

AGENDA PACK
Finance, Legal and Administration committee
Tuesday 27th June 2018

To: Members of the Finance, Legal and Administration Committee (FLAC)
You are hereby summoned to attend a Committee meeting
To be held in the Village Hall, Recreation ground, Lambs Land, Cottenham on:
Tuesday 27th June 2018 at 7.30pm

AGENDA

All Parish Council Meetings are open to the Public and Press

18F/252. Chairman's Introduction and Apologies for absence – *(Schedule 12 of the Local Government Act 1972 requires a record to be kept of the members present and that this record form part of the minutes of the meeting. Members who cannot attend a meeting should tender apologies to the Parish Clerk as it is usual for the grounds upon which apologies are tendered also to be recorded. Under Section 85(1) of the Local Government Act 1972, members present must decide whether the reason(s) for a member's absence are accepted.*

18F/253. To accept Declarations of Interest and Dispensations – *i. To receive disclosures of pecuniary and other interests from Councillors on matters to be considered at the meeting. ii. To receive written requests for dispensation. iii. To grant requests for dispensation as appropriate. (NB this does not preclude any later declarations).*

18F/254. Minutes – To resolve that the minutes (circulated to members) of the Finance Committee meeting held on Thursday 24th May 2018 be signed as a correct record.

18F/255. Public Participation – *Public question time is dealt with prior to the start of the meeting and doesn't form part of the formal business of the Council. Time is limited to 30 minutes and each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes to allow other people to also speak without the public session exceeding its allotted time. Questions not answered at this meeting will be answered in writing to the person asking the question or may appear as an agenda item for the next meeting. Photographing, recording, broadcasting, or transmitting the proceedings of a meeting by any means is permitted. A person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a parish council or its committees but otherwise may film, photograph or make an audio recording of a meeting; use any other means for enabling persons not present to see or hear proceedings at a meeting of the parish council as it takes place or later; report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting. However, anyone wishing to do so must speak to the clerk prior to the meeting as there is a policy which must be followed.*

18F/256. Review Management Accounts for April and May 2018 – RFO

18F/257. Consider format of the management accounts – Cllr Smith

18F/258. Review of monthly bank reconciliation (to 31st May 2018) – RFO

18F/259. Consider the Parish Council banking arrangements – Cllr Bolitho

18F/260. Village Hall and Nursery Finance arrangements – Cllr Morris

18F/261. Risk Assessments update - RFO

18F/262. Review the Subject Access Request template and verification process

18F/263. Review the Document Retention Policy

18F/264. Review the Model Publication Scheme

18F/265. Review current budgets for Tree work's and Legal expenses – Cllr Bolitho

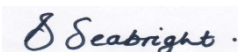
18F/266. Authorise and pay Office Outlet invoice 003033486 dated 07/06/18 for expenses re Ink cartridges and stationary items for RFO - RFO

18F/267. Matters for consideration at the next meeting

- Review of monthly management accounts (to 30th June 2018)
- Review of monthly bank reconciliation (to 30th June 2018)
- Quarterly Risk Review
- Grants and Donations Policy

18F/268. Date of next meeting –

18F/269. Close of meeting –

 Debbie Seabright

Debbie Seabright – RFO

19/06/18

Right Side Entrance, Community Centre

250a High Street, Cottenham, Cambridge, CB24 8RZ Tel: 07503 328401 Email: focottenhampc@gmail.com

18F/254.

DRAFT MINUTES of FLAC Meeting

Held at the Village Hall, Lambs Lane, Cottenham:

On **Thursday 24th May 2018**

Present: Cllrs: Bolitho, Collinson, McCarthy, Morris, Smith, RFO

18F/230. To elect a chairman for the Finance and Administration Committee – there were two nominations, the remaining committee discussed the two nominations and voted. Cllr Smith was elected as the chairman of the committee.

18F/231. Chairman's introductions and Apologies – Cllrs Wilson (Personal), Young (Work) the committee accepted the apologies.

18F/232. To accept Declarations of interest and Dispensations

To receive disclosures of pecuniary and non-pecuniary interests from Councillors on matters to be considered at the meeting

The disclosure must include the nature of the interest. If you become aware, during the course of a meeting, of an interest that has not been disclosed under this item you must immediately disclose it. You may remain in the meeting and take part fully in discussion and voting unless the interest is pecuniary. An interest is pecuniary if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice your judgement of the public interest and it relates to a financial or regulatory matter – None

18F/233. Minutes – Noted that Cllr Collinson didn't declare any pecuniary interest at the last meeting, so this was removed. Resolution that the minutes from the committee meeting held on Tuesday 24th April be signed as a correct record. – **RESOLVED**

18F/234. Public Participation – *Public question time is dealt with prior to the start of the meeting and doesn't form part of the formal business of the Council. Time is limited to 30 minutes and each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes in order to allow other people to also speak without the public session exceeding its allotted time. NB: Councillors will not be able to respond on items on the agenda but will take notice of the views put forward – No members of the public present.*

18F/235. Review of End of Year accounts and Management accounts (to 31st March 2018) - The committee reviewed the accounts and the management accounts. Resolution that the committee accepts the year-end accounts and the management accounts as a correct record – **RESOLVED**

18F/236. Review of Bank Reconciliation to the end of April 2018 – The RFO and Cllr McCarthy completed a bank reconciliation earlier on in the month (16th May 2018). Cllr Smith requested that we include the date that an invoice is raised so we can clearly see when an invoice is overdue. The committee were satisfied with the report given.

18F/237. Consider wording of Privacy Notices (Banner on the website (Notice) and Privacy Policy (Full Policy)) – The committee reviewed the suggested Banner for the website.

Banner - "**PRIVACY** Cottenham Parish Council respects your personal data and only retains the minimum necessary – for example, your email, and possibly your name and postal address and any comments you make - unless we have a legal obligation or your express consent. This policy reflects the high standards established by the **General Data Protection Regulations (GDPR)** taking effect across Europe from 25th May 2018. "

Resolution that the banner as drafted is approved for publication – **RESOLVED**

The committee reviewed the Privacy notice detailed in the agenda pack. Resolution that the Privacy Notice as drafted is approved for publication – **RESOLVED**

18F/238. Consider wording for email signatures (Clerk/Assistant Clerk/RFO/Councillors/Working Parties) – The committee reviewed the suggested wording of the email signatures as detailed in the agenda pack. Resolution that the email signatures as drafted are approved – **RESOLVED**

18F/239. Consider Subject Access Requests and the identity verification process – The committee considered the Subject Access Request template detailed in the agenda pack and it was felt that the list of documents for identification should be reviewed further and it should be made clear that the identification process needs to happen in person. To redraft and bring to the next FLAC meeting.

18F/240. Consider adding a link to the IT & Communications Policy (Security section) – deferred as insufficient information at the current time.

18F/241. Consider our current Health and Safety statement – The statement does not currently refer to any legislation – Cllr Morris will add the appropriate reference to the document.

18F/242. Review the Terms of Reference (TORs) for the Administration and Finance committee – The committee reviewed our current TORs. Under the frequency of meetings, the document has been amended to monthly meetings as opposed to quarterly. Under financial strategy and planning the 4-year plan to be reviewed annually as opposed to quarterly. Resolution to accept the amended TOR's - **RESOLVED**

18F/243. Consider steps to remove illegal flyposting/anonymous posters – The committee considered this issue, fly posting is a criminal offense and anything deemed offensive/excessive will be removed.

18F/244. Asset Register Review – The committee reviewed our current Asset Register and it is up to date.

18F/245. Street naming in Cottenham - The Parish Council cannot name a street but can make suggestions to South Cambridgeshire District Council. We can however have some criteria that we can apply. Recommendation that when making suggestions, a strong preference with a verifiable link to the village is desirable.

18F/246. Authorise and pay Bridgeman Maintenance for work on the notices boards – Resolution to authorise and pay Bridgeman Maintenance invoice no 742 dated 15/05/18 for £260 - **RESOLVED**

18F/247. Authorise and pay Thomson, Webb and Corfield for Legal Fees – Resolution to authorise and pay Thomson, Webb and Corfield invoice no 68297 dated 17/04/18 for £2006 + VAT total £2406 - **RESOLVED**

18F/248. Authorise and pay King & Co for Legal fees – Resolution to authorise and pay King & Co invoice re purchase of land for £10,997 (inclusive of £156 VAT) - **RESOLVED**

18F/227. Matters for consideration at the next meeting.

- Review of monthly management accounts (for 30th April and 31st May 18)
- Review of monthly bank reconciliation (to 31st May 18)
- Consider the Parish Council banking arrangements – Cllr Bolitho
- Subject Access Request template
- Document Retention Policy
- Model Publication Scheme
- Grants and Donations Policy
- Consider format of the management accounts – Cllr Smith
- VH and Nursery Finance – Cllr Morris

18F/202. Date of next meeting – Tuesday 26th June 2018

18F/203. Close of meeting – 21.37

Signed _____ (Chair) Date _____

18F/256.

Management accounts for April and May 2018 sent out separately.

18F/258.

Bank Reconciliation

Reconciled on 12th June 2018 by RFO and Cllr McCarthy

Council's Bank Accounts were reconciled to our Sage system and are in order.

In summary:

£814,285.54	Cash at Bank (as of the 31 st May 2018)
- £9506.98	Creditors
+ £987.84	Debtors
£805,766.40	Net balance on bank reconciliation

+ VAT owed £2620

Minus: £85,142 Accruals

+ used on land purchase £12,847

Minus: Other creditors £370 (£1500 unexplained income into our account and Duplicate payment £1129.24 out)

Minus: £915 PAYE

Net assets: £734,806.40

Creditors

- AJ King - £3800
- Anglian Water - £153.34
- BCS - £75.90 (payroll)
- CAPALC - £724.19 (Annual membership)
- Cottenham Community Centre - £1300 (Rent)
- Cottenham Primary School - £580 (Repair to fence and advertising)
- RFO- £75.32 (Expenses)
- Dom Sylvester - £612 (Painting of benches/picnic table)
- Green & Purple - £960 (Year End accounts)
- Clerk - £20.77 (Expenses)
- Nick West - £560.25 (VH Cleaning)
- Online Playgrounds - £91.80 (part for the swings)
- Rospa - £231 (Annual inspection)
- Assistant Clerk - £11.93 (Expenses)
- Staples - £310.48 (Stationery items)
- Southern Electric - £549.19

TOTAL £9506.98

Debtors

- Cottenham Community Land Trust - £90 (invoice 18/12/17) – payment will be made when their banking arrangements are in place.
- Aerobic instructor - £41.40 (invoice 31/05/18)
- Village Hall Hire - £90 (Invoice 20/02/18) but not renting hall until July 18
- Overpower fitness - £54 (invoice 31/05/18)
- Whyatts – (invoice 02/05/18) – now paid
-

TOTAL £987.84

18F/261.

Risk Assessments

The Clerk and RFO attended a CILCA training session and it was strongly suggested that a best practice guideline is that we should do regular risk assessments on our assets (and photograph our assets). In other parishes this is completed by two parish councillors on a quarterly basis.

Sent separately is an example from SLCC of a Parish Council Risk Schedule and a General Risk Assessment document.

18F/262.

First stage of a Subject Access Request and the identity verification.

Template example shown below:

**Cottenham Parish Council
Subject Access Request Form**

Process to Action		
Name of requester (Method of communication) Email Address Phone number Postal Address		
Date Subject Access Request made		
Is the request made under the Data Protection Legislation		Yes No
Date Subject Access Request action to be completed by (One month after receipt time limit)		
Extension to the date of reply requested (An extension of another two months is permissible provided it is communicated to the subject within the one month period)		Yes No
Extension date advised to the Subject Requester and method of contact		
Identification must be proven from the below list: 2 from the list (one photo and one residence) Current UK/EEA Passport UK Photo card Driving Licence (Full or Provisional) EEA National Identity Card Full UK Paper Driving Licence State Benefits Entitlement Document State Pension Entitlement Document HMRC Tax Credit Document Local Authority Benefit Document State/Local Authority Educational Grant Document HMRC Tax Notification Document Disabled Driver's Pass Financial Statement issued by bank, building society or credit card company Utility bill for supply of gas, electric, water or telephone landline A recent Mortgage Statement A recent council Tax Bill/Demand or Statement Tenancy Agreement Building Society Passbook which shows a transaction in the last 3 months and their address		
Verification sought that the Subject Access request is substantiated		Yes No
Verification received		Yes No
Verification if the Council cannot provide the information requested		Yes No
Is the request excessive or unfounded?		Yes No

Request to be actioned	Yes	No
Fee to be charged (Subject Access requests must be undertaken free of charge to a requester unless the legislation permits a reasonable charge)	Yes	No
If the request is to be refused, action to be taken and by whom.		
Changes requested to data/ or removal		
Complaint Process (Where a requestor is not satisfied with a response to a SAR, the council must manage this as a complaint)		
Completion date of request		
Date complaint received by requested and details of the complaint		
Date complaint completed and outcome		

Categories of Data to Check

Data	Filing Cabinet	Laptop	Checked	Corrected/Deleted	Actioned by
HR					
Democracy					
Statutory Function					
legal					
Business					
Legal requirement					
General Data					
Consultation Data					

SECTION 5 B – EXAMPLES OF RISK-BASED VERIFICATION

Set out below are examples of risk-based verification for some of the more common client types. For Guidance on other situations, reference should be had to the JMLSG Guidance Notes.

A. Individuals

Met face to face? **Yes and normal risk** – obtain:
 either: proof of identity – photo identity
 or: proof of identity – non-photo identity and proof of address (Please note P.O. Boxes are not acceptable addresses) or date of birth (can be electronic)

No and/or higher risk – obtain:
 either: proof of identity – photo identity and an additional piece of evidence
 or: proof of identity – non-photo identity, proof of address (Please note P.O. Boxes are not acceptable addresses) or date of birth
 Plus: an additional piece of evidence

Sources of evidence	
<p><i>List 1: Evidence of identity</i></p> <p>Acceptable photo identity</p> <ul style="list-style-type: none"> • valid passport; or • valid photocard driving licence (full or provisional); or • national identity card (non-UK nationals issued by EEA member states and Switzerland); or • firearms certificate or shotgun licence; or • identity card issued by the Electoral Office for Northern Ireland <p>Acceptable non-photo evidence of identity:</p> <p>Documents issued by a government department, incorporating the person's name and residential address or their date of birth, eg,</p> <ul style="list-style-type: none"> • a current UK full driving licence old version (not provisional licences); or • evidence of entitlement to a state or local authority funded benefit (including housing benefit and council tax benefit), tax credit, pension, educational or other grant; or • documents issued by HMRC, such as PAYE coding notices and statements of account (NB: employer issued documents such as P60s are not acceptable) • end of year tax deduction certificates. 	<p><i>List 2: Evidence of address or date of birth</i></p> <ul style="list-style-type: none"> • instrument of a court appointment (such as a grant of probate, bankruptcy); or • current council tax demand letter or statement; or • current (within the last 3 months) bank statements, or credit/debit card statements issued by a regulated financial sector firm in the UK, EU or JMLSG equivalent jurisdiction (but not those printed off the internet); or • a file note of a visit by a member of the firm to the address concerned ("home visit"); or • an electoral register search showing residence in the current or most recent electoral year (can be done via http://newcorp.192.com/search/index.cfm); or • a recent (last available) utility bill (gas, water, electricity, telephone – not mobile phone bills); it must be a bill or statement of account (not correspondence); or • valid photocard driving licence (full or provisional); or • a current UK full driving licence old version (not provisional licences); or • evidence of entitlement to a state or local authority funded benefit (including housing benefit and council tax benefit), tax credit, pension, educational or other grant; or • documents issued by HMRC, such as PAYE coding notices and statements of account (NB: employer issued documents such as P60s are not acceptable); or • a firearms/shotgun certificate; or • a solicitor's letter confirming recent house purchase or land registry confirmation (you must also verify the previous address).

18F/263.

NB We already have a councillor approved list. A key area for debate is email retention policy.

Document Retention Policy

COTTENHAM PARISH COUNCIL DOCUMENT RETENTION, ARCHIVE AND DESTRUCTION POLICY

OBJECTIVES

- To meet requirements under the Data Protection, Freedom of Information Act and Human Rights legislation
- To prevent premature destruction of records that need to be retained for a specified period to satisfy legal, financial and other requirements
- To provide consistency in the destruction of records

DESTRUCTION

- Backup copies stored on alternative media must be destroyed at the same time
- Information held in more than one media, including the website, should be destroyed at the same time
- Whenever there is a possibility of litigation, the records and information should not be amended or disposed of until the threat of litigation has been removed
- Confidential or sensitive data **must** be shredded. All other documents should also be shredded.
- Records which are duplicated, unimportant or only of a short-term value should be destroyed in the normal course of business

RETENTION

- Records for permanent retention should be transferred to the Records Office or held by solicitors as appropriate.

TYPE OF RECORD	MINIMUM RETENTION PERIOD	REASON
FINANCIAL RECORDS		
Receipts and Payment Ledger/spreadsheets	Indefinitely.	Archive
Receipt books of all kind	6 years	VAT
Paid Invoices	6 years	Retain for VAT purposes. Limitation Act 1980 (as amended)
Bank Reconciliation	Quarterly statement kept with minutes	Minute record
Bank Statements	Last completed audit year	Audit
Bank paying-in books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Cheque lists	Last completed audit year	Consistency
Returned/cancelled cheques	Last completed audit year	Consistency
VAT records	6 years	VAT

Budget	6 years (electronic/hard copies filed within minutes)	Reference
Quotations and tenders	6 years	Limitation Act 1980 (as amended)
Audited Annual Return	Indefinitely	Archive as per External Auditors
Other Audit documentation incl. correspondence	6 years	As per External Auditors
Investments	Indefinite	Audit, Management
Scales of fees and charges	5 years	Management
INSURANCE RECORDS		
Certificate of Employers' Liability Insurance	40 years from date on which insurance commenced or was renewed	Although no longer a legal requirement the insurers/legal advisers say 40 years still advisable.
Insurance Documentation including policies	3 years	To cover any claims under Public Liability Insurance, as per insurers. A permanent record of insurance company names and policy numbers to be retained.
Insurance Claims (public/employer's liability)	6 years	Recorded information
PAYROLL RECORDS		
Payslips/expenses	6 years	Tax
Tax and NI Records (including P11 and P35)	4 years	Tax claims
Tax code notifications	6 years	Consistency
Timesheets/Overtime Records	Last completed audit year	Audit
PERSONNEL ADMINISTRATION		
Employee letters of appointment	6 years after departure from employment	Consistency
Employee contracts	6 years after departure from employment	Consistency
All other records	6 years after departure from employment	Consistency
RECRUITMENT		
Selection of an individual/interview record	1 year	Reference
Unsuccessful Applicants' Employment Application forms/references	1 year	Reference
PLANNING DOCUMENTS		
Planning Applications	6 months after the Planning Authority decision made	Reference
Planning Application lists	Retain indefinitely	Historical reference
Hand written responses from Councillors/Planning Committee members to planning applications	Destroy 6 months after the Planning Authority decision made, if a meeting was not held to discuss the application	Reference
Planning decision slips	6 months after Planning Authority decision	Reference
Appeal decision slips	6 months after Planning Authority decision	Historical reference

Structure Plans, Local Plans and similar documents	To be retained as long as they are in force	Reference
LEGAL DOCUMENTATION		
Deeds, conveyances and other legal documentation relating to ownership ie Title Deeds and leases.	Indefinitely	Audit, Management. Limitation Act 1980. Lodged with Solicitors
Trust deeds and schemes	Indefinitely	Audit, Management. Limitation Act 1980. Lodged with Solicitors
Contracts not executed as a Deed	6 years	Limitation Act 1980 (as amended)
Any documentation which may be subject to legal action. (Where item falls into more than one category retain for longest period stated)	Retain until the threat of litigation has been removed. Minimum periods for retention: Negligence – 6 yrs; Defamation – 1 yr; Sums recoverable by statute – 6 yrs; Personal injury – 3 yrs; to recover land – 12 yrs; rent – 6 years.	Limitation Act 1980 (as amended)
ADMINISTRATION RECORDS		
Draft documents	Destroy once the final version of the document has been approved, unless required as a record of the development of a policy initiative	Management
Hand written notes taken by clerk with a view to producing minutes	Destroy once the minutes have been approved as correct and a true record	For clarification at following meeting
Approved Minutes	Indefinitely	Archive
Reports	6 years after closure of file	Consistency
Back up tapes/records	Rotate to eliminate storing of materials which should have been destroyed	Management
Asset Register	Current and last completed audit version	Audit and Management
Correspondence/General Admin files (see Historical Records below)	6 years (see correspondence kept for legal purposes above) Records which are duplicated, unimportant or only of a short-term value should be destroyed in the normal course of business	Management
Emails	To be dealt with in the same way as manual records. Destroy routine/trivial emails and those where hard copies have been taken	Management
Historical Records (manual and electronically held)	Archive after 30 years. (Files to be closed after 5 year)	Public Records Act 1958. Archive
Personal Data	Kept for no longer than is necessary for the purpose for which it is held	Data Protection Act
Register of Members' Interests	Whilst a member	Publication Scheme
Risk Assessment	Information retained	Reference
Complaints	3 years	Reference
FOI Disclosure log	Destroy each record 5 years after record is opened	Management
Details of Request made under FOI Act	Destroy as above	Management
Disposal Schedules	Indefinitely	Management

Information from other bodies i.e. County Associations, NALC and other numerous bodies	Retain for as long as useful and relevant	Management
Magazines and Journals	Any published works in print as defined by the Legal Deposit Libraries Act 2003, are to be delivered to the British Library Board. Items published by other bodies to be retained as long as useful and relevant	Management

18F/264.

Model Publication Scheme – sent out separately