

Sevenoaks Town Council

Minutes of the meeting of the Finance & Delivery Committee Held on 10th June 2024 in the Council Chamber, Town Council Offices, TN13 3QG

Livestreamed and available to view on YouTube until approved by Council:

<https://youtube.com/live/qNNGydnAtB4?feature=share>

Meeting commenced: 7:00pm

Meeting Concluded: 8:10pm

Present:

Cllr Tony Clayton (Chair)	Present	Cllr Catherine Daniell (Deputy Leader)	Present
Cllr Nigel Wightman (Leader & Vice-Chair)		Cllr Dr Peter Dixon	Present
Cllr Libby Ancrum (Mayor, ex-officio)	Present	Cllr David Skinner OBE	Present
Cllr Dr Marilyn Canet	Present	Cllr Nicholas Varley	Apologies

Substitute	For
Cllr Lise Michaelides	Cllr Nigel Wightman (Leader & Vice Chair)

In attendance: Town Clerk and Responsible Finance Officer.

Also present: 3 Members of the Public

Representations received from Members of the Public: None

A member of the public made representations regarding his dissatisfaction with the 20mph consultation process. Cllr Clayton provided a response. The member of the public requested it was not recorded.

A second member of the public enquired about a proposal for the Vine zebra crossing and allocation of funds for 20mph. Cllr Clayton provided a response.

141 Chair and Vice-Chair

It was noted that at the Annual Town Council meeting held on 13th May 2024, the following appointments were made:

- 1) Chair of Finance & Delivery Committee – Cllr Tony Clayton
- 2) Vice-Chair of Finance & Delivery Committee – Cllr Nigel Wightman

142 Apologies for Absence

As noted above.

143 Dispensations: There were no requests for dispensations.

144 Declarations of Interest: There were no declarations of interest.

145 Minutes of the Finance & General Purposes Committee on 22nd April 2024

Sevenoaks Town Council

RESOLVED: to receive and sign the Minutes of the Finance and General Purposes Committee held on 22nd April 2024 as a true record.

- 146** Minute Item 151 was moved further up the Agenda and considered after approval of Minutes. This as per Standing Order 10.a.viii, whereby the order of business of the Agenda may be changed without prior written notice.

147 Finance Reports to Year End 2023/24

147.1 Management Accounts to 31st March 2024

The Committee received and noted, for the year end 2023/24, the Responsible Finance Officer's Report with Income and Expenditure by Cost Centre, Variance Analysis, Fund Balances, Statutory Balance Sheet and Earmarked Reserves, together with:

Suppliers' Accounts

- 1st to 31st March 2024, total gross invoices £112,025.43

List of Payments - Sevenoaks Town Council Nat West Account:

- 1st to 31st March 2024, total £229,943.94

List of Payments – Mayor's Charity Account

- 1st to 31st March 2024, total £1,507.90

Payroll Account

- 1st to 31st March 2024, total £85,348.24

Petty Cash Account

- 1st to 31st March 2024, total payments £342.56

The 2023/24 budget had been built to deliver a surplus of £20,000 as part of the Town Council's strategy to increase its general reserves. It was noted that the year-end position at the end of March 2024 gave a revenue surplus of £55,450 which was moved into general reserves for allocation to individual projects.

RESOLVED: that: the Management Accounts for the Year Ended 31st March 2024 be received and accepted.

147.2 Hospitality and Gifts Register

The following hospitality or gifts offered or received by Councillors or staff, for the period 1st to 31st March 2024, was noted:

Date of Offer	To	Accepted /Declined	From	For	Estimated Value
25.3.24	Mayor	Accepted	Tarmac	Lunch at SRFC Event	£25
25.3.24	Town Clerk	Declined	Tarmac	Lunch at SRFC Event	£25

Sevenoaks Town Council

25.3.24	Planning Committee Clerk	Declined	Tarmac	Lunch at SRFC Event	£25
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147.3 Review of Internal Controls

The Committee received and considered:

- Internal Audit Report for End of Year, Visit 4
- Financial Regulations 2024/25
- Statement on the System of Internal Control

The Finance and Delivery Committee thanked all Officers for their hard work in receiving a clear audit.

RESOLVED that:

- 1) the Internal Audit Report for End of Year, Visit 4, be received and accepted.
- 2) the Financial Regulations 2024/25 be approved and adopted.
- 3) the Statement on the System of Internal Control be approved and signed by the Chair of the Committee and the Responsible Finance Officer.

147.4 Annual Return for the Year Ended 31st March 2024

The Committee received and considered the Annual Governance and Accountability Return, comprising:

- Annual Internal Audit Report 2023/24;
- Annual Governance Statement 2023/24;
- Accounting Statements 2023/24;
- supporting papers for submission to External Auditors, including Notice of Public Rights of inspection.

It was noted that once the Annual Governance and Accountability Return documents had been approved and signed by the Town Council, they would be passed to the External Auditor for review and sign off.

The Committee reviewed and confirmed the Annual Governance Statement as follows:

1.	We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	Agreed
2.	We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	Agreed
3.	We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.	Agreed

Sevenoaks Town Council

4.	We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	Agreed
5.	We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	Agreed
6.	We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	Agreed
7.	We took appropriate action on all matters raised in reports from internal and external audit.	Agreed
8.	We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	Agreed

RESOLVED:

- 1) That the Annual Governance Statement 2023/24 be approved and RECOMMENDED to the full Council meeting for adoption and signature by the Mayor and the Town Clerk
- 2) That the Accounting Statements 2023/24, signed by the Responsible Finance Officer, be approved and RECOMMENDED to the full Council meeting for adoption and signature by the Mayor;
- 3) That the Annual Governance and Accountability Return 2023/24, including the Annual Governance Statement, Accounting Statements 2023/24, and supporting papers for submission to the External Auditors, be RECOMMENDED to full Council for adoption; and
- 4) That the approved accounts be made available for public inspection for 30 working days, from 12th June to 23rd July 2024

148 Management Accounts to 30th April 2024

- 148.1** The Committee received and noted, for the period ended 30th April 2024, the Responsible Finance Officer's Report with Income and Expenditure by Cost Centre, Variance Analysis, Fund Balances, Statutory Balance Sheet and Earmarked Reserves.

It was noted that the year-to-date position at the end of April 2024 gave a revenue deficit of £13,658; the budget year to date allowed for a deficit of £24,000.

RESOLVED: to accept the Management Accounts 1st to 30th April 2024.

- 148.2** The Committee received and noted:

Sevenoaks Town Council

Suppliers Accounts

- 1st to 30th April 2024, total gross invoices £114,802

List of Payments Sevenoaks Town Council Nat West Account

- 1st to 30th April 2024, total £182,817.21

List of Payments Mayor's Charity Account: None

Payroll Accounts

- 1st to 30th April 2024, total payments £93,494.79

Petty Cash Accounts for:

- 1st to 30th April 2024, total payments £294.47

148.3 Community Infrastructure Levy (CIL) Report

The Committee received an update on CIL income and expenditure.

It was noted that the unallocated CIL balance, taking into account the current SDC CIL balance due to be paid October 2024, and allocation of CIL funds to projects, was £141,967.

The commitment for future CIL funding, for Greatness Recreation Ground Pavilion (£87,500) and the 20mph scheme and Dartford Road Crossing (£150,000) was noted.

RESOLVED that the update on CIL income and expenditure be received and noted.

148.4 Hospitality and Gifts Register

None received for the period 1st to 30th April 2024.

149 Review of Financial Matters in accordance with the Town Council's Standing Orders

The Committee received and noted financial matters in accordance with the Town Council's Standing Orders, adopted at the Annual Council Meeting on 13th May 2024 (*Minute 96, 13.05.24 refers*).

RESOLVED:

- 1) that the Inventory of land and building assets be received and noted (attached).
- 2) that the current Town Council procedure for handling requests made under the Freedom of Information Act 2000, be received and re-adopted (attached).

150 Bank Signatories

In the light of the review of the Committee structure adopted at this year's Annual Town Council meeting held on 13th May 2024, it was proposed that the bank signatories be updated to reflect the new Committee structure.

Sevenoaks Town Council

RESOLVED: That arrangements be made for the following current elected Councillors to be added as Sevenoaks Town Council bank signatories:

- The Mayor & Deputy Mayor
- Chair & Vice-Chair of the Finance & Delivery Committee
- Chair & Vice-Chair of the Community and Wellbeing Committee

151 20mph Scheme

A report relating to the design and costings provided by Kent County Council on 7th June had been circulated.

Consideration was given to the recommendation of the Movement & Net Zero Working Group held earlier that day (10th June 2024), in respect of the design work for the 20mph scheme received from Kent County Council and the final funding requirements for the scheme.

RESOLVED:

- to agree the funding of £153,456 (plus £10,000 contingency) and to liaise with Kent County Council on the final design elements of the Sevenoaks 20 mph scheme up to the value of the budget.
- To continue to raise concerns with Kent County Council about the creation of a blanket deillumination of road signs for the following reasons.
 - There is no legal reason or Highway Engineering reason or policy for the removal of all lighting from road signs within 20 mph area.
 - It is understood that KCC Streetlighting Dept has guidance which states 'Road signs within 20 mph do not need to be illuminated'. This is quite different to stating that all need to be turned off and disconnected.
 - It is Sevenoaks Town Council's understanding that no other parish in the County has been instructed to do this and charged for the process. Kent County Council Officers have mentioned that the charge may happen retrospectively although the Town Council cannot see how this would be viable.
 - By introducing the De-illumination of road signs as part of a 20-mph scheme it will create a precedent for all other parishes in the County and could be cost prohibitive for future schemes.
 - The De-illumination of road signs was not included in the original draft costings provided to Sevenoaks Town Council and on which a public consultation was based on.

Sevenoaks Town Council

- The cost is prohibitive to the taxpayer with current estimates at 50 – 70 road signs at a cost of £700 - £800 for UKPN to disconnect each one. This does not include cost to reinstate de-illuminated signs.
- The blanket De-illumination of road signs does not take into account road safety.
- Even at 20 mph there is a need to see some signs in the dark, especially if they are the old signs which are not reflective.
- Sevenoaks Town Council is fully committed to reducing the Carbon footprint of the town including reviewing the need for streetlighting. It believes however that this should be on a case-by-case basis and relating to road safety, and or improving road signage to reflective which does not need lighting or changing lighting to LED etc. STC would be willing to have a conversation about this separately and act as a Pilot Project for such a scheme. It does however consider that this blanket removal and disconnection is not carbon friendly as per its believed intention.

152 Sevenoaks Town Council Policies

RESOLVED: that the following policies be approved and adopted:

- Equality & Diversity Policy (attached).
- Safeguarding of Vulnerable Adults Policy (attached).

153 Youth Services Working Group held on 22nd May 2024

The Committee received and noted the minutes of the Youth Services Working Group held on 22nd May 2024 and considered the recommendations therein.

RESOLVED:

- 1) To receive and note the minutes of the meeting of the Youth Services Working Group held on 22nd May 2024.
- 2) That funds be provided (from contingency budget) to enable the installation of **new swing entrance doors to the House in the Basement Youth Café**, and that Quotation 4, in the sum of £4,223.13 (excl VAT) be accepted.
- 3) That the children's **Design a Christmas Light Competition** be run in 2024/25, and the £695 (+ VAT) cost of the manufacture of the light from the winning design be funded from the Youth Outreach Budget.

154 Communications Working Group held on 2nd May 2024

RESOLVED: to receive and note the minutes of the meeting of the Communications Working Group held on 2nd May 2024.

155 Sevenoaks Town Team meeting held on 5th June 2024

RESOLVED: to receive and note the minutes of the meeting of the Sevenoaks Town Team held on 5th June 2024.

Sevenoaks Town Council

- 156 Press Release:** It was agreed that a press release be issued in respect of the 20 mph scheme.

There being no further business the Chair closed the Meeting.

Signed
Chair

Dated

Sevenoaks Town Council – Land and Buildings

Reference Number	Description	Owner	Date of Acquisition	Cost of Acquisition	Address	Freehold/ Leasehold	With / without buildings
STC01	Land by RFC Building	Sevenoaks Town Council	01/04/1982	Unknown	Knole Paddock Sevenoaks Kent	Lease of Land	Building
STC02	Vine Cricket Ground Pavilion	Sevenoaks Town Council	01/04/1974	Unknown	The Vine, Holly Bush Lane Sevenoaks, Kent TN13 3UH	Freehold	Building and Land
STC03	Tea Kiosk	Sevenoaks Town Council	01/04/1974	Unknown	The Vine, Holly Bush Lane Sevenoaks, Kent TN13 3UH	Freehold	Building
STC04	Raleys Field/ Car Park and Knole Paddock	Sevenoaks Town Council	01/04/1982	Unknown	Knole Paddock Sevenoaks Kent	Freehold	Land and Buildings
STC05	Town Council Offices	Sevenoaks Town Council	01/04/1974	Unknown	Bradbourne Vale Road Sevenoaks Kent TN13 3QG	Freehold	Building and Land
STC06	Vine Café	Sevenoaks Town Council	01/04/1974	Unknown	The Vine, Holly Bush Lane	Freehold	Building

					Sevenoaks, Kent TN13 3UH		
STC07	Garages – Block of Five	Sevenoaks Town Council	01/04/1974	Unknown	Greatness Park Cemetery Seal Road Sevenoaks Kent TN14 5AA	Freehold	Building and Land
STC08	Bat & Ball Centre	Sevenoaks Town Council	12/09/2015	£2,800,000	Bat and Ball Centre Cramptons Road Sevenoaks Kent TN14 5DN	Freehold	Building and Land
STC09	Vine Toilets	Sevenoaks Town Council	01/04/1974	Unknown	The Vine, Holly Bush Lane Sevenoaks, Kent TN13 3UH	Freehold	Building
STC10	House in the Basement/ Youth Cafe	Sevenoaks Town Council	01/04/2017	Unknown	London Road, Sevenoaks Kent TN13 1ZZ	Leasehold	Building
STC11	Sevenoaks Business Hub	Sevenoaks Town Council	31/03/2021	£335,200.00	Bradbourne Vale Road Sevenoaks Kent TN13 3QG	Freehold	Building

STC12	St Johns Toilets	Sevenoaks Town Council	17/06/2013	Unknown	St John's Hill Sevenoaks Kent TN13 3QQ	Leasehold	Building
SCT13	Allotments – Bradbourne Vale Road	Sevenoaks Town Council	01/04/1974	Unknown	Bradbourne Vale Road Sevenoaks Kent TN13 3DL	Freehold	Land
STC14	Allotments and Allotment Building – Quaker Hall	Sevenoaks Town Council	01/04/1974	Unknown	Quaker Hall Road Sevenoaks Kent TN13 3UZ	Leasehold	Land
STC15	Brittains Common	Sevenoaks Town Council	18/07/2008	£30,000	Brittains Common Sevenoaks Kent	Freehold	Land
STC16	Judds Piece Woodland	Sevenoaks Town Council	01/04/1974	Unknown	Judds Piece Sevenoaks Kent	Freehold	Land
STC17	Middlings Wood	Sevenoaks Town Council	01/04/1985	Unknown	Middlings Wood Sevenoaks Kent	Freehold	Land
STC18	Mill Pond Wood	Sevenoaks Town Council	01/04/1974	Unknown	Millpond Wood Sevenoaks Kent	Freehold	Land

STC19	Rheinback Gardens	Sevenoaks Town Council	Unknown	Unknown	Off St John's Hill Sevenoaks Kent	Freehold	Land
STC20	Sevenoaks Common	Sevenoaks Town Council	01/04/1974	Unknown	Sevenoaks Common Sevenoaks Kent	Freehold	Land
STC21	Upper High Street Gardens	Sevenoaks Town Council	01/04/1974	Unknown	Off High Street Sevenoaks Kent	Freehold	Land
STC22	Woodside Road Open Space	Sevenoaks Town Council	01/04/1974	Unknown	Woodside Road Sevenoaks Kent	Freehold	Land
STC23	Buckhurst Lane Play Area	Sevenoaks Town Council	01/04/2015	Unknown	Buckhurst Lane Sevenoaks Kent	Leasehold	Land
STC24	Greatness Recreation Ground and Play Area	Sevenoaks Town Council	01/04/2007	Unknown	Seal Road Sevenoaks Kent	Freehold	Land
STC25	Hillingdon Rise Play Area and Green	Sevenoaks Town Council	01/04/2006 and 15/07/2008	Unknown	Hillingdon Rise Sevenoaks Kent	Freehold	Land
STC26	Julians Meadow and Play Area	Sevenoaks Town Council	01/04/2006	Unknown	Julians Meadow Sevenoaks	Freehold	Land

					Kent		
STC27	Mount Close Play Area and Open Space	Sevenoaks Town Council	01/04/1974	Unknown	Mount Close Sevenoaks Kent	Freehold	Land
STC28	Pontoise Close Play Area and Open Space	Sevenoaks Town Council	01/04/1974	Unknown	Pontoise Close Sevenoaks Kent	Freehold	Land
STC29	Bat and Ball Station Building	Sevenoaks Town Council	01/04/2017	Unknown	Bat and Ball Station Bat and Ball Road Sevenoaks Kent	Leasehold	Land and Buildings
STC30	Jubilee Clock	Sevenoaks Town Council	1974	Unknown	High Street Sevenoaks Kent	Freehold	Clock
STC31	Warren Clock	Sevenoaks Town Council	Unknown	Unknown	Above Brewers	Freehold	Clock
STC32	Bethal Road Burial Ground	Sevenoaks Town Council	01/04/1974	Unknown	Burial Ground Bethal Road Sevenoaks	Freehold	Land
STC33	Brittains Lane Wood	Sevenoaks Town Council	01/04/1974	Unknown	Brittains Woods Sevenoaks Kent	Freehold	Land
STC34	Land at Letterbox Lane	Sevenoaks Town Council	24/04/1986	Unknown	Land at Letterbox Lane	Freehold	Land

					Sevenoaks Kent		
STC35	Land at Littlewood	Sevenoaks Town Council	27/09/2005	Unknown	Land at Littlewood Sevenoaks Kent	Freehold	Land
STC36	Land at Tonbridge Road	Sevenoaks Town Council	02/12/2002	Unknown	Land at Tonbridge Road Sevenoaks Kent	Freehold	Land
STC37	Stag Theatre and Cinema	Sevenoaks Town Council	23/12/2009	Unknown	Stag Theatre and Cinema London Road Sevenoaks Kent TN13 1ZZ	Leasehold	Land and Buildings
STC38	The Pound	Sevenoaks Town Council	01/04/1974	Unknown	Land at the Pound	Freehold	Land
STC39	The War Memorial	Sevenoaks Town Council	01/04/1974	Unknown	Dartford Road Sevenoaks Kent TN13 3TB	Freehold	Land and War Memorial
STC40	White Heart Beeches	Sevenoaks Town Council	01/04/1974	Unknown	White Heart Beaches Sevenoaks Kent	Freehold	Land

STC41	Greatness Park Cemetery, Chapel & Depot	Sevenoaks Town Council	01/04/1974	Unknown	Seal Road Sevenoaks Kent TN14 5AA	Freehold	Land and Buildings
STC42	Longspring Woods	Sevenoaks Town Council	In conveyance			Freehold	Land

1 APRIL 2021

LTN 37 | FREEDOM OF INFORMATION

What does the Freedom of Information Act 2000 do?

1. S. 1 of the Freedom of Information Act 2000 (“the 2000 Act”) gives a general right of access to all types of recorded information held by public authorities. It also sets out exemptions from that right and places a number of obligations on public authorities. Local councils are subject to the 2000 Act. The Information Commissioner’s Office (ICO) is the regulator of the freedom of information regime. The ICO guidance on the 2000 Act is recommended to councils as an up-to-date source of information and [guidance](#).

Who is covered by the Act?

2. A detailed list of public authorities is contained in Schedule 1 of the 2000 Act. This includes local authorities (including local councils and parish meetings), Government departments, the Police and the House of Commons.
3. Schedule 1 also contains a long list of other public bodies ranging from various official advisory and expert committees to regulators. There is a provision in the 2000 Act for other authorities to be named at a later date and for organisations to be named as public authorities for relevant parts of their work.

What are the rights for requesters?

4. S.1(1) of the 2000 Act gives applicants two related rights:
 - to be told whether the information exists, and
 - to receive the information.
5. The right to access information held by public authorities can be exercised by anyone, both natural and legal persons (e.g. a corporate body) worldwide. Applicants are able to exercise their right of access to the information held by public authorities. They are able to ask for information recorded both before and after the Act was passed, that is, it is fully retrospective. The 2000 Act is purpose and motive blind, meaning that

councils cannot refuse a request on the basis they do not agree with or like the reason for the request.

How can requests be made?

6. Applicants are not required to mention the 2000 Act when making a request for information. However, the request must be in writing (including in email form), in a legible form and capable of being used for subsequent reference. Requests sent using pseudonyms are not validly made requests (e.g. Mr Santa Claus, North Pole Lane). Councils should give the benefit of doubt if unsure.

How do councils respond to requests?

7. Before a public authority is required to respond, a request has to satisfy certain conditions, for example it must be in permanent form and must include sufficient information to enable the authority to identify the information requested (s.8 of the 2000 Act and see paragraph 6 above). Authorities do not have to comply with vexatious requests or repeated requests if the authority has recently responded to an identical or substantially similar request from the same person (s.14). The ICO has produced [guidance](#) on refusing requests. However public authorities are under a duty to provide advice and assistance to anyone making a request (s.16). The ICO has issued [guidance](#) on the duty.
8. Under s.12 of the 2000 Act an authority is not required to comply with a request if to do so means exceeding an appropriate cost limit as set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the 2004 Regulations). This is £450 for local authorities, equivalent to 18 hours' work at £25 per hour regardless of actual hourly rates. Public authorities can only include certain activities when estimating whether responding to a request would breach the £450 cost limit. These are: establishing whether information is held, locating and retrieving information and extracting relevant information from the document containing it. Councils in such cases that refuse to disclose the requested information can discuss with the requester whether they would like to modify their request so as to reduce costs to below the £450 limit.
9. A charge may also be made for dealing with a request over the cost limit. The authority should however issue a refusal notice stating that it is relying on s.12 of the 2000 Act. A charge may also be made if disbursement costs

apply for dealing with a request that comes within the £450 limit e.g. printing and photocopying costs. A fees notice will be issued and it is the actual cost that can only be charged. The details of the charging regime are set out in ICO guidance on fees that may be charged when the cost of compliance exceeds the appropriate limit and fees that may be charged when the cost of compliance does not exceed the appropriate limit.

10. In accordance with s.11 of the 2000 Act, where possible, information must be provided to the applicant in the manner requested, e.g. a requester may request a response by email, or the applicant may ask to inspect the record in person. Applicants are not entitled to information to which any of the exemptions in the 2000 Act applies. However, information covered by an exemption must still be released if it is in the public interest to do so - exemptions and the issue of public interest are considered in detail later in this note.
11. S.10 of the 2000 Act requires public authorities to respond to requests not covered by an exemption promptly but no later than 20 working days following its receipt. The first day starts the day after a valid request is received by the authority. The date on which a request is received is the day on which it arrives or, if this is not a working day, the first working day following its arrival. Non-working days include weekends and public holidays anywhere in the UK. Councils cannot rely on their staff being part-time and not seeing the request in terms of the clock starting. It is advisable for councils to have a central address/ contact point to which FOI requests can be made, e.g. an email address not linked to any individual and which is routinely monitored by the council. The “promptly” point is important to bear in mind as it is not just a case of waiting until the last day to respond and the ICO may not look favourably on such a delay.
12. A public authority may ask for further information which it reasonably requires in order to identify and locate the information requested. Where a public authority issues a fees notice (see paragraph 9 above) in order to comply with s.1 (1) of the 2000 Act, the applicant has three months to pay. If the payment is not made within this time, the public authority does not have to answer the request (s.9 (2) of the 2000 Act).
13. Where an authority decides not to release the information requested because it considers an exemption applies, it must give reasons for its decision and must inform the applicant if they have a right to complain to

the authority about the handling of the request (e.g. through a complaints or other procedure and give details of the procedure), or state that there is no procedure, and of their right to complain to the ICO (s.17 of the 2000 Act). In cases where an exemption applies, but an authority is then required to release the information because it determines it is in the public interest to do so, it must disclose the information requested within a reasonable timescale.

14. Councils must not delete information further to receiving a request, even when they believe they can do so in reliance of an exemption (e.g. s.22 of the 2000 Act - information intended for future publication).

What are the exemptions under the 2000 Act and what is the Public Interest?

15. In the majority of cases where an exemption applies, to some or all of the information requested, the public authority has to consider whether it must override the exemption because it is in the public interest to release the information. The public interest test involves considering the circumstances of each particular case and the exemption that covers the information. The balance lies in favour of disclosure, in that information can only be withheld if the public interest in withholding it is greater than the public interest in releasing it.

The Exemptions

16. Whilst the 2000 Act creates a general right of access to information held by public bodies, it then sets out specific exemptions where that right is either disapplied or qualified. The categories of exemption are described below.
17. Apart from vexatious or repeated requests, to which an authority need not respond, there are two general categories of exemptions - those where, even though an exemption exists, a public authority has a duty to consider whether disclosure is required in the public interest and those where there is no duty to consider the public interest.

A) Exemptions where the public interest test applies (“qualified exemptions”)

18. The majority of exemptions fall into this category:

- s.22 Information intended for future publication;
- s.24 National security (other than information supplied by or relating to named security organisations, where the duty to disclose in the public interest does not arise);
- s.26 Defence;
- s.27 International relations;
- s.28 Relations within the United Kingdom;
- s.29 The economy;
- s.30 Investigations and proceedings conducted by public authorities;
- s.31 Law enforcement;
- s.33 Audit Functions;
- s.35 Formulation of government policy, etc;
- s.36 Prejudice to effective conduct of public affairs (except information held by the House of Commons or the House of Lords);
- s.37 Communications with Her Majesty, etc and honours;
- s.38 Health and Safety;
- s.39 Environmental information;
- s.40 Personal information of a third party (i.e. not data relating to the requester). An exemption will stand or fall on whether disclosure of the information to a member of the public would be unfair, taking into account all the circumstances involved, in particular how the information was obtained; the likely expectations of the data subject regarding the disclosure of the information; the effect which disclosure would have on the data subject; and the public interest in disclosure of the information. If disclosure of personal data to a member of the public would be unfair then the request is likely to need to be refused under the 2000 Act insofar as it relates to that personal data.
- s.42 Legal Professional Privilege – (communications between a lawyer and their client);
- s.43 Commercial interests.

To establish that the information falls within the terms of a qualified exemption, it is necessary to consider whether the public interest nevertheless requires that the information should be released. The central

question to consider is whether the public interest in withholding the information outweighs the public interest in disclosing the information.

19. Where a public authority considers that the public interest in withholding the information requested outweighs the public interest in releasing it, the authority must inform the applicant of its reasons, unless to do so would mean releasing the exempt information. The powers of the ICO in respect of disclosures in the public interest are considered later in this note.

B) The Absolute Exemptions

20. There are exemptions where, if the exemption applies, it is not necessary to go on to consider disclosure in the public interest:

- s.21 Information accessible to applicant by other means;
- s.23 Information supplied by, or relating to, bodies dealing with security matters;
- s.32 Court records etc;
- s.34 Parliamentary privilege;
- s.36 Prejudice to effective conduct of public affairs (only applies to information held by House of Commons or House of Lords);
- s.40 Personal information - where the applicant is the subject of the information, the applicant already has the right of subject access under the Data Protection Act 2018 (the 2018 Act); where the information concerns a third party and disclosure would breach one of the data protection principles or other conditions as set out in s.40 apply.
- s.41 Information provided in confidence;
- s.44 Prohibitions on disclosure where a disclosure is prohibited by an enactment or would constitute contempt of court;

What other responsibilities do public authorities have?

Publication Schemes

21. The 2000 Act places a duty on public authorities to adopt and maintain publication schemes which must be approved by the ICO. Such schemes must set out:

- the types of information the authority publishes,
- the manner in which the information is published, and

- details of any charges.

22. Once approved, it will be up to the authority to decide how to publish its scheme. S.19 of the 2000 Act requires public authorities to review publication schemes periodically. In deciding what information should be included in the scheme, public authorities must have regard to the public interest in allowing access to information and the public interest in the publication of reasons for decisions made by the authority. Schemes may either be designated for particular bodies or may be generic. A model publication scheme applies to local councils and parish meetings without a separate parish council.

23. Information is exempt from the 2000 Act if it is accessible to the applicant by other means (see s.21 of the 2000 Act). Where information is already accessible because it is covered by the authority's publication scheme, the authority will not then be required to provide the information in response to an individual request.

Codes of Practice

24. The Government issues a Code of Practice under s.45 of the 2000 Act. This provides guidance to public authorities on the discharge of their functions and responsibilities under Part I (Access to information held by public authorities) of the 2000 Act. The latest 2018 code of Practice.

25. The Information Commissioner also has a statutory duty to promote good practice by public authorities, including following this Code of Practice. The Commissioner can issue practice recommendations where he or she considers that public authorities have not conformed with the guidance set out in the Code. The Commissioner can also refer to non-compliance with the Code in decision and enforcement notices.

What does the ICO do?

26. The ICO is an independent regulator and the Information Commissioner is a public official reporting directly to Parliament. In respect of the 2000 Act, the Commissioner has a duty to:

- approve / revoke publication schemes;
- promote good practice;
- promote public authorities' compliance with the 2000 Act;

- disseminate information and give advice about the 2000 Act;
- assess, with the consent of a public authority, whether a public authority is following good practice; and
- report annually to Parliament.

Enforcement

27. A person who has made a request for information may apply to the ICO for a decision as to whether the request has been dealt with by the public authority according to the 2000 Act. In response the ICO may serve a decision notice on the public authority and applicant setting out any steps which the public authority is required to take in order to comply with their duties (s.50 of the 2000 Act). The Commissioner also has the power to serve information notices and enforcement notices on public authorities (s.51 and s.52 of the 2000 Act).

28. In certain circumstances when notices are served, for example, on a government department, or a public authority specifically designated by the Secretary of State, the ICO can issue a decision or enforcement notice requiring disclosure of information in the public interest. However, this may be subject to an executive override. In such a case the public authority has 20 days from receipt of the notice to obtain a signed certificate from a Cabinet Minister overriding the ICO's notice (s.53 of the 2000 Act).

Appeals

29. There is no right of appeal against the Ministerial Certificate although it may be possible to mount a Judicial Review claim against the minister in respect of it. Decision, information and enforcement notices may be appealed to the independent Information Tribunal (s.57 of the 2000 Act). When serving a notice of any kind, the Information Commissioner must at the same time explain the appeals mechanism.

30. Where a notice has been served earlier, the complainant or the public authority may appeal to the Information Tribunal which may uphold, overturn or vary the notice (s.58 of the 2000 Act).

What is the relationship between freedom of information and data protection?

31. The 2000 Act extends access rights set out under the 2018 Act (incorporating the UK GDPR). A request by an individual for information

about themselves will be exempt under the 2000 Act and will continue to be handled as a subject access request under the 2018 Act. In certain circumstances such a request may involve the release of associated third party information.

32. Where an applicant specifically requests information about a third party, the request falls within the remit of the 2000 Act (see paragraph 20 above. However, the authority must apply the data protection principles (see Legal Topic Note 38) when considering the disclosure of information relating to living individuals. An authority must not release third party information, if to do so would mean breaching one of the above principles.

What other advice and guidance is available for local councils?

33. Individual enquiries in aspect of the 2000 Act can be addressed to the ICO via their helpline (0303 123 1113) or chat function on their [website](#). The postal address is Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

LTN	Title	Relevance
38	Data Protection	Sets out the circumstances in which personal data should not be disclosed.
40	Local Councils' Documents and Records	Sets out the documentation councils should retain for legal and other purposes.

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The Freedom of Information Act came into force at the beginning of 2005 and encourages greater openness and transparency across the public sector. The Act provides individuals or organisations with the right to request information held by a public authority.

The Act requires Sevenoaks Town Council to adopt a Guide to Information. This document specifies what information the Council will routinely publish, in what format that information will be available, and whether the Council will charge for providing the information and if so the level of charge.

Information to be published	How the information can be obtained
Class 1: Council Internal Practice and Procedure	
Minutes of council, committees and sub-committee meetings – limited to the last 2 years	STC website / STC Council Offices
Video recordings of council and committee meetings – available until the Minutes of that meeting have been accepted by the next Town Council meeting	STC YouTube channel Link available from related Agenda and Minutes
Procedural Standing Orders	STC website/ STC Council Offices
Councils Annual Report to Parish Meeting	STC website/ STC Council Offices
Class 2: Code of Conduct	
Members Declaration of Acceptance of Office	STC website/ STC Council Offices
Members register of Interests	STC website/ STC Council Offices
Register of Interests Book	STC website/ STC Council Offices
Class 3: Periodical Electoral Review	
Information relating to the last Periodic Electoral Review of the council area	STC Council Offices
Information relating to the last boundary review of the council area	STC Council Offices

Class 4: Employment Practice and Procedure	
Terms and Condition of Employment	STC Council Offices
Job descriptions	STC Council Offices
Class 5: Planning Documents	
Responses to planning applications	STC Council Offices / Website
Class 6: Audit and Accounts	
Annual Return Form – limited to the last financial year	STC website/ STC Council Offices
Annual Statutory Report by auditor (internal and external) – limited to the last financial year	STC Council Offices
Receipt / Payment reports, receipt books of all kinds, bank statements from all accounts – limited to the last financial year	STC Council Offices
Precept request – limited to last financial year	STC website/ STC Council Offices
VAT records – limited to the last financial year	STC Council Offices
Financial Standing Orders and Regulations	STC website/ STC Council Offices
Assets Register – this will include details of commons / village greens owned by the Council including management schemes for commons as well as community centres and recreation ground.	STC Council Offices
Risk Assessments	STC Council Offices
Class 7: Development and Implementation of Policy	
Policy Statements issued by Council	STC Council Offices / Website
Responses made by council to consultation papers	STC Council Offices
Analysis of responses received to public consultation by the Council	STC Council Offices
Complaints handling procedure	STC Council Offices/ Website
Class 8: Byelaws	Not applicable

Class 9: Council Circulars / Newsletters	
Town Guide	STC Council Offices
History of town	STC Council Offices / STC Website
Town Crier	STC website/ STC Council Offices
Class 10: Arts, Entertainment & Tourist Information	
Details relating to the Stag Community Arts Centre	STC Council Offices / Website / Stag
Details relating to the Tourist Information Centre	STC Council Offices / Website
Class 11: Allotments	
Plans	STC Council Offices
Standard Tenancy Agreement	STC Council Offices
Class 12: Burial Grounds	
Plans	STC Council Offices / Greatness Park Cemetery
General Policies	STC Council Offices / Greatness Park Cemetery

Contact Details:

Sevenoaks Town Council, Town Council Offices, Bradbourne Vale Road, Sevenoaks, Kent TN13 3QG

Tel: 01732 459953 Fax: 01732 742577 Email: council@sevenoakstown.gov.uk

Website: www.sevenoakstown.gov.uk

Fees and Charges

Upon request one paper copy of each document will be photocopied and posted free of charge to residents of Sevenoaks Town.

For non residents documents will be photocopied at £0.10 per page and charged normal rate of postage.

Sevenoaks Town Council – Guide to Information

(Freedom of Information Publication Schedule)

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Sevenoaks Town Council – Guide to Information

(Freedom of Information Publication Schedule)

Class 4: Employment Practice and Procedure	
Terms and Condition of Employment	STC Council Offices
Job descriptions	STC Council Offices
Class 5: Planning Documents	
Responses to planning applications	STC Council Offices / Website
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Class 8: Byelaws	
	Not applicable

Sevenoaks Town Council – Guide to Information

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Reviewed at the Finance and Delivery Committee – 10/06/2024



Sevenoaks Town Council Equality and Diversity Policy

Our commitment	2
The law	2
Types of unlawful discrimination	2
Equal opportunities in employment	3
Dignity at work	4
People not employed by the council	4
Training	4
Your responsibilities	5
Grievances	5
Monitoring and review	5

Our commitment

The council is committed to providing equal opportunities in employment and to avoiding unlawful discrimination.

This policy is intended to assist the council to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment.

The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

The council will not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

Types of unlawful discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic.

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic, by third parties.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Equal opportunities in employment

The council will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Recruitment

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable

adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

Working practices

The council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the council considers it has good reasons, unrelated to any protected characteristic, for doing so. The council will comply with its obligations in relation to statutory requests for contract variations. The council will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

Equal opportunities monitoring

The council will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

The council treats personal data collected for reviewing equality and diversity in accordance with the data protection policy. Information about how data is used and the basis for processing is provided in the council's privacy notices.

Dignity at work

The council has a separate dignity at work policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with.

People not employed by the council

Council Members will promote good relations between communities in communications and address negative stereotyping of any groups.

The Council will encourage council members to demonstrate personal leadership in equality and inclusion and provide them with appropriate training and development opportunities.

The Council will promote and encourage diversity among election candidates to aim for the Council to have representative membership that reflects the local community they support.

The council will not discriminate unlawfully against those using or seeking to use the services provided by the council.

You should report any bullying or harassment by suppliers, visitors or others to the council who will take appropriate action.

Training

The council will raise awareness of equal opportunities to those likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.

The council will raise awareness of all staff/ members engaged to work at the council to help them understand their rights and responsibilities under the dignity at work policy and what they can do to help create a working environment free of bullying and harassment.

Your responsibilities

Every employee is required to assist the council to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the council for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the council's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Grievances

If you consider that you may have been unlawfully discriminated against, you should use the council's grievance procedure to make a complaint. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the dignity at work policy.

The council will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Monitoring and review

This policy will be monitored periodically by the council to judge its effectiveness and will be updated in accordance with changes in the law, and the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring. If changes are required, the council will implement them.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with relevant data protection legislation.

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

**Sevenoaks Town Council
Finance & Delivery Committee – 10th June 2024**

**Sevenoaks Town Council
Safeguarding of Vulnerable Adults Policy & Procedure**

Safeguarding Adults Policy Statement

This policy will enable Sevenoaks Town Council to demonstrate its commitment to keeping safe the vulnerable adults who use its services.

Sevenoaks Town Council acknowledges that it has a duty to act appropriately to any allegations, reports or suspicions of abuse.

It is important to have the policy and procedures in place so that staff, volunteers, service users and carers and Councillors can work to prevent abuse and know what to do in the event of abuse.

**The Policy Statement and Procedures have been produced in order to enable the
Sevenoaks Town Council to**

- Promote good practice and work in a way that can prevent harm, abuse and coercion occurring.
- To ensure that any allegations of abuse or suspicions are dealt with appropriately and the person experiencing the abuse is supported.
- To stop abuse occurring.

**The Policy and Procedures relate to the safeguarding of vulnerable adults.
Vulnerable adults are defined as**

- People aged 18 or over
- Who are receiving or may need community care services because of learning, physical or mental disability, age or illness.
- Who are or may be unable to take care of themselves, or unable to protect themselves against significant harm or exploitation.

In order to implement the Policy Sevenoaks Town Council will work

- To promote the freedom and dignity of the person who has or is experiencing abuse.
- To promote the rights of all people to live free from abuse and coercion.

**Sevenoaks Town Council
Finance & Delivery Committee – 10th June 2024**

- To ensure the safety and well being of people who do not have the capacity to decide how they want to respond to abuse they are experiencing.
- To manage services in a way which promotes safety and prevents abuse.
- Recruit staff and volunteers safely, ensuring all necessary checks are made.
- Provide effective management for staff and volunteers through supervision, support and training.

Sevenoaks Town Council will

- Ensure that all senior management, staff and volunteers are familiar with this policy and procedures.
- Will work with other agencies where necessary in line with this policy.
- Will act confidentially and will usually gain permission from service users before sharing information about them with another agency.
- Will pass information to an adult social services department where necessary.
- Will inform service users that, where a person is in danger, or a crime has been committed then a decision may be taken to pass information to another agency without the service users permission.
- Will endeavour to keep up to date with national developments relating to preventing abuse and for the welfare of adults.
- Will ensure that the Safeguarding Officer (s) understands their responsibility to refer incidents of adult abuse to the relevant statutory agencies e.g. police or adult social services.

The Designated Named Person for Safeguarding Adults in Sevenoaks Town Council is:

Linda Larter Town Clerk 01732 459953

townclerk@sevenoakstown.gov.uk

**Sevenoaks Town Council
Finance & Delivery Committee – 10th June 2024**

1. Introduction

Sevenoaks Town Council provides a range of services which may be used by vulnerable adults. This policy has been designed to ensure the welfare and protection of any adult who accesses services provided by Sevenoaks Town Council. The procedures recognise that adult abuse can be a difficult subject for workers and volunteers to deal with. It is believed that the protection of vulnerable adults from harm and abuse is everybody's responsibility, and the aim of these procedures is to ensure that staff, councillors and volunteers act appropriately in response to any concern about adult abuse.

2. Preventing Abuse

Sevenoaks Town Council is committed to putting in place safeguards and measures to reduce the likelihood of abuse taking place within its services it offers and that all those involved with Sevenoaks Town Council will be treated with respect.

Therefore, this policy also needs to be considered in conjunction with the following:

- Sevenoaks Town Council Employee Handbook
- Sevenoaks Town Council Volunteer Policy
- Sevenoaks Town Council Equality Policy
- Sevenoaks Town Council Whistle blowing Policy
- Sevenoaks Town Council's Data Protection Policies

Sevenoaks Town Council is committed to safer recruitment policies and practices for paid staff and volunteers. This will include Disclosure and Barring Service checks for staffs and volunteers for appropriate roles. Also ensuring references are taken up and adequate training on Safeguarding Adults is provided for staff and volunteers.

Sevenoaks Town Council will work within the current legal framework for reporting staff or volunteers that are abusers.

Service users will be encouraged to become involved with the running of the town council facilities. This policy will be placed on Sevenoaks Town Council website for all users of the town council's facilities to view.

3. Recognising the signs and symptoms of abuse

"Abuse is a violation of an individual's human and civil rights by any other person or persons" (No Secrets: Department of Health, 2000)

Abuse includes:

- Physical abuse including hitting, slapping, punching, burning, misuse of medication, inappropriate restraint.

**Sevenoaks Town Council
Finance & Delivery Committee – 10th June 2024**

- Sexual abuse including rape, indecent assault, inappropriate touching and exposure to pornographic material.
- Psychological or emotional abuse including belittling, name calling, threats of harm, intimidation, isolation.
- Financial or material abuse including stealing, selling assets, fraud, misuse or misappropriation of property, possessions or benefits.
- Neglect and acts of omission including withholding the necessities of life such as medication, food or warmth, ignoring medical or physical care needs.
- Discriminatory abuse including racist, sexist, that based on a person's disability and other forms of harassment, slurs or similar treatment.
- Institutional or organisational abuse including regimented routines and cultures, unsafe practices, lack of person-centred care or treatment.
- Lack of self-care to an extent that it threatens personal health and safety, such as not taking prescribed medication or not eating properly. Neglecting to care for one's personal hygiene, or surroundings, inability or unwillingness to manage one's personal affairs.

Abuse may be carried out deliberately or unknowingly. Abuse may be a single act or repeated acts.

People who behave abusively come from all backgrounds and walks of life. They may be doctors, nurses, social workers, advocates, staff members, volunteers or others in a position of trust. They may also be relatives, friends, neighbours or people who use the same services as the person experiencing abuse.

4. Working with vulnerable adults – specific guidelines for volunteers and staff

Risk assessments should be performed before anyone works with vulnerable adults. Sevenoaks Town Council has public liability insurance for this and other services.

Assignments or activities involving vulnerable adults should be supervised by someone competent in planning for the age group and ability of the participants.

Volunteers should avoid working alone with a vulnerable adult wherever possible.

Staff and volunteers should not enter into any social or other non-work related arrangements with a vulnerable adult they are working with.

The exchange of gifts is not appropriate and could be considered as a bribe or inducement and give rise to allegations of improper conduct.

Physical contact is not acceptable unless it is to prevent accident or injury or provide medical assistance. The consent of the affected person and, where appropriate, consent from those with caring responsibility should be obtained before treatment is given.

**Sevenoaks Town Council
Finance & Delivery Committee – 10th June 2024**

5. Responding to people who have experienced or are experiencing abuse

Sevenoaks Town Council recognises that it has a duty to act on reports or suspicions of abuse or neglect. It also acknowledges that taking action in cases of adult abuse is never easy. The following advice is given to anyone witnessing or receiving a disclosure of abuse from the individual concerned:

- Reassure the person concerned
- Listen to what they are saying
- Record what you have been told / witnessed as soon as possible.
- Remain calm and do not show shock or disbelief.
- Tell that the information will be treated seriously.
- Don't start to investigate or ask detailed or probing questions.
- Don't promise to keep it a secret.

If you witness abuse or abuse had just taken place the priorities will be:

- To call an ambulance if required.
- To call the police if a crime has been committed.
- To preserve evidence.
- To keep yourself, staff, volunteers and service users safe.
- To inform the Town Clerk as the Designated Named Person in Sevenoaks Town Council.

All situations of abuse or alleged abuse must be reported to the Town Clerk or Deputy Town Clerk who will record the incident and save the document in a protected manner.

If it is appropriate and there is consent from the individual, or there is a good reason to override consent, such as risk to others, the Designated Named Person or their deputy will make a referral (alert) to the adult social care team with the local authority relevant to the individual.

If the individual experiencing abuse does not have the capacity to consent, a referral will be made without that person's consent, in their best interests.

If staff, councillors or volunteers feels unable to raise this concern with the Designated Named Person (Town Clerk) then concerns can be raised directly with an adult social care department.

The Designated Named Person will take advice from the appropriate adult social care department (local to the at risk individual) and / or other advice giving organisations such as the police.

**Sevenoaks Town Council
Finance & Delivery Committee – 10th June 2024**

Steps taken by Sevenoaks Town Council when abuse is reported.

1. Incident is reported to the Designated Named Person (Town Clerk) or their Deputy either verbally, email or in writing.
2. The Designated Named Person or their Deputy will contact adult social services team responsible for the individual and complete a referral form provided by social services if required.
3. The Designated Named Person or their Deputy will implement any actions recommended by the authorities supporting the case. In most cases no further action will be required by Sevenoaks Town Council.

6. Managing allegations made against members of staff or volunteers.

Sevenoaks Town Council will ensure that any allegations made against members of staff will be dealt with swiftly.

Where a member of staff or volunteer is thought to have committed a criminal offence the police will be informed. If a crime has been witnessed the police should be contacted immediately.

The safety of the individual(s) concerned is paramount. A risk assessment must be undertaken immediately to assess the level of risk to all service users posed by the alleged perpetrator. This will include whether it is safe for them to continue in their role, or any other role within the council, whilst the investigation is undertaken. The Town Clerk has delegated powers in these circumstances to suspend whilst investigation takes place if necessary.

The Designated Named Person will liaise with the relevant adult social care team to discuss the best course of action and to ensure that the Sevenoaks Town Council's disciplinary procedures are coordinated with any other enquiries taking place as part of the ongoing management of the allegation.

Sevenoaks Town Council has a Whistle Blowing Policy within its Employee Handbook and staff will be supported using this policy.

7. Recording and managing confidential information

Sevenoaks Town Council is committed to maintaining confidentiality wherever possible and information around Safeguarding Adults issues should be shared only with those who need to know. Sevenoaks Town Council has a Privacy Policy.

**Sevenoaks Town Council
Finance & Delivery Committee – 10th June 2024**

All allegations / concerns will be recorded in a protected manner within the town council's filing system. Access to the file will be restricted to the Town Clerk and Deputy Town Clerk.

The information will be factual and not based on opinions, including a record of what the person has said, what has been seen, and witnesses if appropriate.

The information that is recorded will be kept secure and will comply with data protection regulations.

8. Disclosure and Barring Service (DBS) checks

The Disclosure and Barring Service identifies certain activities as regulated. An employee involved in regulated activity with vulnerable adults will be subject to a DBS check.

Sevenoaks Town Council uses the DBS checking service to help assess the suitability of applicants for relevant positions of trust.

Sevenoaks Town Council complies with the Code of Practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information.