

held in the Community Hub, 445b Scalby Road,
on Wednesday 9th November 2022 at 7pm.

PRESENT:

Councillor R Towse (Chairman),
Cllrs. S Barnes, J Fennell, S Foote, R Holliday, R Thompson.

ALSO IN ATTENDANCE

6 allotment holders (for prize presentation) (left 7.04pm),
1 member of public (took place at council table 7.08pm), Mrs J Marley (Clerk to Council).

ABSENT: Cllrs. DJ Bastiman, D Langmead, B Marley D Sutton; H King

PRESENTATION OF ALLOTMENT PRIZES

Prizes were announced and presented by Cllr. Towse as follows:-

Best Allotment – Yvonne Beaton (plot 48), shield and £25.

Most Improved allotment – Paul Coleman (plot 21 North), £25.

Largest Marrow - weighed in at 33lb 15¼oz. and grown by Robin Daplyn (plot 2), £25.

At this point the allotment prizewinners left the meeting.

109/22 **APOLOGIES FOR ABSENCE** Cllrs. DJ Bastiman (work commitment), D Langmead and B Marley (health), D Sutton (personal commitment); H. King (health).

110/22 **DECLARATIONS OF INTEREST:** None.

111/22 **MINUTES**
111/22.1 Having been previously circulated, the minutes of the Ordinary Council meeting held on 12th October 2022 and the Extra Ordinary Council meeting held on 19th October 2022 were **approved** as a correct record and **authorised** for signature by Cllr. Towse.

PROCEDURAL MATTER 7.02pm - Suspension of Standing Orders.

112/22 **PUBLIC OPEN FORUM** No matters raised.

PROCEDURAL MATTER 7.03pm - Resumption of Standing Orders.

113/22 **MATTERS RAISED IN PUBLIC OPEN FORUM** None.

114/22 **VACANCIES UNFILLED AT THE ELECTION BY REASON OF INSUFFICIENT NOMINATIONS**
The member of public present had submitted a written expression of interest in being co-opted to one of the vacancies. **Agreed** Jackie Smith co-opted and her Declaration of Acceptance of Office completed and accepted.

At this point Jackie Smith took her place at the council table.

115/22 **EXTERNAL REPORTS**
115/22.1 **Police:-** :- The Scalby report for incidents 1/10/22-31/10/22 [emailed to councillors 4/11/22] was **received & noted**.

115/22.2 **County Council:-** No report to receive.

115/22.3 **Borough Council:-** No report to receive.

116/22 **UPDATES ON VARIOUS MATTERS & COUNCILLOR'S REPORTS**

116/22.1 Report from H King on Community and Wellbeing Hub – Cllr. Towse reported approximately 100 Menopause Calendars had been sold to date; a “Warm Spaces” grant of £100 had been received from Scarborough ~Borough Council.

116/22.2 Additional litter bins Field Lane and Burniston Road [Minute 97/22.5 refers] - **noted** SBC says there are sufficient bins in these areas but we can purchase two if we think they are really needed (cost /bin approx. £450+vat to purchase, £4-57+vat per empty). **Agreed** totally unacceptable response, Clerk to include Borough Cllr. Bastiman and Sharma in response to SBC.

- 116/22.3 Update from Chairman and/or Clerk on any matters dealt with under delegated powers and on Neighbourhood Plan Working Group – no matters to receive.
- 116/22.4 Update on local government re-organisation – Cllr. Towse reported on a meeting between the YLCA and NYCC about drawing up a parish charter – a draft was likely to be produced before Christmas. Also councils working together as a cluster was to be investigated.
- 116/22.5 Update on Scalby Toilets – the toilets were to re-open 14th November, between 0630 and 1830. They would be deep cleaned and the lighting replaced before opening. Clerk to copy the Toilet Trust's facebook page post to that of the Town Council.
- 116/22.6 Reports from Councillors of any highway & footpath or general matters requiring attention – Cllr. Barnes reported the damaged bus stop post in Station Road had now been removed and a cone placed over the stump of the post.

117/22 **CORRESPONDENCE**

- 117/22.1 **Received & noted** letter and plans [emailed to councillors 2/11/22] from Clarke Telecom asking for general views on a proposal to upgrade the radio mast which is located on the grass verge near the golf course crossing on Burniston Road. **Agreed** no specific comments until such time as a planning application was considered, though ask if it would be possible to erect a mast which looked more like a fir tree than a very tall mast
- 117/22.2 The future of devolution for York and North Yorkshire (consultation emailed to councillors 31/10/22) – **agreed** councillors to submit responses individually, Clerk to respond asking if it would be possible to create the equivalent of Model Agreement expenditure for each council.
- 117/22.3 Correspondence received after preparation of the agenda which the Chairman of the meeting deemed it necessary to consider as a matter of urgency:– 1] **noted** the National Joint Council For Local Government Services had agreed a pay award of £1/hour from 1/4/2022 and **agreed** to pay this award (backdated to 1/4/22) along with the resultant pension contribution increase; 2] **noted** details of NALC's Civility and Respect Project had been received and the project would be a specific item on the next agenda, as would a Lone Worker Policy.

118/22 **FINANCE, REGULATORY & GENERAL MATTERS**

- 118/22.1 **Resolved** the Schedule of Accounts Payable for November 2022 (Sch 8, £6,906-44) be **approved**. Cllrs. Thompson and Towse to do the online authorisations within 24 hours, cheque signed by Cllrs. Fennell and Thompson.
- 118/22.2 Rural verge cutting 2023/24 – **agreed** to be put out for prices, Clerk to organise.

119/22 **PLANNING APPLICATIONS & APPEALS NOTIFIED**

- 119/22.1 Comments on the following applications received [circulated with agenda] were **agreed**:-
- 22/01799/HS Erect single storey rear extension and detached garage, 16 Newlands Park Drive, Newby – **agreed** no objections.
 - 22/02117/HS Erect single storey and two storey rear extension, 383 Scalby Road, Newby – **agreed** no objections.

120/22 **PLANNING DECISIONS** - The following were **received and noted**:-

- 22/01162/HS Erect single storey rear extension and extension to garage, 159 Coldyhill Lane, Newby. **Granted with conditions**.
- 22/01199/HS Erect single storey extension and dormer window to rear, new double garage, summer house, greenhouse and alterations to vehicular access and front porch, 44 High St, Scalby. **Granted with conditions**.
- 22/01259/HS Erect single storey side and rear extension, 4 West Park Road, Scalby. **Granted with conditions**.
- 22/01438/FL Erect extension to provide disabled toilet, St. Mark's Church, 116 Coldyhill Lane, Newby. **Granted with conditions**.
- NYM/2022/0613 Vary Condition 2 of NYM/2015/0197/FL to allow omission of arched window heads and replace with straight window heads plus install double doors to detached dwelling, Ryefield, Hackness Road, Scalby. **Granted with conditions**.
- NYM/2022/0673 Removed condition 1 of NYM/2022/0461 to enable polytunnel and wetland area to remain permanently on site, land adjacent Tall Trees, Hay Lane, Scalby. **Granted with conditions**.

121/22 **PLANNING MATTERS RECEIVED AFTER 1/11/22** –None.

122/22 **REPORTS FROM OUTSIDE BODIES** The following was **received & noted:-**
Cllr. Thompson's report on the NYMNP Coastal Forum meeting at Ravenscar where there had been a presentation on climate change and achieving carbon net zero.

123/22 **EXCLUSION OF PRESS AND PUBLIC**
Not required as no confidential items to consider.

124/22 **CONFIDENTIAL ITEMS**
124.22.1 None to consider.

There being no further business, the Chairman declared the meeting closed at 7.58pm.

R. Towse, Chairman
Dated: 14th December 2022

DRAFT
for approval
14/12/22

Police Report

Hackness, Scalby and Staintondale & Ravenscar Parish Councils Report December 2022



Scalby, Hackness and Staintondale/Ravenscar Figures:

Breakdown data based on 01/04/2022 to 30/11/2022
versus same period in previous two years

Group	Crime Type	2020-21	2021-22	2022-23	Diff 2023 from 2022
Victim Based	Arson & Criminal Damage	8	11	10	-1
	Burglary	7	6	5	-1
	Sexual Offences	1	0	5	+5
	Theft	12	10	8	-2
	Robbery	0	0	0	0
	Fraud	15	9	4	-5
	Vehicle Offences	8	0	4	+4
	Violence against the person	26	54	23	-31
	Total victim based crimes	77	90	59	-31
Crimes Against Society	Drugs	7	3	1	-2
	Misc Crimes Against Society	1	1	1	0
	Possession Of Weapons	2	1	0	-1
	Public Order Offences	6	17	9	-8
	Total crimes against society	16	22	11	-11
	Total	93	112	70	-42

November 2022

There were 46 incidents reported in your area during November.

12/11/2022 23:59 – A call was received from a nearby neighbour of St Laurence Church in Scalby to report two suspicious figures all in black with their hoods up. Officers attended within 10 minutes and searched the area, no one was located. There were no further reports received and nothing criminal was reported the next morning in the same area.

19/11/2022 08:10 – An RTC was reported to have occurred overnight in Suffield. A resident discovered damage to their dry stone wall with bits of silver car near the stones. Approximately 4 metres of wall was damaged along with the fencepost and gate. Please report any information on 101, quoting incident number 12220205270.

20/11/2022 15:58 – A vehicle was stopped by Officers on patrol on High Street in Burniston. The car was seized as enquiries revealed the car had no insurance. The driver was reported for this offence.

24/11/2022 16:30 – A report was received of a Buzzard being shot and killed in the Hackness area. This is currently under investigation.

During November we dealt with 787 incidents across the area as a whole, a breakdown of these follows (not inclusive of all incidents): -

- 6 injury/death RTCs.
- 22 damage only RTCs.
- 36 road related offences, drink/drug driving, no insurance/license/dangerous driving/speeding etc...
- 58 reports of suspicious circumstances.
- 21 missing persons.
- 1 firearms/weapons incidents.
- 6 hoax calls.
- 53 domestic incidents/violence.
- 69 concern for safety incidents.
- 7 civil disputes.
- 4 animal incidents
- 14 highway disruptions
- 92 violence crimes.
- 16 sexual offences.
- 14 thefts.
- 0 stolen motor vehicles.
- 8 fraud or forgery.
- 7 drug offence.
- 28 criminal damages.
- 6 dwelling or commercial burglaries.
- 2 auto crimes.
- 82 anti-social behaviour reports.

Other News

Please note that in addition to the traditional 999 or 101 we can be contacted on our email address is snafiley@northyorkshire.pnn.police.uk. Please do not report incidents to this email, but if you would like to speak to a member of our team for advice then please use it. Incidents can also be reported direct on www.northyorkshire.police.uk

If an incident of Anti-Social Behaviour occurs which you would like Police to deal with then please report this as soon as possible after the event to allow Officers the best chance to deal with the culprits. Please do not wait until next time you happen to bump into an Officer or Parish Councillor. It allows us to make connections with other incidents and deal with individuals for patterns of behaviour rather than incidents in isolation. It does not matter if no suspects have been seen or cannot be identified; we may have this reported on another nearby incident and be able to link them.

If you wish to look at crime statistics, along with stop-searches, news & events and other information for your area, then please visit www.police.uk. This website has been updated and has new sections with more detailed statistics relating to your area. There is a multitude of information on this website. You can also search for general Police advice on this website - <https://www.askthe.police.uk/content/default.mth>

North Yorkshire Community Messenger

This is a free email alert service from North Yorkshire Police. Our local teams use the system to let you know what's happening in your area.

- You can sign up to receive alerts about events, crime appeals, safety advice and much more.
- The alerts can be tailored to where you live and work.
- You can unsubscribe at any time.

When you sign up, you'll be able to select the type of alerts you'd like to receive, including:

- various watch schemes for business owners
- a monthly fraud round-up newsletter.

Sign up here - <https://www.northyorkshirecommunitymessaging.co.uk/#signup-section>



Community Safety Advice

December 2022

Christmas Advice

Present and packaging storing

Christmas isn't that far away – scary prospect for most, especially in these trying times of increasing prices for heating/lighting. If you can afford to buy presents this year, then it's important to keep them well hidden, for two reasons – one, so as not to spoil the surprise for your loved-ones and second, so that any would-be thief doesn't get their hands on them!! It's a sad situation when we must think about these things but there are those who "don't have" and they want to take from "those who do" so it's best to be on guard to keep what you have bought safe.

So – best hiding places? Not under the bed, that's for sure as that is the first place someone would look, and it's the same for on top of the wardrobe!! One of the better places to hide things is in the well underneath your car boot or, if you have a home workplace, inside your filing cabinets (locked away of course) or underneath files "in plain sight"!!

So the message is, be creative in your hiding holes and your Christmas will go ahead without a hitch 😊

Keep your home secure

For peace of mind, ensure your front and back doors are secure as they are your first line of defence. Invest in good quality door locks, which will provide the necessary security.

You could also use SMART technology and keyless locks to help protect your home; Smart technology can make your home look occupied even if you are away either for the day or for a holiday. Smart plugs can be set on timers or controlled automatically with some systems even have a built-in vacation mode to randomly turn lights on or off during evening or morning hours to give the appearance someone is home. So, if you are tech-savvy you can really secure your home 😊

And don't forget - If you are going away for the Christmas festivities, please **DON'T** post it on social media!! You would be surprised how many openly say "I'm going away" then wonder how they have been burgled! Thieves and scammers scan your social media accounts for photos, names, addresses, dates of birth – so make you're your settings are set to "private" to stop this information from being visible; and that includes your "status" (i.e. single, married, etc as romance frauds can use this information against you in order to extract money) Better to tell your friends face to face that you are going to be away.

Money worries

As previous stated, Christmas isn't far away and with current money constraints it's got to be a worrying time for all of us, but it's not a time to turn to "payday loans" or "loan sharks" as all this does is tie you into a perpetual loop of credit and interest increases so that you can't possibly afford to pay it back.

If you do find yourself in trouble – talk to your bank, your utility providers and work out an affordable repayment plan for your utilities and your mortgage repayments. Your bank may even be able to help you manage your money better.

After watching a recent morning program, they gave out the idea of having payment "wallets" – putting so much aside for food, clothes, etc so that you live within your means and manage to pay off some of your debts. It's so easy in this day and age to use credit cards to pay and you forget that there's money changing hands as it's only "flashing the plastic" or using your phone app to pay for things and before you know it, your credit card bill can sky-rocket!

The Citizens Advice Bureau is also a very good stop off to get solid advice on money management as well as contacting your bank and of course your service providers – please don't bury your head in the sand over your debts as it **will** catch up with you!

Parcel Scam warnings

This time of year, we are all very busy and we order goods but There are still the scams doing the rounds stating you have a package and "follow the link" texts. This type of text takes you to a reasonably looking website that fools you into giving your personal details.

What type of information do these type of texts asks for? Your name and address, your banking details (so you can pay the "extra fee") and then they can use this information for criminal acts.

So – if you have a parcel delivery and you are going to be out, ask a neighbour if they will take it in for you and put a note on your door saying "parcels to ..." or arrange with your dealer where to leave the package safely or better still, arrange for delivery when you know for sure you will be home!

And finally ...

Keep yourself up to date with the latest scams and crime information by going to <https://www.northyorkshirecommunitymessaging.co.uk> ([Home Page - North Yorkshire Community Messaging](#)) in order to sign up to NYP Community Messaging programme; instructions on how to do this has been sent out with the May 2022 Police report. If you have lost your May 2022 copy I'm sure a copy could be supplied 😊

I'd like to take this opportunity to wish all readers a Merry Christmas and a Happy, Healthy and Prosperous New Year and here's to 2023!

So: until next time Stay Safe and Stay Alert!

Mrs Trish Colling

trishcolling@gmail.com

patricia.colling1@northyorkshire.police.uk

Community SpeedWatch

If you wish to make a complaint about speeding, please email – communityspeedwatch@northyorkshire.police.uk and they will get in touch to discuss what options are available. This can range from enforcement from speed vans to members of the Community being trained in the use of a speed gun!

Community Messaging is "Live"

If you wish to receive community news via messaging, please visit the North Yorkshire Police website – Community Messaging and sign up or speak with a member of the Safer Neighbourhood Team

Crimestoppers

If you have any information you would like to pass on in confidence, please contact Crimestoppers on **0800 555 111**

Property Marking

Consider marking your expensive property – such as laptops, iPads, game consoles and TVs. Your local Neighbourhood Team will be happy to assist with this.

Also, register your new property at www.immobilise.com

Local News

Here is where you will see local news posted – could be a forthcoming fete, Show or roadshow. Contact Matthew.Hazelwood@northyorkshire.police.uk to "advertise" your event here !!

For any complaints regarding 101 or other issues, please go to the North Yorkshire Police Website, click – Contact us at the top of the page, then 'complain to us box'

Or go straight to it by this link - <https://northyorkshire.police.uk/contact/complain-to-us/>



Contact NYP



Your Local Team

Beat Manager

PC 595 Graham Bilton –

graham.bilton@northyorkshire.police.uk

PCSOs

PCSO 5208 Ria Lockey –

ria.lockey@northyorkshire.police.uk

PCSO 6780 Anna Wilkinson –

anna.wilkinson@northyorkshire.police.uk

Useful Contact Numbers

Highways	01609 780 780
NHS	111
Local Dog Warden	01723 232323
Action Fraud	0300 123 2040



Force Twitter – [@NYorksPolice](https://twitter.com/NYorksPolice)



Checkout Facebook and give our page a “like” for updates.

Force Page – North Yorkshire Police

ACTUAL - V - BUDGET 2022/23				
INCOME		SHEET 1		
BUDGET HEADS OF INCOME	BUDGET 2023/2024			
LOAN REPAYMENTS	1,000.00			
ALLOTMENT RENTS	2,500.00			
RENT 445 (gross)	15,000.00			
ROOM HIRE HUB	1,500.00			
OTHER HUB INCOME	300.00			
INTEREST NAT SAVINGS	0.00			
INTEREST JJ BURCHELL	48.76			
INTEREST UNITY	150.00			
INTEREST NAT WEST	0.00			
MODEL AGREEMENT	5,989.56			
PRECEPT				
VAT REFUND	1,500.00			
OTHER REFUNDS	1.00			
GRANTS HUB	1.00			
GRANTS PC	1.00			
OTHER COUNCIL INCOME	10.00			
TOTAL INCOME	£28,001.32			
EXPENDITURE		SHEET 2		
BUDGET HEADS OF EXPENDITURE	BUDGET 2023/2024			
ALLOTMENTS	1,500.00			
AUDIT	600.00			
CIVIC RECEPTION	200.00			
SUBS, LICENCES & PUBLICATIONS	1,400.00		23/24	
GENERAL EXPENDITURE	500.00	precept is		
INSURANCES	2,300.00	expenditure	£135,079.26	
MODEL AGREEMENT	5,600.00	less income	28,001.32	
CLLR. COSTS	100.00		£107,077.94	
OFFICE COSTS	2,500.00			
STAFFING COSTS	59,000.00			
WEBSITE COSTS	250.00			
PLAYGROUND	250.00			
REMISES (GENERAL)	4,000.00			
PAYMENTS UNDER OTHER POWERS	0.01			
BURCHELL BEQUEST	50.00			
CONTINGENCY	500.00			
SCALBY TOILETS	5,500.00			
S137	0.01			
NEW PREMISES LOAN REPAYMENTS	29,179.22			
PARISH CARETAKER	2,000.00			
ADDITIONAL SPEND (from reserves)	0.01			
DISCRETIONARY GRANTS	5,000.00			
CIVIC PRIDE, SEATS	500.00			
GRIT BINS	150.00			
RURAL VERGES & TREE WORK	1,000.00			
SSA/CRICKET/FOOTBALL	0.01			
LEGAL & PROFESSIONAL COSTS	1,000.00			
445 LETTING COSTS	2,000.00			
445 GEN	5,000.00			
445b	2,500.00			
COMMUNITY ENG./HUB-ONLY	2,500.00			
2022/2023 SPEND	£135,079.26			

REPORT**FROM:** Jools Marley, Responsible Financial Officer.**TO:** All Councillors**DATE:** 6th December 2022**SUBJECT: Budget and Precept 2023/24.**

It is now time for Council to agree its budget and set its precept for the 2023/24 financial year.

Agenda Item 10.4 The proposed budget is enclosed and shows projected income and projected expenditure. Agreeing the budget is the preparatory stage to setting the precept. The budget must be agreed before the precept is set.

Agenda Item 10.5 Essentially the precept required is the budgeted expenditure less the budgeted income plus any additional funding needed.

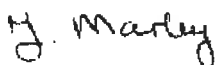
The process of devolution proceeds – the new unitary authority (to be known as North Yorkshire Council) will be the first tier of local government from 1st April 2023. Early indications are that 2023/24 will be the last year in which we receive what is known as “Model Agreement” money. For 23/24 this will be just under £6,000, so the potential loss of that income from 24/25 onwards needs addressing. To that end £6,000 has been added to the funding requirement.

While it is recommended the precept be increased, it must be pointed out that this Council’s Band D charge remains low when compared with parish/town councils such as Hunmanby (£95-31), Hutton Buscel (£70-29), Reighton (£58-59), Filey (£55-26), and Whitby (£47-34).

Year	2023/24	2022/23
Number of Band D equivalent properties	3781.31	3685.40
Funding Requirement	£107,078	£97,685
Precept	£113,078	£91,710
Band D Charge/year	£29.90	£24.84
Band D Charge/month	£2.49	£2.07

RECOMMENDATIONS:-

1. Council sets a precept of £113,078 for financial year 2023/24.



Jools Marley CiLCA
Responsible Financial Officer

INTERNAL AUDIT REPORT

2022/23 FINANCIAL YEAR

April-September CASH BOOK & BANK STATEMENT FOR SCHEDULES 1-6 AND April to September ACCOUNTS, SCHEDULES 1-6

AUDIT CARRIED OUT ON 7th November 2022

1 PETTY CASH (Schedules 3-6 of 2022/23 financial year, physical count as on day of audit).

- ☒ Petty Cash was accurately recorded.
- ☐ Petty Cash was inaccurate. See section 7 overleaf.

2 CASH BOOK & BANK STATEMENTS

- ☒ I am satisfied that the records are complete and accurate.
- ☐ I am not satisfied that the records are complete and accurate. See section 7 overleaf.
- ☒ The records are balanced and reconciled.
- ☐ The records are not balanced and reconciled. See section 6 overleaf.

3 INCOME RECORD ON P.C.

- ☒ The record is accurate and reconciled.
- ☐ The record is not accurate and reconciled. See section 7 overleaf.

4 EXPENDITURE ON P.C.

- ☒ The record is accurate and reconciled.
- ☐ The record is not accurate and reconciled. See section 7 overleaf.

5 VAT RECORD ON PC AND I & E FILES

- ☒ The record is accurate and refund claims have been made on a timely basis.
- ☐ The record is not accurate and/or refund claims have not been made on a timely basis. See section 7 overleaf.

6 PAYE RECORDS

- ☒ The Inland Revenue electronic record has been completed correctly and the figures accord with the schedule of payments.
- ☐ The Inland Revenue electronic record has not been completed correctly and the figures do not accord with the schedule of payments. See Comments Section 7.

7 COMMENTS/EXPLANATIONS:

Signed R.A. Gray
Internal Auditor

Date: 7/11/2022



NEWBY & SCALBY TOWN COUNCIL

LONE WORKING POLICY

Draft for adoption 14th December 2022

1. Introduction

The following policy and procedure details any risks for people working alone in their fixed base and working away from their fixed base. Under the Health & Safety Act 1974 and the Management of Health and Safety at Work Regulations 1999, it is the duty of Newby & Scalby Town Council to assess risks to lone workers, including volunteers, (referred to as employees in this policy) and take steps to avoid or control risk where necessary.

Employees of the Council have responsibilities to take reasonable care of themselves and other people affected by their work and to co-operate with their employers in meeting their legal obligations.

2. Lone Working / Lone Workers

These are people who work by themselves without close or direct supervision:

(a) At a fixed base (office, home or other):

- • Only one Council Member/Officer working on the premises
- • Working separately from others
- • Working outside of normal office hours

(b) Away from their fixed base:

- • Council Member/Officer who is required to travel alone to and from a fixed base to another base or to attend meetings, etc

3. Potential Risks to Lone Workers

- • Open access and unlocked doors – accessible to the public, contractors etc.
- • Being taken ill whilst at work
- • Lack of training regarding Health & Safety procedures
- • Hazards in the workplace
- • Remote areas
- • Parking arrangements: poorly lit and isolated areas

4. Assessing the Risk

(a) Before drawing up and recording the assessment of risk, it must be established:

- • Whether the work can be done by a lone worker
- • What arrangements will be in place to ensure an individual is not exposed to unnecessary and unacceptable risk

(b) When recording an assessment of risk, the following should be taking into consideration:

- • Environment – location, security, access / egress
- • Context – nature of the task
- • History – have there been any accidents / incidents in the past

All available information should be considered and updated as and when necessary. If there is reason for doubt about the safety of a lone worker in each situation then consideration should be given for making other arrangements to complete the task.

5. Safety Guidelines

(a) For employees working in a fixed base:

- • Familiarise the layout of the building including fire exits and escape routes.
- • Keep doors locked that allow direct access to the building/office you are working in.
- • Do not open the door to unexpected visitors. In the case of contractors ask for identification. If still unsure check with the contractor's employer/head office.
- • Have contact numbers at hand to be able to contact relevant person(s) immediately (should they feel ill, they suspect an intruder in the building etc).

- • Park as near as they can to the building.
- • A risk assessment to be put in place to assess potential risks.

(b) For employees working away from their fixed base:

- • Employees should inform the Chairman of the Council of their movements including the time they estimate they will be away from their base and when they will return, along with relevant information regarding where and at what time, visits will be made and to whom;
- • Leave details of venues including contact numbers.
- • Take mobile phone (or other communication device) with them.
- • Avoid meetings in isolated places. If this cannot be avoided, ask someone accompany them or make sure they always notify someone when they arrive and leave.

6. Responsibility

(a) Employee's Responsibility & Personal Safety:

- • To take reasonable care for the health and safety of him/herself and of other persons who may be affected by his/her acts of omissions at work.
- • Always maintain a line of communication on a regular basis with Members of the Council to identify and minimise risk(s).
- • Always inform someone as to when they leave the fixed base to perform Council tasks and inform a colleague when returning to a fixed base after relevant task completed.
- • Always report an accident/incident that may occur to the Clerk or relevant person to allow for a full investigation to take place and assess further potential risks and identify additional safety procedures.

(b) Employer's Responsibility:

- • To take reasonable care for the health & safety of employees by identifying and assessing potential risks to ensure that employees are always safe.
- • Always maintain a line of communication on a regular basis with employees to identify and minimise risk(s).
- • Ensure employees receive all relevant training and information available.
- • Ensure employees have a mobile phone (or other communication instrument) to ensure a system of maintaining contact.

7. Exemptions - Employees and/or Volunteers are exempt from working alone in certain situations:

- • Young persons under instruction in a fixed base (example work experience, helping with Council tasks etc.).
- • Where activities and work with substances/machinery could be hazardous to health.

8. Policy Review

This policy will be reviewed at least 3 years and after an incident or change of office location by the Council to ensure that it is relevant to working practice.

Lone Working Risk Assessment – Town Council Office and Hub

Ideally another Officer/Member should always be present when in the Council Office or Hub.

The Council Office is open to the public from 9am-12pm Monday to Friday.. The Hub is open to the public from STATE DAYS/TIMES ETC.

Risk	Actions currently taken
Are you familiar with your employer's lone working and health and safety policy?	Read by all Council employees
Do you know the name and number of an Officer / Member who you can contact easily?	Clerk, Hub head Chairman. Personal mobile numbers shared.
Do you have a system for regularly checking in with your employer?	Lone worker to use RING doorbell at courtyard gate or contact other Officer (or Chairman) to inform them of their arrival at the building and how long they expect to be. The lone worker will then inform them of their departure from the building.
Are important files and computers kept securely when not in use?	Computers password protected and turned off when left. Office is locked when not in use.
Do you have a safe working system in place dealing with unfamiliar visitors?	During lone working periods, when closed the office door would be locked from the inside and key removed; when open, reception hatch to be kept closed unless speaking with visitors. Keycoded door into Council office to be kept shut at all times
Do you have a safe working system in place to handle abusive individuals?	The individual will be asked to leave, and a call and report made to the Police. Details will also be reported to the Chairman and Council.
Do you have a safe working system in place when left alone to lock up public buildings?	See checking in procedure above.

Lone Working Risk Assessment – Home Office (Council staff)

Risk	Actions currently taken
Are you familiar with your employer's lone working and health and safety policy?	Read by all Council employees
Do you know the name and number of an Officer / Member who you can contact easily?	Clerk, Hub head Chairman. Personal mobile numbers shared. All Members to have Chairman's number.
Do you have a system for regularly checking in with your employer?	Clerk emails Members at least once a week.
Are important files and computers kept securely when not in use?	All staff – Computer/Laptop password protected and turned off when left. Only current working documents are kept at home with all files be stored at the office.
Is your home kept secure whilst you are working alone?	Main access to the home is locked.
Do you have a safe working system in place dealing with unfamiliar visitors?	No meetings with members of the public to take place at Officer's homes.

Lone Working Risk Assessment – Meetings

These include Council meetings, one to one meetings with Members, traveling to and from meetings, allotment visits etc..

Risk	Actions currently taken
Are you familiar with your employer's lone working and health and safety policy?	Read by all Council employees
Do you know the name and number of an Officer / Member who you can contact easily?	Clerk, Hub head Chairman. Personal mobile numbers shared.
Do you have a system for regularly checking in with your employer?	Members will be attending the meeting.
Do you have a system in place to confirm that you arrived home safely?	Ensure that a member of your household knows where you were and when you expect to return. If in a single household, ensure you have made a similar arrangement with a friend or another Member/Officer.
Do you have a safe working system in place dealing with unfamiliar visitors?	Public welcome to attend the meeting. The Clerk/Chairman to ask them if they have an item of interest before the meeting starts.
Do you have a safe working system in place to handle abusive individuals?	The individual will be asked to leave, and a call and report made to the Police. Details will also be reported to the Chairman and Council.
Do you have a safe working system in place when left alone to lock up public buildings after attending council meetings?	Ensure that 2 people are present at the end of the meeting to lock up and leave. Failing that check premises are empty then leave by back door and use RING doorbell at courtyard gate.

Document History		
Status	Date	Version
Draft for approval by Council.	14/12/22	



Newby & Scalby Town Council

DRAFT

DIGNITY AT WORK POLICY

For adoption by Full Council 14/12/22

DIGNITY AT WORK POLICY

Newby & Scalby Town Council believes that civility and respect are important in the working environment, and expect all councillors, officers and the public to be polite and courteous when working for, and with the council.

Purpose

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

[Optional – for Councils who have committed to the pledge] In support of this objective, Newby & Scalby Town Council has signed up to the Civility Pledge, as a commitment to civility and respect in our work, and politeness and courtesy in behaviour, speech, and in the written word. Further information about the Civility and Respect Pledge is available [NALC](#) & [SLCC](#)

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

This document:

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

Scope

This policy covers bullying and harassment of and by **clerks/chief officers** and all employees engaged to work at Newby & Scalby Town Council. Should agency staff, or contractors have a complaint connected to their engagement with Newby & Scalby Town Council this should be raised to their nominated contact, manager, or the Chair of the Council, in the first instance. Should the complaint be about the chair of the council the complaint should be raised to the **deputy chair / council's personnel / staffing committee**.

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

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

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

The position on bullying and harassment

All staff and council representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. **Newby & Scalby Town Council** will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether harm is intended or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. You should also be aware that, if you have bullied or harassed someone (e.g. physical violence, harassment), in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

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

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

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

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

Harassment

- Where a person is subject to uninvited conduct that violates their dignity, in connection with a protected characteristic
- Behaviour that creates a hostile, humiliating, degrading or similarly offensive environment in relation to a protected characteristic

Bullying

- Behaviour that leaves the victim feeling threatened, intimidated, humiliated, vulnerable or otherwise upset. It does not need to be connected to a protected characteristic.

What Type of Treatment amounts to Bullying or Harassment?

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

Examples of bullying and harassment include:

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

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

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

Harassment can also occur where the unwanted behaviour relates to a perceived characteristic (such as offensive jokes or comments based on the assumption someone is gay, even if they are not)

or due to their association with someone else (such as harassment related to their partner having a disability for example). **See the Council's Equality and Diversity Policy.**

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

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

Victimisation

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

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

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

Reporting Concerns

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

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

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

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

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

What you should do if you are being bullied or harassed by another member of staff: If you are being bullied or harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.

Informal resolution

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

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

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

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

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

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

Raising a formal complaint

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

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

- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred,
- The names of any witnesses and
- Any action taken by you to resolve the matter informally.

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

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

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

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

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

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

The use of the Disciplinary Procedure

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

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

GUIDANCE FOR USING THE DIGNITY AT WORK POLICY

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

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

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

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

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

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

Notes:

Protected Characteristics

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

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

Examples of harassment related to a protected characteristic could include;

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

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

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

Legal risks

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

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

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

Culture and behaviour

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

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

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

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

Scope

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

Likewise, concerns raised about the behaviour of a contractor or agency worker would not generally be managed via the full process (such as the disciplinary process) but appropriate action would be

considered based on the situation. To treat people (such as contractors, or a casual worker) engaged by the council the same as an employee could blur the status of the employment relationship, so consider seeking professional advice if needed.

Managers

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

Bullying and harassment & performance management

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

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

Responsibilities

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

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

During the investigation

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

Consider whether a neutral person should be offered as a 'listening ear' for both parties in the investigation. This could be a councillor or nominated manager who is not involved in the

investigation or allegations and can be a point of check in as raising, or being subject to allegations can be stressful.

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

Ensure that you communicate regularly with both parties.

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

Confidentiality

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

During any formal investigation it may be necessary to disclose the nature of the allegations and where they came from to ensure a fair and balanced investigation and process. This should be discussed with the person raising the concerns to understand any issues and how they may be mitigated. In some situations it may be appropriate to provide anonymised witness statements however this would be a last resort, and could compromise the fairness of the process. Where there is a genuine fear of consequences and this may need to be considered, it is recommended that professional advice is sought. For the same reason it can be difficult for a council to consider an anonymous complaint, however if the concerns are significant and compromise the council in their duty of care to employees, then consideration of how the deal with the matter may be required.

Victimisation

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

False allegations

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

Complaints against Councillors

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

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

NEWBY AND SCALBY TOWN COUNCIL COMMUNITY HUB



Safeguarding Adults Policy and Procedure

Newby and Scalby Parish Council Hub Safeguarding Adults V1 Amended 30/11/22 to reflect name change to Newby & Scalby Town Council.	Last reviewed Sept 2021	Next review Sept 2024	Page 1
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Safeguarding Adults Policy and Procedure

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1. Safeguarding Policy

1.1 Policy Statements

Newby and Scalby Town Council believes that safeguarding adults is everyone's responsibility and should be reflected in every aspect of our work.

Newby and Scalby Town Council will not tolerate the abuse of adults at risk in any of its forms.

Newby and Scalby Town Council is committed to:

- Managing its services is a way which minimises the risk of abuse occurring
- Supporting adults at risk who are at risk, experiencing or have experienced abuse or neglect
- Working with adults at risk and other agencies to end any abuse that is taking place

In achieving these aims the organisation will:

- Make sure that all managers, employees and volunteers have access to and are familiar with this safeguarding adult policy and procedure and their responsibilities within it
- Make sure concerns or allegations of abuse are always taken seriously
- Make sure the Mental Capacity Act 2005 is used to make decisions on behalf of those adults at risk who are unable to make particular decisions for themselves, and decisions are made in their best interest
- Make sure all staff receive training in relation safeguarding adults at a level commensurate with their role.
- Make sure that service users, their relatives or informal carers are supported to identify their needs and have access to information about how to report concerns or allegations of abuse.
- Make sure there is a named lead person to promote safeguarding awareness and practice within the organisation

1.2 Policy Definitions

1.2.1 Who is an 'Adult at risk'?

For the purposes of this policy, an adult at risk is an adult who:

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- is aged 18 years or more, and
- has needs for care and support (whether or not these are currently being met) and
- is experiencing, or is at risk of, abuse or neglect, and
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Such a definition includes adults with physical, sensory and mental impairments and learning disabilities, howsoever those impairments have arisen e.g. whether present from birth or due to advancing age, chronic illness or injury.

Also included are people with a mental illness, dementia or other memory impairments, people who misuse substances or alcohol.

The definition includes unpaid carers (family and friends who provide personal assistance and care to adults on an unpaid basis).

1.2.2 What is abuse?

Abuse can take many forms and the circumstances of the individual should always be considered. It may consist of a single act or repeated acts. The following are examples of issues that would be considered as a safeguarding concern.

Physical abuse - includes hitting, slapping, pushing, kicking, misuse of medication, unlawful or inappropriate restraint, or inappropriate physical sanctions.

Domestic abuse – is “an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse... by someone who is or has been an intimate partner or family member regardless of gender or sexuality” (Home Office, 2013). Domestic violence and abuse may include psychological, physical, sexual, financial, emotional abuse; as well as so called ‘honour’ based violence, forced marriage and female genital mutilation.

Sexual abuse - includes rape and sexual assault or sexual acts to which the adult at risk has not consented, or could not consent or was pressured into consenting.

Psychological abuse - includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion,

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harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal from services or supportive networks.

Financial and material abuse – includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Modern slavery - includes human trafficking, forced labour and domestic servitude. Traffickers and slave masters use the means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhuman treatment.

Neglect and acts of omission - includes ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

Discriminatory abuse - includes abuse based on a person's race, sex, disability, faith, sexual orientation, or age; other forms of harassment, slurs or similar treatment or hate crime/hate incident.

Organisational abuse – includes neglect and poor practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Self-neglect - covers a wide range of behaviours, such as neglecting to care for one's personal hygiene, health or surroundings and includes behaviours such as hoarding.

A safeguarding response in relation to self-neglect may be appropriate where:

- a person is declining assistance in relation to their care and support needs, and
- the impact of their decision, has or is likely to have a substantial impact on their overall individual wellbeing

Carers

Newby and Scalby Town Council will remain vigilant with assessing carers needs alongside safeguarding consideration. We are aware risks increase with isolation and when carers may not be gaining appropriate practical or emotional support. We

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will assess carers needs quickly taking into account the duties of the carer's role as well as impact of care alongside safeguarding requirements.

1.3 Key Roles

Designated Safeguarding Lead is **Helen King, Head of Hub ad Community Support**

Every member of staff and volunteer has a responsibility to act on concerns of possible abuse and must inform the organisation's Designated Safeguarding Lead

The Designated Safeguarding Lead has the responsibility to decide whether it is appropriate to Raise a Safeguarding Concern required or respond to the concerns in an alternative manner.

The Designated Safeguarding Lead is responsible for ensuring this policy and procedure is reviewed by the Parish Council every 3 years and is kept up to date.

The Service Manager is responsible for ensuring staff have appropriate training and information to be able to do their job roles.

1.4 Safe Employment

- The organisation is committed to achieving best practice in respect to the safe recruitment of employees and volunteers;
- The organisation is committed to working within best practice as established by the Disclosure and Barring Scheme (DBS)

Refer to the [*relevant Recruitment Policies*] for further information.

1.5 Training and Supervision:

- Awareness of this safeguarding policy/procedure is covered within the induction programme of all new employees or volunteers and their understanding checked within supervision meetings.
- All staff will receive training on safeguarding adults at a level commensurate with their roles.
- All staff will receive training on the requirements and provisions of the Mental Capacity Act

Refer to the [*relevant Training/Supervision polices*] for further information.

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1.6 Managing Allegations Against Staff

All allegations against people/staff who work with adults will be reported immediately to the Designated Safeguarding Lead – Newby and Scalby Town Council will follow the organisations disciplinary procedures to investigate ensuring individuals are aware of the timescale and processes. Support and advice will be available to individuals against whom allegations have been made.

If Newby and Scalby Town Council make the decision to remove the individual from work, because the person poses a risk of harm to adults they are supporting, Newby and Scalby Town Council will make a referral to the Disclosure and Barring Service

2. Safeguarding Adult Procedures

2.1 Responsibilities of all employees and volunteers

The person who raises the concern has a responsibility to first and foremost safeguard the adult.

- a) Make an evaluation of the risk and take steps to ensure that the adult is in no immediate danger
- b) Arrange any medical treatment. (Note that offences of a sexual nature will require expert advice from the Police)
- c) If a crime is in progress or life is at risk, dial emergency services – 999
- d) Encourage and support the adult to report the matter to the Police if a crime is suspected and not an emergency situation
- e) Take steps to preserve any physical evidence if a crime may have been committed and preserve evidence through recording
- f) Ensure other people are not in danger
- g) If you are a paid employee, inform your Designated or Deputy Safeguarding Leads. Also report if an employee is the source of risk
- h) Record the information received, risk evaluation and all actions.

If any member of staff or volunteer has reason to believe that abuse is or may be taking place you have a responsibility to act on this information. It does not matter what your role is, doing nothing is not an option.

If a person discloses abuse to you directly, use the following principles to respond to them:

- Assure them that you are taking the concerns seriously
- Do not be judgemental or jump to conclusions

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- Listen carefully to what they are telling you, stay calm, get as clear a picture as you can. Use open ended questions
- Do not start to investigate or ask detailed or probing questions
- Explain that you have a duty to tell your manager or the designated officer
- Reassure the person that they will be involved in decisions about them

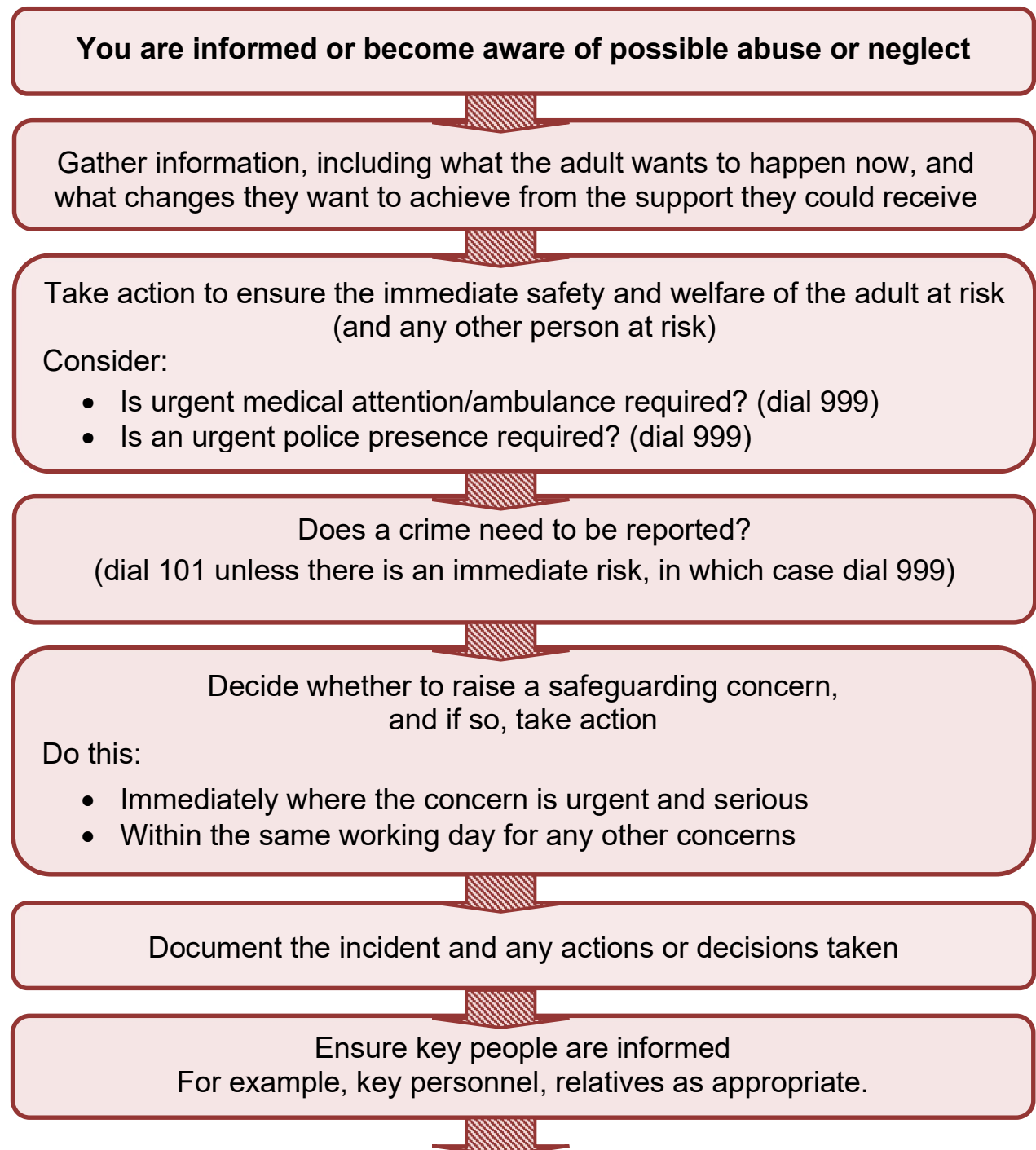
Your responsibilities are:

If consulting with your Designated Safeguarding Lead (Deputy Safeguarding Lead) or Service Manager will lead to an undue delay and thereby leave a person in a position of risk, you should 'Raise a Safeguarding Concern' yourself.

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2.1.1 Raising a Safeguarding Concern

Raising a safeguarding concern, means reporting abuse to the local authority under the safeguarding adults procedure. Anyone can raise a safeguarding concern, often however this is undertaken by a manager in the organisation.



Provide support for the person identifying the safeguarding concern

Additional Guidance:

A. Considering whether to Raise a Safeguarding Concern

When deciding whether a safeguarding concern should be raised, consider the following key questions:

1. Is the person an 'adult at risk' as defined within this policy/procedure?
2. Is the person experiencing, or at risk of, abuse and neglect?
3. What is the nature and seriousness of the risks?

Consider:

- The person's individual circumstances
- The nature and extent of the concerns
- The length of time it has been occurring
- The impact of any incident
- The risk of repeated incidents for the person
- The risk of repeated incidents for others

4. What does the adult at risk want to happen now?

Wherever possible, consider what the adult at risk wants to happen next, what do they want to change about their situation, and what support do they want to achieve that.

On some occasions, it may be necessary to raise a safeguarding concern even if this is contrary to the wishes of the adult at risk. Any such decision should be proportional to the risk, for example:

- It is in the public interest e.g. there is also a risk to others, a member of staff or volunteer is involved, or the abuse has occurred on property owned or managed by an organisation with a responsibility to provide care
- The person lacks mental capacity to consent and it is in the person's best interests
- The person is subject to coercion or undue influence, to extent that they are unable to give consent

- It is in the person's vital interests (to prevent serious harm or distress or life threatening situations)

If you remain unsure whether to raise a safeguarding concern, you can:

- Refer to the Decision Support Tool for Raising Safeguarding Concerns in Appendix B
- Contact your organisations safeguarding adults lead for advice
- Seek advice from a Safeguarding Officer by contacting North Yorkshire County Council Customer Service Centre and asking to talk to a Safeguarding Officer 01609 780780
- Refer to the West Yorkshire and North Yorkshire Safeguarding Adult Policy and Procedures at www.nypartnerships.org.uk/sab for further information and guidance

B. Considering whether to report a concern to the police

If a crime has been or may have been committed, seek the person's consent to report the matter immediately to the police. This will be in addition to raising a safeguarding concern with the local authority.

If the person has mental capacity in relation to the decision and does not want a report made, this should be respected unless there are justifiable reasons to act contrary to their wishes, such as:

- the person is subject to coercion or undue influence, to the extent that they are unable to give consent, or
- there is an overriding public interest, such as where there is a risk to other people
- it is in the person's vital interests (to prevent serious harm or distress or in life-threatening situations)

There should be clear reasons for overriding the wishes of a person with the mental capacity to decide for themselves. A judgement will be needed that takes into account the particular circumstances.

If the person does not have mental capacity in relation to this decision, a 'best interests' decision will need to be made in line with the Mental Capacity Act.

Preserving evidence

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If a crime has occurred, try to preserve evidence in case there is a criminal investigation.

- try not to disturb the scene, clothing or victim if at all possible
- secure the scene, for example, lock the door, if possible,
- preserve all containers, documents, locations, etc.
- evidence may be present even if you cannot actually see anything
- if in doubt, contact the police and ask for advice

The police should be contacted for advice wherever required.

C. Who else to inform

If you are a service provider and a safeguarding concern has been raised, notify your regulatory body and the authority that commissions your service for the adult at risk.

You may also need to inform:

- relatives of the adult at risk according to their wishes, or in their 'best interests' where they lack the mental capacity to make this decision for themselves
- child protection services, if children are also at risk from harm
- the Charities Commission, if your service is a registered charity
- your line manager (and safeguarding adults lead if different) of your decisions and actions in line with this procedure
- your Chief Executive Officer or Chair of Trustees if allegations/concerns relate to a member of employee or volunteer
- staff delivering a service on a need-to-know basis so that they do not take actions that may prejudice an enquiry

D. Document the concern and any actions or decisions taken

Ensure all actions and decisions are fully recorded. It is possible that your records may be required as part of an enquiry, be as clear and accurate as you can. Record the reasons for your decisions and any advice given to you in making these decisions.

Ensure that appropriate records are maintained, including details of:

- the nature of the safeguarding concern/allegation
- the wishes and desired outcomes of the adult at risk

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- the support and information provided to enable the adult at risk to make an informed decision
- assessments of Mental Capacity where indicated
- the decision of the organisation to raise a concern or not.

E. How to make a Raise a Safeguarding Concern:

To raise a safeguarding concern under the safeguarding adults procedures:

Contact:

- Adult Social Care Customer Services: **01609 780780** (8am – 5:30pm Mon-Fri)
This number will be answered by the Emergency Duty Team outside these hours.

The person you speak to will ask you for details about the allegation/concern. If you have reported the incident to the police, tell the person this as well.

- Email Raising a Safeguarding Concern forms to social.care@northyorks.gov.uk or social.care@northyorks.gcsx.gov.uk

The safeguarding concern will be allocated to an appropriate team, who will then contact you to discuss the concerns further and advise you to whom the Supporting Information form (SA1) should be sent.

For Information / advice

- For general questions and enquiries about safeguarding adults, please email: nysab@northyorks.gov.uk or via secure email: nysab@northyorks.gcsx.gov.uk
Please note this email is NOT for Raising a Safeguarding Concern
- For additional information please visit North Yorkshire County Council website: www.northyorks.gov.uk/safeguardingadults or North Yorkshire Partnerships website: www.nypartnerships.org.uk/sab
- To access and download an Interagency Safeguarding Adults Concerns Form: www.northyorks.gov.uk/safeguarding-vulnerable-adults

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This policy and procedure has been developed to be consistent with the Safeguarding Adults Multi-Agency Policy and Procedures for West Yorkshire and North Yorkshire, which can be referred to for additional guidance www.nypartnerships.org.uk/sab

Appendix A: Useful Contacts

To raise a safeguarding concern	
Adult Social Care Customer Services: (8am – 5:30pm Mon-Fri) This number will be answered by the Emergency Duty Team outside these hours.)	Tel: 01609 780780
Contacting the police	
If the person is in imminent danger If you need to report a crime, but the person is not in imminent danger If you are reporting, or have concerns, about a safeguarding matter please contact the	Tel: 999 (Emergency Service) Tel: 101 (Non-Emergency Service) Police Force Control Room via 101.
Employment related advice lines	
Disclosure and Barring Service (DBS)	Tel: 01325 953795
Whistleblowing advice services	
Public Concern at Work www.pcaw.org.uk	Tel: 020 7404 6609

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