal Care?

Babies may receive neonatal care for a variety of reasons. This can include because they have been born prematurely (before 37 weeks of pregnancy), they have a low birth weight, they are born with, or develop shortly after birth, a medical condition which needs treatment, or they experience a difficult birth.

13 Definitions

For the purposes of this policy, the term 'neonatal care' includes:

- medical care that a child receives in a hospital;
- medical care that a child receives in any other place providing:
 - the child was previously admitted to a hospital as an inpatient and needs continuing care after leaving the hospital;
 - the care is under the direction of a consultant; and
 - the care involves ongoing monitoring and visits from healthcare professionals arranged by the hospital where the child was an inpatient; or
- palliative or end-of-life care.

In this policy, the term 'partner of the child' can include someone, of whatever sex, who lives with the mother or the child in an enduring family relationship but who is not the mother's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

14 To Whom This Policy Applies

This policy applies to employees employed by Totnes Town Council. It does not apply to workers, contractors, consultants or any self-employed individuals working for the organisation.

15 Neonatal Care Leave (NCL)

15.1 Entitlement to NCL (birth)

An employee has a statutory right from day one of their employment to take neonatal care leave if at the date of the child's birth:

- they are the child's parent and have responsibility for the upbringing of the child;
- they are the intended parent; or
- they are the partner of the child's mother and have main responsibility for the upbringing of the child (apart from the mother).

Additionally, the following conditions must be satisfied:

- the child was born on or after 6 April 2025;
- the child started receiving neonatal care within 28 days after the date on which they were born (the 28 days are counted from the day after the child is born);
- the neonatal care has lasted seven days or longer without interruption (the seven days are counted from the day after the neonatal care started);
- the employee is taking the leave to care for the child; and
- the employee has complied with the relevant notice and declaration requirements set out in this policy.

15.2 Entitlement to NCL (adoption)

In cases specifically related to adoption, an employee's entitlement begins either after the child has been placed for adoption (for adoptions within the UK) or after the child has entered Great Britain (for adoptions from overseas).

An employee has a statutory right from day one of their employment to take neonatal care leave if at the date the child is placed for adoption:

- They are the child's adopter and have or expect to have responsibility for the upbringing of the child;

- They are the child's prospective adopter (in a 'foster to adopt' arrangement) and have, or expect to have, responsibility for the upbringing of the child; or
- They are the partner of the child's adopter or prospective adopter and have main responsibility for the upbringing of the child (apart from your partner).

For adoptions from overseas, employees are entitled to neonatal care leave if at the date the child enters Great Britain:

- They are the child's overseas adopter and have or expect to have responsibility for the upbringing of the child; or
- They are the partner of the child's overseas adopter and have or expect to have main responsibility for the upbringing of the child (apart from their partner).

If the employee is having a child through a surrogacy arrangement, they are entitled to neonatal care leave if at the date of the child's birth:

- they have applied or intend to apply for a parental order within a period of six months;
- they expect the parental order to be granted; and
- they have or expect to have responsibility for the upbringing of the child.

Additionally, the following conditions must be satisfied:

- the child was born on or after 6 April 2025;
- the child started receiving neonatal care within 28 days after the date on which they were born (the 28 days are counted from the day after the child is born);
- the neonatal care has lasted seven days or longer without interruption (the seven days are counted from the day after the neonatal care started);
- they are taking the leave to care for the child; and
- they have complied with the relevant notice and declaration requirements set out in this policy.

15.3 Amount of NCL

Employees are entitled to one week of neonatal care leave for each qualifying period of one week that a child spends in neonatal care without interruption.

A 'week' is defined as a period of seven days.

The first qualifying period starts the day after the day on which neonatal care begins. For example, if the child started receiving neonatal care on 7 April, the seven-day count begins on 8 April. This means that the employee can start their neonatal care leave on any day from 15 April.

Subsequent qualifying periods start the day after the end of the preceding qualifying period. For example, if a child went into neonatal care on day one, the first qualifying period would start on day two and end on day eight, and the next qualifying period would start on day nine.

The minimum number of weeks that an employee can take as neonatal care leave is one week and the maximum number of weeks that an employee can take as neonatal care leave is capped at 12 weeks.

Employees can take only up to 12 weeks' neonatal care leave, even if multiple children from the same pregnancy require neonatal care.

Both parents of a child are entitled to neonatal care leave, including if they both work for Totnes Town Council.

15.4 How and When NCL Can Be Taken

Neonatal care leave is available to take in two tiers:

Tier 1

The tier 1 period runs from when the child starts receiving neonatal care until the seventh day after the day the baby stops receiving neonatal care.

Tier 1 NCL can therefore be taken from any point after the first week that the child has been in neonatal care until the seventh day after the neonatal care ends.

Tier 1 NCL can be taken in one continuous block or a number of non-continuous blocks of a minimum of one week at a time during this period. A maximum of 12 weeks in total can be taken.

Tier 2

The tier 2 period starts from the eighth day after the neonatal care ends and must end within 68 weeks of the child's date of birth.

Tier 2 NCL, consists of any remaining NCL that was not taken during the tier 1 period.

Tier 2 NCL must be taken in one continuous block.

For examples of tier 1 and tier 2 leave, see Appendix D.

15.5 Notice to Take NCL

Totnes Town Council understands that having a child in neonatal care is an incredibly difficult time for parents. Please be assured that if it is not possible to meet the timeframes for giving or withdrawing notice as set out in this policy, the organisation will accept later notice than this and, in some cases, we may waive the requirement to give notice altogether.

15.5.1 Notice during the tier 1 period

The employee must notify the Town Clerk for each week of tier 1 NCL that they wish to take. This can be done verbally or in writing.

Preferably the Town Clerk should be notified before the first day of absence in that week or as soon as is reasonably practicable to do so.

Following the initial request, the employee should then complete the Intention and Entitlement to Take Neonatal Care Leave form, which can be found in Appendix B (birth) or Appendix C (adoption).

There is no expectation that an employee should complete this form straight away while the child is receiving neonatal care. However, the organisation does request that the form is sent to the Town Clerk within 28 days of the first day of neonatal care leave, or if this is not possible, as soon as reasonably practicable.

15.5.2 Notice during the tier 2 period

The employee must notify the Town Clerk if they wish to take any remaining NCL not taken during the tier 1 period. This must be done in writing, using the Neonatal Care Leave form, which can be found in Appendix B (birth) or Appendix C (adoption).

If the employee wishes to take only a single week of neonatal care leave, then their notice should be received by the Town Clerk at least 15 days before the first date that they have chosen for their leave to start, or if this is not possible, as soon as it is reasonably practicable.

If the employee wishes to take two or more consecutive weeks of neonatal care leave, their notice should be received by the Town Clerk at least 28 days before the first date that they have chosen for their leave to start, or if this is not possible, as soon as reasonably practicable.

15.5.3 Amending notice to take NCL

If an employee has submitted a notice of intention and entitlement to take neonatal care leave during the tier 2 period but wish to cancel their leave, they must inform the Town Clerk as soon as reasonably practicable.

16 Neonatal Care Leave and Other Types of Parental Leave

Parents will have 68 weeks to take their neonatal care leave entitlement from the baby's date of birth, which means that they will be able to take their full entitlement to neonatal care leave in addition to other types of parental leave.

If an employee has already started a period of statutory leave, but subsequently becomes eligible for neonatal care leave, they can take their neonatal care leave after completing the other statutory leave, provided that their neonatal care leave is taken within 68 weeks of the child's birth date.

If the employee has already started a period of neonatal care leave during the tier 1 period but needs to begin another type of statutory leave (e.g. shared parental leave), their neonatal care leave will be temporarily paused immediately before the other statutory leave begins. They can then resume the remaining weeks of their neonatal care leave in one of two ways:

- if they are still within the tier 1 period - immediately after the end of the other period of statutory leave; or
- if they have transitioned into the tier 2 period - immediately after any other neonatal care leave taken during the tier 2 period.

Employees cannot take neonatal care leave in the tier 2 period if, at the time of giving notice, they are aware that the leave will overlap with another type of statutory leave.

16.1 Maternity Leave

Employees who qualify for maternity leave will need to take their neonatal care leave after their maternity leave ends, as maternity leave will be automatically triggered by the birth of the baby or babies and cannot be paused and restarted.

16.2 Adoption Leave

Employees who qualify for adoption leave will need to take their neonatal care leave once adoption leave has ended. Adoption Leave cannot be paused and restarted.

16.3 Shared Parental Leave

If an employee wishes to take shared parental leave then they can choose to take neonatal care leave either:

- straight after their maternity or adoption leave ends but before their shared parental leave starts; or
- in between/after periods of shared parental leave

provided that their neonatal care leave is taken within 68 weeks of the child's birth date.

16.4 Paternity Leave

Employees who qualify for paternity leave can be take their neonatal care leave either before or after their paternity leave, provided that their neonatal care leave is taken within 68 weeks of the child's birth date.

17 Adoption Placement Disrupted

Employees who have accrued entitlement to neonatal care leave may still be entitled to take their neonatal care leave if their adoption placement is disrupted.

A placement is disrupted where:

- the child is returned after having been placed for adoption,
- ceases to live with the overseas adopter, or
- in the case of a surrogacy arrangement, the parental order does not proceed.

Employees should refer to the Adoption Policy and seek advice from the Town Clerk regarding entitlement to leave and other support that may be available.

18 Bereavement

Employees who have accrued entitlement to neonatal care leave can still take the neonatal care leave that they have accrued if their child passes away.

Employees may also be entitled to parental bereavement leave in these circumstances as set out in the organisation's Working Time and Leave Policy.

In such cases, employees should speak to the Town Clerk so that their entitlement to leave and other support can be discussed.

19 Neonatal Care Pay (NCP)

The maximum number of weeks for which an employee can receive neonatal care pay is capped at 12 weeks.

Any periods of NCL taken will be paid at the current Statutory Neonatal Care (SNC) rate or at 90% of the employee's average weekly earnings (whichever is lower).

Employees may be eligible to receive Statutory Neonatal Care Pay if:

- They are entitled to take neonatal care leave;
- They have at least 26 weeks' continuous employment with the organisation at the end of the relevant week;

They are still employed at the time of taking NCL

- Their average weekly earnings are not less than the lower earnings limit for national insurance contributions;

- they have complied with the relevant notice and evidential requirements and are able to provide the declarations as set out in this policy; and
- they have confirmed when they wish to start receiving statutory neonatal care pay using the appropriate paperwork.

In this policy "relevant week" means the 15th week before the expected week of childbirth if you are entitled to statutory maternity or paternity pay. In all other cases, it means the week before the neonatal care begins.

20 Keeping In Touch and Returning To Work

Employees should refer to the relevant parental leave policy (maternity, paternity, shared parental, adoption, and parental bereavement leave) for further details on keeping in touch days and returning to work.

21 Pension

The following information relates to employees who are members of the Local Government Pension Scheme.

Employee Contributions During NCL

Employees will pay pension contributions at their 'normal' percentage rate during any period of paid leave.

Employees will not pay pension contributions during any period of unpaid leave. However, the employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount 'lost' during the unpaid leave. Information about this is set out in the employer's information below.

Employer Contributions During NCL

The Town Council will pay employer contributions on the employee's Assumed Pensionable Pay (APP). APP is calculated with reference to the average pensionable pay the employee received in the 3 months immediately preceding the period of reduced or nil pay. If, however, the employee's pay during their leave is higher than APP, the Town Council will pay contributions based on this higher amount.

APP does not apply during any unpaid period of NCL. The employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount of pension 'lost' during the unpaid leave.

If the employee notifies the Town Clerk in writing within 30 days of returning to work that they wish to enter into an APC then:

- The employee will pay 1/3 of the cost of the APC
- The employer will pay 2/3 of the cost of the APC.

If the employee notifies the Town Clerk of this decision later than 30 days after returning to work then the whole cost will be borne by the employee, unless the Town Council voluntarily agrees to contribute to the APC.

22 Continuous Service

Neonatal care leave counts as continuous service for statutory and contractual purposes.

23 Leave During Neonatal Care Leave

23.1 Annual Leave

Annual leave continues to accrue during neonatal care leave.

23.2 Bank/Public Holidays

Bank/public holidays continue to accrue during neonatal care leave.

24 Requesting Support

Employees finding it difficult to cope at work because their child is in neonatal care, are encouraged to speak to the Town Clerk.

Totnes Town Council realise that this may not be an easy subject to talk about. However, we urge you to be as open as possible about any particular issues that you are experiencing to ensure that you are provided with the right level of support.

Any information disclosed by you during discussions will be treated sensitively and in strict confidence.

Paternity Policy

25 To Whom This Policy Applies

An employee has a statutory entitlement to take paternity leave for the purpose of caring for a child or supporting the child's mother.

26 Paternity Leave (PL)

26.1 Eligibility Criteria

To qualify for paternity leave an employee must satisfy the following:

- In the case of a birth child, the employee must be:
 - the biological father of the child; or
 - the mother's spouse, civil partner or partner.
- In the case of an adopted child, the employee must be:
 - the spouse, civil partner or partner of an individual who has adopted a child.
 - Where a couple adopt a child jointly, one may take adoption leave and the other paternity leave.
- The employee must have or expect to have responsibility for the upbringing of the child.
- The employee must have complied with the relevant notification requirements and, where requested, have produced evidence to support their claim for paternity leave.
- The employee must have 26 weeks' continuous service with their current employer.

For the purposes of this policy, continuous service is calculated as follows:

- In the case of a birth child, the employee must have 26 weeks' continuous service with their current employer by the end of the 15th week before the week in which the child is expected to be born.
- In the case of a child adopted within the UK, the employee must have 26 weeks' continuous service with their current employer by the end of the week in which the adoption agency formally notifies the adopter that they have been matched with the child.
- In the case of a child adopted from overseas, the employee must have 26 weeks' continuous service with their current employer by the end of the week in which the adopter receives the official adoption notification from the relevant domestic authority, or starting with the week in which the employee's employment began. The latter option allows for the possibility that the official notification may be received a year or more before the child enters the UK, and the employee may have changed employer in this time.

26.2 Paternity Leave (PL)

An employee who meets the qualifying criteria is entitled to two weeks' paternity leave. The entitlement is up to two weeks' leave even where more than one child is born.

An employee can take either two separate blocks of one week or two consecutive weeks. An employee cannot choose to take odd days of paternity leave and paternity leave cannot be used before the birth.

An employee is not entitled to take paternity leave if they have already taken any shared parental leave in respect of the child.

Paternity leave must be taken within 52 weeks of the birth or placement with their adoptive parent, or in the case of a child adopted from overseas, within the period of 52 weeks beginning with the date the child entered Great Britain.

If the child is born prematurely, paternity leave must be taken during the period that begins with the birth of the child and ends 52 weeks after the week in which the child was expected to be born.

Where the child is born late, the 52-week period runs from the date of the actual birth. An employee cannot start a period of paternity leave before the child is born.

27 Paternity Leave Pay

Any periods of Paternity Leave taken will be paid at the current Statutory Paternity Pay (SPP) rate. Employees may be eligible to receive Statutory Paternity Pay if they:

- have 26 weeks' continuous service with their current employer by the end of the 15th week before the child is due. In the case of adoption, it is at least 26 weeks by the relevant or matching week;
- have average weekly earnings of over the lower limit for National Insurance contributions;
- are still employed at the time of taking paternity leave.

28 Notification Requirements for Paternity Leave

Before Paternity Leave starts

In the case of a birth child, the employee must provide the following in writing by the end of the fifteenth week before the expected week of childbirth. If this is not possible, notice must be provided as soon as is reasonably practical:

- Confirmation that they are planning to take paternity leave in order to care for the child and/or the child's birth parent (and the date(s) they wish to take their leave, as discussed with their manager, if known);
- The expected week of childbirth (EWC);
- Confirmation that the employee is the biological father of the child or the mother's spouse, civil partner or partner;
- Confirmation that the employee will be responsible for the child's upbringing and will take time off work to support the mother or care for the child;
- If requested, the employee must also provide a copy of the mother's MATB1.

In the case of an adopted child from within the UK, the employee must provide the following in writing no more than seven days after the date on which the adopter is notified by an approved adoption agency. If this is not possible, notice must be provided as soon as is reasonably practical:

- Confirmation that they are planning to take paternity leave in order to care for the child (and the date(s) they wish to take their leave, as discussed with their manager, if known);
- they have been matched with a child for adoption;
- the date on which the adopter was notified of having been matched with the child;
- the date when the child is expected to be placed with the adopter (or, if placement has already occurred, the date of the placement);
- a declaration that they are married to or the civil partner or partner of the child's adopter and that they expect to have main responsibility for the child's upbringing apart from any responsibility of the adopter.

In the case of an adopted child from overseas, the employee must provide the following in writing no more than seven days after the date on which the adopter is notified by an approved adoption agency. If this is not possible, notice must be provided as soon as is reasonably practical:

- Confirmation that they are planning to take paternity leave in order to care for the child (and the date(s) they wish to take their leave, as discussed with their manager, if known);
- the date on which the child's adopter received the "official notification";
- the date on which the child is expected to enter Great Britain (or the date on which the child entered Great Britain where this has already occurred); and
- a declaration that they are married to or the civil partner or partner of the child's adopter and have or expect to have main responsibility for the child's upbringing apart from any responsibility of the child's adopter.

Notice to take Paternity Leave

An employee must give at least 28 days' notice before any period of paternity leave. If this is not possible, notice must be provided as soon as is reasonably practical.

An employee must put their notice to take paternity leave in writing, if requested.

After the birth or adoption

The employee must also inform the employer of the date the child was born or placed for adoption, as soon as is reasonably practical after the child's birth or placement.

Varying dates of Paternity Leave

If an employee wants to cancel a period of paternity leave or they change their mind about the date on which they intend to start a period of paternity leave, then they must inform the employer of the cancellation or revised start date at least 28 days before the earlier of the original or revised date (or as soon as is reasonably practicable, if not in a position to do so within the prescribed period, e.g. if the child is born prematurely).

If an employee wants to start their paternity leave on a predetermined date and the child has not been born or placed with the adopter by then, the employee must give their employer a notice of variation selecting a later date as soon as reasonably practicable.

An employee must put their notice of a cancellation or variation of leave in writing, if requested.

29 Maternity Support Leave (MSL)

Paragraph 7.6 of Part Two of the Green Book provides a right to Maternity Support Leave (MSL) of one week.

Maternity Support Leave is provided, for the child's father or the partner or nominated carer of an expectant mother, to be used at or around the time of the birth.

To be eligible for Maternity Support leave, the employee must therefore be the child's father, or the partner or nominated carer of an expectant mother. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of the birth. There is no qualifying service requirement for this right.

Maternity Support Leave replaces one week of Statutory Paternity Leave; during this time any SPP is topped up to full pay. Therefore, an employee who would otherwise have been entitled to two weeks' Statutory Paternity Leave will be entitled to one week's Maternity Support Leave (during which Statutory Paternity Pay will be topped up to full pay) and one week's Statutory Paternity Leave (during which they will receive Statutory Paternity Pay).

An employee who wishes to request or vary a period of MSL must provide the same notification requirements as set out in section 15 above.

30 Ante-natal Care Appointments

Expectant fathers, or spouses, civil partners or the partner of the child's mother have the right to unpaid time off to attend two antenatal appointments with the expectant mother, with a maximum statutory entitlement of 6 ½ hours' time off for each appointment. They must produce evidence of appointments if requested to do so.

31 Adoption Appointments

In accordance with the Adoption Policy, the main adopter has the right to take paid time off for up to five adoption appointments. The secondary adopter will be entitled to take unpaid time off for up to two appointments.

32 Pension

The following information relates to employees who are members of the Local Government Pension Scheme.

Employee Contributions During Paternity Leave

Employees will pay pension contributions at their 'normal' percentage rate during any period of paid leave.

Employees will not pay pension contributions during any period of unpaid leave. However, the employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount 'lost' during the unpaid leave. Information about this is set out in the employer's information below.

Employer Contributions During Paternity Leave

The Town Council will pay employer contributions on the employee's Assumed Pensionable Pay (APP). APP is calculated with reference to the average pensionable pay the employee received in the 3 months immediately preceding the period of reduced or nil pay. If, however, the employee's pay during their leave is higher than APP, the Town Council will pay contributions based on this higher amount.

APP does not apply during any unpaid period of NCL. The employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount of pension 'lost' during the unpaid leave.

If the employee notifies the Town Clerk in writing within 30 days of returning to work that they wish to enter into an APC then:

- The employee will pay 1/3 of the cost of the APC
- The employer will pay 2/3 of the cost of the APC.

If the employee notifies the Town Clerk of this decision later than 30 days after returning to work then the whole cost will be borne by the employee, unless the Town Council voluntarily agrees to contribute to the APC.

33 Continuous Service

Paternity leave and Maternity Support leave will count as continuous service for statutory and contractual purposes.

34 Annual Leave and Bank/Public Holidays

Annual leave and Bank/Public holidays will continue to accrue during paternity leave and Maternity Support leave.

Adoption Policy

35 To Whom This Policy Applies

This policy applies to all Council employees seeking to adopt a child from approved Adoption Agencies.

The right to adoption leave is available to employees (whether married or single) who adopt a child through an approved adoption agency. Where a couple jointly adopts a child, only one of them (known as the primary adopter) will be entitled to take adoption leave (the couple can choose which). The other adoptive parent (known as the secondary adopter) will normally be entitled to take Statutory Paternity Leave, provided that they meet the relevant statutory criteria.

36 Adoption Leave

All employees, regardless of their length of service, are entitled to 26 weeks of Ordinary Adoption Leave and 26 weeks of Additional Adoption Leave (subject to providing the sufficient evidence as per below).

Adoption leave can start:

- up to 14 days before the date the child starts living with the adopter (UK adoptions)
- when the child arrives in the UK or within 28 days of this date (overseas adoptions)
- the day the child's born or the day after (if the employee has used a surrogate to have a child)

An employee can change their mind about when they start their leave, provided they give sufficient notice. They must inform their manager of the new date 28 days before the date they now wish their leave to start, or as soon as is reasonably practical.

37 Adoption Pay

Payments for employees shall be the employee's entitlement to Statutory Adoption Pay (SAP), where eligible.

Statutory Adoption Pay is paid for up to 39 weeks. The weekly amount is:

- 90% of employees average weekly earnings for the first 6 weeks
- SAP or 90% of employees average weekly earnings (whichever is lower) for the next 33 weeks

This provision is the statutory entitlement. Details of the current rates of Adoption Pay may be found on the government's website www.gov.uk

38 Eligibility Criteria

To qualify for adoption pay an employee must:

- Have 26 weeks' service with their employer by the notification week; and
- Be the child's adopter, i.e. have been matched with the child for adoption. A person is matched with a child when an adoption agency decides that they would be a suitable adoptive parent for the child.

The notification week is the week in which the employee is informed by the adoption agency that they have been matched with a child.

The employee needs to have agreed with the adoption agency that the child should be placed with them and the date the placement should occur and provide the Council with the appropriate notice and evidence of entitlement.

39 Notification Requirements

Within 7 days, or as soon as possible after the day the employee receives notification from the adoption agency that they have been matched with a child, an employee must inform the Town Clerk in writing of the following:

- the date the child is expected to be placed with them for adoption;
- the date the employee has chosen to start their leave and pay.

39.1 Evidence

In order to receive adoption pay and leave, the employee must provide the Town Clerk with either a matching certificate and/or a letter from the adoption agency which shows the following:

- the name and address of the adoption agency;
- the employee's name and address;
- the date the child is expected to be placed for adoption, or where the child has already been placed, the date of placement, and;
- the date the employee was informed that the child would be placed with them.

Where an employee is entitled to Statutory Adoption Pay (SAP) they must provide a signed declaration that they have elected to receive SAP and not statutory paternity pay (SPP).

40 Adoption Appointments

The main adopter has the right to take paid time off for up to five adoption appointments. The secondary adopter will be entitled to take unpaid time off for up to two appointments.

41 Leave During Adoption Leave

41.1 Annual Leave

Annual leave continues to accrue during adoption leave.

41.2 Bank/Public Holidays

Bank/public holidays continue to accrue during adoption leave.

41.3 Carry Forward of Annual Leave

The employee and their line manager should review annual leave arrangements prior to adoption leave being taken. Where taking adoption leave means that the employee is unable to take their full annual leave entitlement in the current annual leave year, the outstanding leave (including any days in lieu of bank/public holidays) can be carried over to the next annual leave year.

42 Continuous Service

Adoption leave counts as continuous service for statutory and contractual purposes.

43 Pension

The following information relates to employees who are members of the Local Government Pension Scheme.

Employee Contributions During Adoption Leave

Employees will pay pension contributions at their 'normal' percentage rate during any period of paid leave.

Employees will not pay pension contributions during any period of unpaid leave. However, there is a distinction between the following:

- Periods of unpaid Ordinary Adoption Leave when the employer continues to make pension contributions.
- Periods of unpaid Additional Adoption Leave when the employer does not make any pension contributions.

In the latter case the employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount 'lost' during the unpaid leave. Information about this is set out in the employer's information below.

Employer Contributions During Adoption Leave

The Town Council will pay employer contributions on the employee's Assumed Pensionable Pay (APP). APP is calculated with reference to the average pensionable pay the employee received in the 3 months immediately preceding the period of reduced or nil pay. If, however, the employee's pay during their leave is higher than APP, the Town Council will pay contributions based on this higher amount.

APP does not apply during any unpaid period of Additional Adoption Leave. The employee can, if they wish, choose to enter into an age-related Additional Pension Contribution (APC) to cover the amount of pension 'lost' during the unpaid leave.

If the employee notifies the Town Clerk in writing within 30 days of returning to work that they wish to enter into an APC then:

- The employee will pay 1/3 of the cost of the APC
- The employer will pay 2/3 of the cost of the APC.

If the employee notifies the Town Clerk of this decision later than 30 days after returning to work then the whole cost will be borne by the employee, unless the Town Council voluntarily agrees to contribute to the APC.

44 Returning to Work

44.1 Notification Requirements

Managers must assume that an employee will return after 52 weeks. An employee need only notify their employer that they are returning to work if they are going to do so before the end of the adoption leave. Otherwise, the employee simply returns at the end of the adoption leave. Please note that an employee can change their mind up to the point when they actually give notice and resign. If an employee can let their manager know when they are likely to return as soon as possible that would be appreciated.

44.2 Early Return

If an employee wishes to return early or on a different date than they had previously notified, they must give 8 weeks' notice.

44.3 Keeping in Touch

An employee can do up to 10 days' work during their adoption leave, in agreement with their manager, without bringing their adoption leave to an end. Working for part of a day will count as one day. An employee will not lose any SAP (Statutory Adoption Pay) for working up to 10 days.

Work is defined as any work done under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace.

Managers need to ensure that they keep in touch with their employee whilst they are on adoption leave. If the employee does not wish to be contacted then they should notify their Line Manager. Newsletters and any other relevant correspondence will be sent to all employees whilst they are on adoption leave.

Appendix A

Example:

An employee working full-time (37 hours per week) and entitled to 24 days' annual leave per year takes maternity leave.

They request to reduce their hours to 20 hours per week on their return to work and their employer agrees.

The employer's annual leave year runs from 1 April to 31 March. Although they had used all the previous annual leave year's entitlement before taking maternity leave, they have not taken any of the current annual leave year's entitlement.*

Their maternity leave ends on 30 June. If their hours are changed with effect from 1 July, their accrued annual leave will be calculated as follows:

1 April to 30 June (when their working day was 7.4 hours)

24 days' annual leave per year = 2 days per month

Leave accrued 1 April to 30 June (3 months) = 6 days @ 7.4 hours = 44.4 hours

Plus

1 July to 31 March (when their average working day will be 4 hours)

24 days' annual leave per year = 2 days per month

Leave accrued 1 July to 31 March (9 months) = 18 days @ 4 hours = 72 hours

The employee's total annual leave for the current year will be 116.4 hours. Because they will be reducing the length of their working day to 4 hours, this will equate to 29.1 days on their return to work.

* For simplicity, this example does not take account of bank/public holidays, although these accrue during maternity leave and would also need to be factored in to any calculations.

Appendix B

<p align="center">Neonatal care leave: notice of entitlement and intention (birth)</p> <p>This form is to confirm your notice and entitlement to take neonatal care leave (and pay, where applicable). Once you have completed the form, it should be submitted to the Town Clerk</p>	
Name of employee:	
Job title:	
I hereby give notice of my intention and entitlement to take neonatal care leave as well as the required declarations.	
Section A: information to be provided by employee	
My child was born on:	
My child started receiving neonatal care on:	
My child's neonatal care has continued without interruption:	
My child's neonatal care ended on (if applicable):	
I choose to start and end my neonatal care leave on the following dates (leave in tier 1 may be taken in number of non-continuous blocks of a minimum of one week at a time and leave in tier 2 must be taken in one continuous block)	
I intend to take neonatal care pay on the following dates (if applicable):	
Section B: declaration to be completed by employee	
I [satisfy/will satisfy] the following eligibility requirements to take neonatal care leave:	
I am the child's parent and at the date of the child's birth [I have/expect to have] responsibility for the child's upbringing OR	

I am the partner of the child's mother and at the date of the child's birth [I have/expect to have] main responsibility for the child's upbringing (apart from the mother)			
AND			
I [am taking/have taken] the leave to care for my child			
I [satisfy/will satisfy] the following eligibility requirements for neonatal care pay (if applicable):			
I [have/will have] 26 weeks' continuous employment by the end of the week immediately before the one in which my neonatal care leave starts OR			
I am entitled to statutory maternity or paternity pay and have 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth			
AND			
I remain in continuous employment from the end of that date (or from the child's date birth if they were born before that date)			
I will immediately inform the organisation of any changes affecting my entitlement to neonatal care leave and pay.			
Signed:		Date:	

Appendix C

<p align="center">Neonatal care leave: notice of entitlement and intention (adoption)</p> <p>This form is to confirm your notice and entitlement to take neonatal care leave (and pay, where applicable). Once you have completed the form, it should be submitted to the Town Clerk</p>	
Name of employee:	
Job title:	
I hereby give notice of my intention and entitlement to take neonatal care leave as well as the required declarations.	
Section A: information to be provided by employee	
My child was born on:	
My child was placed for adoption on:	
My child started receiving neonatal care on:	
My child's neonatal care has continued without interruption:	
My child's neonatal care ended on (if applicable):	
I choose to start and end my neonatal care leave on the following dates (leave in tier 1 may be taken in number of non-continuous blocks of a minimum of one week at a time and leave in tier 2 must be taken in one continuous block)	
I intend to take neonatal care pay on the following dates (if applicable):	
Section B: declaration to be completed by employee	
I [satisfy/will satisfy] the following eligibility requirements to take neonatal care leave:	

I am the child's adopter and at the date the child was placed for adoption [I have/expect to have] responsibility for the child's upbringing OR			
I am the child's prospective adopter (in a "foster to adopt" arrangement) and at the date the child was placed for adoption [I have/expect to have] responsibility for the upbringing of the child OR			
I am the partner of the child's [adopter/prospective adopter] and at the date the child was placed for adoption [I have/expect to have] main responsibility for the child's upbringing (apart from the partner)			
AND			
I [am taking/have taken] the leave to care for my child			
I [satisfy/will satisfy] the following eligibility requirements for neonatal care pay (if applicable):			
I [have/will have] 26 weeks' continuous employment by the end of the week immediately before the one in which my neonatal care leave starts OR			
I am entitled to statutory adoption or paternity pay and have 26 weeks' continuous employment ending with the week in which [I/the adopter] was notified of having been matched for adoption with the child.			
AND			
I remain in continuous employment from the end of that date (or from the child's date birth if they were born before that date)			
I will immediately inform the organisation of any changes affecting my entitlement to neonatal care leave and pay.			
Signed:		Date:	

Appendix D

Example 1: Consecutive leave (tier 1)

A child is born on 12 April 2025 and needs three weeks of neonatal care. The child leaves hospital on 5 May. The child's father takes his first week of leave during week 2 of the child's neonatal care, his second week of leave during week 3 of the child's neonatal care and his third week of leave in the week immediately after the child's discharge.

He notifies his employer that he will be taking a week's leave before he is due to begin work at the start of each working week, on 21 and 28 April and 6 May (as 5 May is a bank holiday).

Example 2: Non-consecutive leave (tier 1)

A child is born on 12 April 2025 and needs four weeks of neonatal care. The child leaves hospital on 12 May. The child's father takes his first and second weeks of leave during weeks 2 and 3 of the child's neonatal care, then returns to work for a week. He takes his third week's leave in the week immediately after the child's discharge. He decides to use his fourth week of leave from 4 August 2025, in the tier 2 period.

He notifies his employer that he will be taking leave before he is due to begin work at the start of each working week in which he will be absent during the tier 1 period, on 21 April, 28 April and 12 May.

He will need to give his employer notice at least 15 days before the first day of his final week of neonatal leave in August, so by 20 July.

Example 3: Consecutive leave (tier 2)

A child is born on 12 April 2025 and needs four weeks of neonatal care. The child's mother is on maternity leave. She wants to take her neonatal care leave at the end of her additional maternity leave on 29 March 2026, before she returns to work.

She needs to give her employer at least 28 days' notice before the first day of her four-week neonatal care leave period, so by 1 March 2026.

If she took only two weeks' neonatal care leave at the end of her maternity leave, she would not be able to take a further two weeks' leave at a later date, because during the tier 2 period any remaining weeks of neonatal care leave must be taken consecutively.