



# **MALVERN TOWN COUNCIL**

## **POLICY AND RESOURCES COMMITTEE**

### **REPORTS**

**For meeting on Wednesday 10 September 2025 at 6.00 pm  
In the Park View Meeting Room, Community Hub, Victoria Park Road,  
Malvern Link**



# MALVERN TOWN COUNCIL

Town Clerk  
Community Hub  
Victoria Park Road  
Malvern Link  
WR14 2JY



4 September 2025

[townclerk@malvern-tc.org.uk](mailto:townclerk@malvern-tc.org.uk)  
Tel: 01684 566667

## MEETING OPEN TO MEMBERS OF THE PUBLIC

### To Members of the Policy and Resources Committee (Quorum 5):

Councillors Iain Dawson (Chair), Clive Fletcher, Jude Green, Clive Hooper, Melanie Jones, Lou Lowton, Ronan McLaverty-Head, Karen Newbigging

### All other Members of the Town Council for information only.

You are hereby invited to attend a meeting of the Policy and Resources Committee to be held in the Park View Community Room, Victoria Park Road, Malvern Link on Wednesday 10 September 2025, commencing at 6.00pm for the transaction of the business shown on the Agenda below.

A handwritten signature in black ink, appearing to read 'L. J. Blake'.

Linda Blake  
Town Clerk

No.	Agenda Item
1.	<b>Apologies for Absence</b> To receive and note apologies for absence
2.	<b>Declarations of Interest</b> To receive declarations of disclosable pecuniary interests and other disclosable interests
3.	<b>Minutes of Previous Meeting</b> To receive and confirm as a correct record the Minutes of three previous Policy and Resources Committee meetings: ➤ 18 June 2025
<b>Public Participation</b> <i>The Meeting will be adjourned for public participation when the Chairman will invite members of the public to present their questions, statements or petitions submitted under the Council's Public Participation Procedure.</i>	
4.	<b>Review of Flag Flying Policy</b> ➤ Report PR01/25 to follow
5.	<b>Review of Vexatious Behaviour and Complaints Policy</b> ➤ Report PR02/25 to follow
6.	<b>Review of CCTV Policy</b> ➤ Report PR03/25 to follow
7.	<b>Review of Complaints Policy</b> ➤ Report PR04/25 to follow



8.	<b>Update to Section 19 of Standing Orders; Handling Staff Matters</b> <ul style="list-style-type: none"> <li>➤ Report PR05/25 to follow</li> </ul>
9.	<b>Update to Policy and Resources Terms of Reference</b> <ul style="list-style-type: none"> <li>➤ Report PR06/25 to follow</li> </ul>
10.	<b>Date and Time of Next Meeting</b> <ul style="list-style-type: none"> <li>➤ Wednesday 8 October 2025 at 6pm</li> </ul>

**MINUTES OF A MEETING OF  
THE POLICY AND RESOURCES COMMITTEE  
MALVERN TOWN COUNCIL**

**held in the Community Hub Meeting Room, Victoria Park  
on Wednesday 18 June 2025 at 6pm**

**Councillors**

I Dawson (Chair)  
J Green  
L Lowton  
C Hooper  
R McLaverty-Head  
K Newbigging

**Absent**

M Jones (apologies)  
C Fletcher (apologies)

**Also in attendance**

Linda Blake - Town Clerk  
Julia Winkworth – Minute Clerk  
M Birks – Mayor of Malvern (6.01pm)  
Cllr D Watkins (6.05pm)

**1. ELECTION OF CHAIR**

Cllr Iain Dawson was elected as Chair of Policy and Resources Committee for 2025/26.

**2. ELECTION OF VICE-CHAIR**

Cllr Clive Hooper was elected as Vice-chair of Policy and Resources Committee for 2025/26.

**3. APOLOGIES FOR ABSENCE**

Apologies for absence were **NOTED** from Councillors Mel Jones and Cllr Clive Fletcher.

**4. DECLARATIONS OF INTEREST**

None.

**5. MINUTES OF PREVIOUS MEETING**

At a previous meeting Councillor Hooper requested an amendment to the draft minutes of a meeting which took place on 7 May 2025 in respect of an error of wording for Malvern Citizens Advice Bureau; the Councillor advised that they are known as Citizens Advice.

Following further clarification from the companies website, a further amendment was now requested that the original correction was incorrect and should be further amended to Citizens Advice South Worcestershire. This was **AGREED** by committee.



## **PUBLIC PARTICIPATION**

None.

### **6. ONLINE BANKING SCHEDULES – JANUARY THROUGH TO MAY 2025**

Report PR01/25 was received and accepted.

Bank Schedules from January to March 2025 had been carried forward from a previous meeting and schedules from April and May had now been added. The Chair and Vice Chair had carried out the required checks on the banking schedules. Cllr Hooper was awaiting information from the Council's Finance Officer on the April schedule, but due to holiday absence from the point of Cllr Hooper's contact, this information had not yet been supplied.

Committee **NOTED** the online banking payments for January, February, March and May 2025.

It was **AGREED** that April schedule would be deferred until next month.

Cllr David Watkins arrived at 6.05pm.

### **7. REVIEW OF PROTOCOLS AND PRACTICES**

Report PR02/25 was received and accepted.

A review of protocols and practices had been carried out at the last meeting with recommendations yet to be considered by Full Council.

As part of this review it had been agreed that a policy document would be drafted to encompass the main points. Officers have therefore drafted 3 documents for discussion at this meeting.

Committee members discussed a number of points within the documents and the Town Clerk provided clarification as required.

The following points were discussed and **AGREED**:

- i) It was agreed that a 'date for next meeting' of each sub-committee and working party should be established at each meeting and then availability will be allocated and these dates would also be noted on the weekly memo so all Councillors are aware of when they are happening.
- ii) It was **AGREED** that advice would be sought from CALC on how best to manage the recording and note taking of confidential items to ensure an audit trail is given and therefore accountability and transparency for any decision.
- iii) Standing orders state that the Chair has the power to extend the meeting. Following this point, it was **AGREED** that the third bullet point, as noted below within Minutes for Full Council section was moved to the bottom of section A as more relevant for 'Production, Approval and Publication of Minutes for Committee and Council

*If the meeting is running close to the two-hour time limit, an extension can be recommended by the chair and agreed by the committee to enable all current items to be discussed. If there are remaining agenda items, the chair may prefer for the agenda items to be deferred to the next meeting. If an extension occurs, please note down the extension clause accordingly in the relevant minuted agenda item. Use the following wording:*

***Under Standing Order 3 (x) the Chair proposed that the meeting be extended (enter time specified by Chair). A vote was taken, and it was agreed to extend the meeting until (enter time specified by Chair)***

**8. REVIEW OF TOWN COUNCIL GRANTS SCHEME**

Report PR03/25 was received and accepted.

It was **AGREED** that a smaller sub-committee would meet to review the grants scheme in more detail and that the first meeting would take place on Monday 28 July at 2pm in the Park View meeting room. The date will also be included on the weekly memo.

The following Councillors expressed an interest in being involved:

- Cllr Karen Newbigging
- Cllr Lou Lowton
- Cllr Jude Green
- Cllr Clive Hooper

**9. QUARTERLY ACCOUNTS – FOURTH AND FINAL QUARTER 2024/25**

Report PR04/25 was received.

The Town Clerk gave a summary of her report to the Committee with further information on the following areas:

- Surplus for the fourth quarter ending 31 March 2025, being placed into General Reserves is £6,421
- Management Accounts for the fourth quarter show variances of approximately £19,000 over budget against Administration and £13,500 under budget against Operational Costs. There is an overspend of £3,079 against Asset Refurbishment/Renewal and a surplus against financing costs of £929.
- Asset Refurbishment and renewal is £3,079 over budget
- For the year to date to 31 March 2025, there is a surplus budget of £64,978 being placed into reserves. £64,759 ahead of budgeted surplus of £220. For the financial year 24/25 administration is approximately £14,000 over budget, operational areas are £40,000 under budget and Asset refurbishment/renewal is below budget by £48,282. In summary there is an overspend against budget of £64,759 for 2024 25 financial year.

The total cash balance at 31 March 2025 was £612,177.

Cllr Watkins thanked the Town Clerk for her report. To produce a set of figures for this quarter like these, following the upheaval of moving premises is amazing. Should commend the supporting officers too with all the work involved.

The Town Clerk also thanked the Events team, Operations team, Operations Manager and all the supporting officers in the team for their work and support – full team effort.

It was **RECOMMENDED** that the quarterly accounts should go forward to full council for approval.

10. **DATE AND TIME OF NEXT MEETING**

It was **AGREED** that the date of the next meeting would be Wednesday 6 August 2025 at 6pm.

The meeting finished at 7.30 pm.

.....(Chairman)

DRAFT



**A REPORT OF THE TOWN CLERK TO  
A MEETING OF THE POLICY AND RESOURCES COMMITTEE  
MALVERN TOWN COUNCIL**

**to be held on Wednesday 10 September 2025 at 6.00pm  
in the Park View Meeting Room, Victoria Park Road, Malvern Link**

**REVIEW OF FLAG FLYING POLICY**

**1. Purpose of Report**

- 1.1. For review and decision.

**2. Recommendation**

- 2.1. Policy and Resources Committee is recommended to consider, review and revise as necessary, the Town Council's Flag Flying Policy.

**3. Background**

- 3.1. Committee is asked to consider and review the current Flag Flying Policy as attached at Appendix A.
- 3.2. It should be noted that the Town Council now has two flagpoles under its control. One at Great Malvern Library and a new one outside the Community Hub Building in Victoria Park. In addition, the Council erects flagpoles outside business premises during the summer months as part of the "Bloom" project to brighten up the town.
- 3.3. Recommendations for any updates or changes will go to Full Council for approval and adoption.

**4. Financial Implications**

- 4.1. None pertaining to this report.

**5. Legal Implications**

- 5.1. The government updated the regulations relating to the types of flags that you may fly in England in July 2021. This guidance entitled "Flying Flags: a plain English Guide" is attached at Appendix B.

End

Linda Blake  
Town Clerk



## MALVERN TOWN COUNCIL

# FLAG FLYING POLICY



## MALVERN TOWN COUNCIL

### FLAG FLYING POLICY

#### 1. Introduction

- 1.1. Malvern Town Council manages two main flag poles within the town. One on the front of the Town Council offices on Belle Vue Terrace and the other in the grounds of Malvern Library.
- 1.2. For the purposes of this policy, the National Flag of the United Kingdom will be referred to as the Union Flag.

#### 2. Scope of this policy

- 2.1. Council-owned flag poles will fly the Union Flag at full mast as standard.
- 2.2. Flags to be included as part of the annual calendar will include:
  - i. The Commonwealth flag
  - ii. The Cross of St George
  - iii. The Armed Forces Day flag
  - iv. The Merchant Navy flag
  - v. The Pride flag
  - vi. National flags for the towns of Mariánské Lázně and Bagnères-de-Bigorre
- 2.3. The Union flag shall always be flown the correct way up. Therefore, in the half of the flag nearest the flag pole, the wider white diagonal stripes must be above the red diagonal stripes.
- 2.4. Flags will not be flown in a worn or damaged condition which could show disrespect to those they represent.
- 2.5. The Union Flag may be flown at half-mast to mark the following occasions:
  - i. On the death/funeral of the Sovereign
  - ii. On the death/funeral of another senior member of the Royal Family
  - iii. On the death/funeral of the Prime Minister or ex-Prime Minister
  - iv. On the death/funeral of a member of the council or a former Mayor
  - v. At the discretion of the Town Clerk, Mayor and Deputy Mayor to mark an occasion of national mourning where British lives have been lost



- 2.6. When flying the Union Flag at half-mast, it will be flown two-thirds of the way up the flag pole with at least the height of the flag between the top of the flag and the flag pole where possible.
- 2.7. The Council shall not allow the use of flags for political purposes or for the purposes of advertising.
- 2.8. Delegations to consider requests outside of the agreed flag list will be given to the Town Clerk who may call a meeting of the Emergency Decision Making Group should any contentious issues arise.



Ministry of Housing,  
Communities &  
Local Government



Ministry of Housing,  
Communities &  
Local Government (2018 to 2021)



Department for Levelling Up,  
Housing & Communities

Guidance

# Flying flags: a plain English guide

Updated 20 July 2021

**Applies to England**

Contents

Introduction

All flag flying is subject to some standard conditions

(a) Flags which do not need consent

(b) Flags which do not require consent provided they comply with certain restrictions

(c) Flags which require consent

Further information



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# Introduction

Flags are a very British way of expressing joy and pride – they are emotive symbols which can boost local and national identities, strengthen community cohesion and mark civic pride.

The government wants to see more flags flown, particularly the Union Flag, the flag of the United Kingdom. It is a symbol of national unity and pride. The government has recently issued guidance encouraging the flying of the Union Flag on all UK government buildings throughout the year, alongside other national and local flags.

We are keen for local authorities and other local organisations to follow suit. We have made it easier for the Union Flag to be flown alongside other flags, so organisations can highlight their local identities, as well as their national identities, and celebrate special days or events which champion civic pride.

In England, the flying of flags is treated as advertisements for the purposes of the planning regime to ensure the flags do not impact on safety or amenity. Some flags require formal consent (permission) from the local planning authority, whereas others like the Union Flag do not. The detailed controls over flag flying are set out in detailed regulations (see links below).

This plain English guide provides a brief summary of the regulations so that individuals and organisations can easily understand when they can fly a flag in England without the need for consent. It incorporates the latest changes to the regulations introduced in June 2021. These regulations now allow for the Union Flag to be flown with another flag from the same flagpole, provided certain conditions are met.

If you are unclear about whether consent is required for flying a flag, you should contact your local planning authority who can provide detailed advice.

## All flag flying is subject to some standard conditions

All flags must be:

- be maintained in a condition that does not impair the overall visual appearance of the site
- be kept in a safe condition
- have the permission of the owner of the site on which they are displayed (this includes the Highway Authority if the sign is to be placed on highway)

land)

- not obscure, or hinder the interpretation of official road, rail, waterway or aircraft signs, or otherwise make hazardous the use of these types of transport
- be removed carefully where so required by the planning authority

Subject to compliance with the standard conditions, there are 3 categories of flag:

(a) flags which can be flown without consent of the local planning authority

(b) flags which do not need consent provided they comply with further restrictions (referred to as “deemed consent” in the Regulations)

(c) flags which require consent (“express consent”)

## **(a) Flags which do not need consent**

The full list of flags that do not require consent are:

1. Any country’s national flag, civil ensign or civil air ensign
2. The flag of the Commonwealth, the United Nations or any other international organisation of which the United Kingdom is a member
3. A flag of any island, county, district, borough, burgh, parish, city, town or village within the United Kingdom
4. The flag of the Black Country, East Anglia, Wessex, any Part of Lincolnshire, any Riding of Yorkshire or any historic county within the United Kingdom
5. The flag of Saint David
6. The flag of Saint Patrick
7. The flag of any administrative area within any country outside the United Kingdom
8. Any flag of His Majesty’s forces
9. The Armed Forces Day flag

The above flags or their flagpoles must not display any advertisement or subject matter additional to the design of the flag, but the Regulations now highlight that you can attach a black mourning ribbon to either the flag or flagpole where the flag cannot be flown at half mast, for example, when flying a flag on a flagpole projecting at an angle from the side of a building.

The use of the word “country” in (1) and (7) of the list above, includes any of the Channel Islands, the Isle of Man and any British Overseas Territory. The flags of St George and St Andrew are recognised as the national flags of England and Scotland, but the flags of St David and St Patrick are listed separately as they do not necessarily fall into the category of a country’s national flag.

Two flags can also be flown from the same flagpole without the need for consent if:

- both flags are within the list above; or
- one flag is within the list above and the other is within the categories of flag set out under (b) below.

In either case, if one of the flags is the Union Flag, it must be flown in the superior position.

Following the UK’s departure from the European Union, the flag of the European Union is no longer included in the list of flags that do not require consent.

## **(b) Flags which do not require consent provided they comply with certain restrictions**

A number of categories of flag may be flown without consent, subject to certain restrictions regarding the size of the flag, the size of characters on the flag, and the number and location of the flags.

Categories of flag that can now be flown:

- house flag – flag is allowed to display the name, emblem, device or trademark of the company (or person) occupying the building, or can refer to a specific event of limited duration that is taking place in the building from which the flag is flown
- any sports club (but cannot include sponsorship logos)
- the Rainbow flag (6 horizontal equal stripes of red, orange, yellow, green, blue and violet).
- specified award schemes – Eco-Schools, Queen’s Awards for Enterprise and Investors in People
- the NHS flag
- certain environmental awards (see below)



The restrictions on flying this second category of flag relate to where the flagpole is located on a building or within the grounds of a building.

## **Flying a flag on a vertical flagpole from the roof of a building**

Two flags on the same vertical flagpole on the roof of a building are permitted provided one of the flags is from category (a) (flags which do not need consent such as a national flag) and that flag is flown in the superior position.

Otherwise only one flag on a vertical flagpole on the roof of a building is permitted.

There are no restrictions on the size of flag.

No restrictions on the size of any character or symbol displayed on the flag, except where a flag is flown within an area of outstanding natural beauty, area of special control, the Broads, conservation area or a National Park (referred to elsewhere as “controlled areas”) where the characters may be no more than 0.75 metre in height (0.3 metre in height in an area of special control).

It is permitted to fly one flag (or two if one is from category (a) (flags which do not need consent) on a vertical flagpole on the roof of a building and one flag (or two if one is from category (a) (flags which do not need consent) on a flagpole within the grounds of the building without consent (subject to restrictions below). However, it is not permitted to fly a flag on a projecting flagpole and on a vertical roof top flagpole without consent.

## **Flying a flag on a flagpole projecting from any part of a building other than the roof (eg projecting from the side of the building)**

Two flags on the same flagpole projecting from any part of a building are permitted provided one of the flags is from category (a) (flags which do not need consent) such as a national flag and that flag is flown in the superior position.

Otherwise, only one flag on a projecting flagpole on a building is permitted.

The flag may not exceed 2 square metres in size.

No restrictions on the size of characters.

Consent is required if the flagpole is in a controlled area.

It is permitted to fly one flag (or two if one is from category (a) (flags which do not need consent) on a vertical flagpole on the roof of a building and one flag (or two if one is from category (a) (flags which do not need consent) on a flagpole within the grounds of the building without consent (subject to restrictions below). However, it is not permitted to fly a flag on a vertical flagpole on the roof and a projecting flagpole without consent.

## **Flying one or two flags within the grounds of a building**

You can fly two flags on the same flagpole within the grounds of a building (the regulations refer to ‘curtilage’) provided one of the flags is from category (a) (flags which do not need consent) and that flag is flown in the superior position.

You can fly flags on two separate flagpoles within the grounds (the regulations refer to “curtilage”) of a building at the same time subject to the conditions listed below:

- there are no restrictions on the size of the flag, but any flagpole may not exceed 4.6 metres above ground level.
- consent is required if the flag is to be flown in a controlled area.
- only one flag (or two if one is from category (a) (flags which do not need consent) can be flown on a flagpole within the grounds of a building if one flag (or two if one is from category (a) (flags which do not need consent) is either being flown from the roof, or is projecting from the building.

The table below summarises the various options for flying flags from, or within the grounds, of buildings.

### **Summary of location options**

<b>If I fly one flag (or two if one is from category (a) Flags which do not need consent)</b>	<b>What other flags do not require consent</b>
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On a vertical flagpole on the roof	One additional flagpole in the grounds of the building displaying one flag (or two if one is from category (a) (flags which do not need consent))
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**If I fly one flag (or two if one is from category (a) Flags which do not need consent)**

**What other flags do not require consent**

---

On a projecting flagpole from the building

One additional flagpole in the grounds of the building displaying one flag (or two if one is from category (a) (flags which do not need consent))

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On a flagpole in the grounds of a building

One additional flagpole – either a vertical flagpole on the roof of a building or a projecting flagpole attached to the building or a flagpole in the grounds of a building displaying one flag (or two if one is from category (a) (flags which do not need consent))

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## **Green and blue environmental award scheme flags**

The regulations allow a flag of the Blue Flag Award scheme to be flown from a flagpole on part of a beach or marina and a flag of the Green Flag Award scheme or Green Flag Community Award scheme to be flown on part of a park, garden or other green space, without the need for consent.

## **(c) Flags which require consent**

Any flag not identified above requires express consent from the local planning authority before it can be flown.

## **Further information**

The regulations governing the flying of flags in England are set out in the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended in 2012 and in 2021).

These regulations, including relevant amendments to flying of flags, can be viewed on the government legislation website:

- [Town and Country Planning \(Control of Advertisements\) \(England\) Regulations 2007](https://www.legislation.gov.uk/ukxi/2007/783/contents/made) (<https://www.legislation.gov.uk/ukxi/2007/783/contents/made>)
- [The Town and Country Planning \(Control of Advertisements\) \(England\) \(Amendment\) Regulations 2012](https://www.legislation.gov.uk/ukxi/2012/2372/contents/made) (<https://www.legislation.gov.uk/ukxi/2012/2372/contents/made>)
- [The Town and Country Planning \(Control of Advertisements\) \(England\) \(Amendment\) Regulations 2021](https://www.legislation.gov.uk/ukxi/2021/617/contents/made) (<https://www.legislation.gov.uk/ukxi/2021/617/contents/made>)

See [planning practice guidance for local planning authorities on the control of advertisements](https://www.gov.uk/guidance/advertisements) (<https://www.gov.uk/guidance/advertisements>).

See further information on flags on the [Flag Institute's website](https://www.flaginstitute.org/wp/) (<https://www.flaginstitute.org/wp/>).

See Union Flag flying guidance for UK government buildings at [Designated days for Union flag flying](https://www.gov.uk/guidance/designated-days-for-union-flag-flying) (<https://www.gov.uk/guidance/designated-days-for-union-flag-flying>).



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**MALVERN TOWN COUNCIL**

## **VEXATIOUS BEHAVIOUR AND COMPLAINTS POLICY**

Review of Vexatious Behaviour and Complaints Policy  
Policy and Resources meeting  
Wednesday 10 September 2025

## **MALVERN TOWN COUNCIL**

### **VEXATIOUS BEHAVIOUR AND COMPLAINTS POLICY**

#### **1. Introduction**

- 1.1. This policy sets out Malvern Town Council's approach to vexatious behaviour and unreasonably persistent complaints. Malvern Town Council (hereafter known as 'the Council') aims to deal fairly, honestly, consistently and appropriately with all complainants and requests for information but retains the right to restrict or change access to our services where we consider an individual's actions to be unacceptable.
- 1.2. This policy is consistent with anyone's rights under the Data Protection Act 1998, Freedom of Information Act 2000 and Environmental Information Regulations.

#### **2. Purpose**

- 2.1. The purpose of the document is to:
- Explain what the Council considers to be unreasonable behaviour and how this will be dealt with. (section 1)
  - Define vexatious requests (section 2)
  - Explain what the Council considers to be a vexatious request and how these will be dealt with.
- 2.2. This policy helps employees and councillors to understand what options for action are available, and who can authorise these actions. It also assists employees to manage the expectations and behaviour of complainants while their complaint is addressed and when a request for information can be refused.
- 2.3. This policy applies to all forms of communication, including social media.
- 2.4. The Council welcomes feedback from service users and will always try to resolve any complaint or request for information as quickly as possible and therefore this policy should only be applied where absolutely necessary.
- 2.5. With each complaint the Council must consider whether it is persistent, unreasonably persistent or a new complaint. With each request for information, the Council must consider whether it is manifestly unjustified, inappropriate or improper use of formal procedure.
- 2.6. This policy covers behaviour associated with general service complaints, complaints about the standards of elected members, requests for information and general contact with members of the public.



- 2.7. The Council needs to differentiate between those individuals whose concerns relate to a series of service failures and those whose behaviour is unreasonable. The use of the word “individual” as someone who may be acting unreasonably, refers, within the context of this document, to those who deal directly with the Town Council including members of the public, suppliers, customers and other stakeholders.
- 2.8. Whilst some complaints may relate to serious and distressing incidents, the Council does not tolerate abusive, offensive or threatening behaviour and will take steps to protect employees and town councillors who are subject to unreasonable behaviour.

## **SECTION 1 - UNREASONABLY PERSISTENT COMPLAINTS AND BEHAVIOUR**

### **3. Definition of unreasonable behaviour**

- 3.1. Individuals may act out of character when under stress and the Council does not view behaviour as unacceptable just because someone is forceful or determined. However, the actions of those who are angry, demanding or persistent may result in unreasonable demands on workloads and behaviour towards employees and town councillors.
- 3.2. Behaviour can be unreasonable and can turn into becoming unreasonably persistent. Unreasonable behaviour may include one or two isolated incidents. Unreasonably persistent behaviour is usually an accumulation of incidents or behaviour over a longer period.
- 3.3. The Council differentiates between ‘persistent’ individuals and ‘unreasonably persistent’ individuals.
- 3.4. Those making a complaint can be ‘persistent’ where they feel the Council has not dealt with their complaint properly and are not prepared to leave the matter there. For example, it is not unreasonable for an individual to criticise how their complaint is being handled when published procedures are not followed.
- 3.5. However, some individuals may have justified complaints or requests but may pursue them in inappropriate ways such as lengthy phone calls, emails expecting immediate responses, detailed letters or emails every few days. Others may pursue complaints or requests which have no substance or which have already been considered and dealt with. Their contacts with the Council may be amicable but still place very heavy demands on employees.
- 3.6. Some examples of the actions and behaviours of unreasonably persistent individuals are as follows; it is by no means an exhaustive list:
- Refusing to specify the grounds of a complaint, despite offers of assistance

- Refusing to co-operate with the complaints investigation process
- Refusing to accept that certain issues are not within the scope of a complaints process
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or within good practice
- Making unjustified complaints about the employees dealing with the complaints, and seeking to have them replaced
- Introducing new information, at a late stage, expecting it to be taken into account and commented on, or raising large numbers of detailed, but unimportant, questions and insisting they are all fully answered
- Covertly recording meetings and conversations
- Submitting falsified documents from themselves or others
- Bringing complaints designed to cause disruption or annoyance or lacking any serious purpose or value
- Adopting a 'scattergun' approach: pursuing parallel complaints on the same issue with a variety of organisations
- Making excessive demands on the time and resources of employees and town councillors with lengthy and/or repeated telephone calls, emails to numerous Council officers, or detailed letters every few days and expecting immediate responses
- Causing distress to employees – including use of hostile, abusive or offensive language or an unreasonable fixation on an individual member of employees
- Refusing to accept the outcome decision of a complaint – repeatedly arguing the point and complaining about the decision, with no new evidence
- Behaviour which has a significant and disproportionate adverse effect on the Council's resources and other residents
- Inappropriate behaviour towards Council employees investigating or involved in the complaint such as inappropriate use of language, aggression or violence
- Persistently complaining about town councillors without grounds for complaint

3.7. Care must be taken not to discard new issues which are significantly different from the original issues; however these should be treated as a separate complaint issue.

#### **4. Designating behaviour as unreasonable**

4.1. It is vital that all attempts are made to maintain effective communication and relationships with those individuals who contact with the Council. Prior to taking action under this policy, the investigating officer should ensure that:

- Every reasonable effort has been made to investigate the complaint
- Every reasonable effort has been made to communicate with the individual

##### Prior warning

4.2. When the Council considers that an individual is unreasonably persistent in pursuing complaints or otherwise is acting unreasonably a risk assessment will be completed in line with health and safety policies and, if it is concluded that the behaviour is unacceptable/unreasonable, the Town Clerk will write to tell the individual why they find their behaviour unreasonable and/or unacceptable and ask them to change the behaviour.

##### Decision to restrict or terminate contact with the Council

4.3. If unreasonable behaviour continues, the Town Clerk will call a meeting of the Council's Emergency Decision Making Committee to review the case.

4.4. When making decisions on how to manage the unreasonable behaviour, all relevant factors should be taken into account to ensure that action taken is appropriate and proportionate to the nature and frequency of the contacts with the Town Council at that time.

4.5. Due consideration should be given to the individual's health, including any related illnesses or disabilities that may be impacting on behaviour (for example, dementia, learning disability, mental illnesses etc.).

4.6. If the individual has not responded appropriately to the prior warning letter a decision may be made to restrict contact with the Council. The individual involved will be notified in writing (or an appropriate alternative format) why it is believed their behaviour falls into the category of unreasonably persistent and/or unreasonable behaviour. They will also be notified what action will be taken and the duration of that action, as well as what they can do to have the decision reviewed.

4.7. The following is a list of possible options for managing an individual's involvement with the Council from which one or more might be chosen and applied, if warranted. Any action taken should be appropriate and proportionate. It is not an exhaustive list and often the specific circumstances of the individual case will be relevant in deciding what might be appropriate action:

- Placing limits on the number and duration of contacts with employees per week or month
- Offering a restricted timeslot for necessary calls
- Offering one medium of contact only (telephone, letter, email etc.)
- Requiring the individual concerned to communicate only with one named member of employees
- Requiring any personal contact to take place in the presence of a witness and in a suitable location
- Refusal to register further complaints about the same matter
- Where behaviour is unreasonable and threatens the safety and/or welfare of members, employees, or our partners the Council may decide to terminate contact with the individual.
- Other action may be taken, for example reporting the matter to the police or taking legal action. Where such action is necessary the Council need not give prior warning

4.8. Where a decision on the complaint has been made, the individual can be informed that future correspondence will be read and placed on the file but not acknowledged, unless it contains material new information. The Town Clerk will be identified as the designated officer who will read future correspondence.

4.9. Where following restriction of access being implemented an individual continues to behave in a way that is unacceptable or where the behaviour is so extreme that it threatens the immediate safety and welfare of town councillors, employees or partners, the Council may:

- Terminate contact
- Temporarily or permanently restrict/not allow access to the Council offices
- Report the matter to the police
- Take legal action

Reviewing the decision to restrict contact

4.10. When imposing a restriction on access there will be a specified review date, usually 6 months from the initial decision. The review will be carried out by the Emergency Decision Making Panel in conjunction with the Town Clerk. Restrictions should be lifted and the relationship returned to normal unless there are good grounds to extend the restrictions.

- 4.11. The individual will be informed of the outcome of the review. If the restrictions are to continue, they will be given the reasons and told when the restrictions will next be reviewed.

Referral to the Local Government and Social Care Ombudsman

- 4.12. Relationships between organisations and individuals sometimes break down badly when complaints are under investigation and there is little prospect of achieving a satisfactory outcome. In such circumstances there may be nothing to gain from following through all stages of the Council's Complaints procedure. In these circumstances, the Ombudsman may, exceptionally, be prepared to consider complaints before complaints procedures have been exhausted – if the request is made by both sides to the dispute.
- 4.13. An individual who has been treated as behaving unreasonably may make a complaint to the Ombudsman about it. The Ombudsman is unlikely to be critical of the Council's action if it can show that it acted proportionately, reasonably and in accordance with its adopted policy.

Appeals against decisions

- 4.14. All individuals must be informed in writing when the Council wishes to apply a policy to restrict or terminate contact and must be given information on how to appeal the decision.
- 4.15. The appeal will be heard by a panel of three Town Councillors who have not previously been involved with the case.
- 4.16. An individual who is dealt with under this policy will be informed of their right to contact the Local Government and Social Care Ombudsman if they feel the Council has not acted correctly in the administration of the complaint.

Recording actions and contacts with the customer

- 4.17. Any decision to apply this policy must be recorded on the Council's complaints database and the Council must keep adequate records of all actions and contacts.

**5. Confidentiality**

- 5.1. Complaints made to the Council will be treated in confidence.
- 5.2. The Town Clerk will arrange that the details of unreasonably persistent complainants and/or unreasonable behaviour is only passed to those Council employees, town councillors and partner organisations who need to know in order to implement the policy or to protect employees' safety.
- 5.3. Confidentiality cannot, however, be guaranteed where a vulnerable person is considered to be at risk and safeguarding procedures apply. In these circumstances, the Council may

have to share the information with other external agencies.

- 5.4. Individuals who make their complaints public in the media may forfeit their right to anonymity and the right to confidentiality.

## **SECTION 2 – VEXATIOUS REQUESTS**

### **6. Definition of Vexatious Behaviour**

- 6.1. A vexatious request is: ‘a request that is likely to cause distress, disruption, and irritation without any proper or justified cause’.
- 6.2. A vexatious request may include one or two individual requests for information or may form part of a wider pattern of vexatious behaviour. For example, if there is a wider dispute or it is the latest in a lengthy series of overlapping requests.
- 6.3. Examples of vexatious requests are:
- Abusive or aggressive language used by the requester
  - Excessive burden is placed on us in dealing with the request
  - Targeted correspondence towards one individual against whom they have some personal enmity
  - Unreasonable persistent requests relating to matters which have already been dealt with
  - The request makes completely unsubstantiated accusations against the authority or specific individuals
  - The requester takes an unreasonably entrenched position, rejecting attempts to assist and advice out of hand and shows no willingness to engage with us.
  - The requester makes frequent or overlapping requests
  - The requester's intention and purpose is to deliberately to cause annoyance
  - The requester has adopted a “scattergun” approach
  - The request relates to a trivial matter and it is not proportionate to deal with the request.
  - The requester is abusing their rights of access to information by abusing the legislation to vent anger or harass and annoy members, employees or partners



- The information requested affects the individual and has already been resolved by us or by independent investigation
- The request is made for the sole purpose of the amusement of the requester.

Designation of vexatious and decision to refuse to provide requested information

- 6.4. In some cases, it will be obvious to the Council that a request is vexatious, for instance the tone or content of the request is so objectionable that it would be unreasonable to expect the Council to tolerate it. In these circumstances the Council will consider making a decision to refuse the request under Section 14(1) Freedom of Information Act 2000 (or under the Environmental Information Regulations where relevant).
- 6.5. In other cases, it will not be so obvious then the Council will take into account if the request is likely to cause a disproportionate or unjustified level of disruption, irritation or distress. To assess this, the Council will objectively judge the evidence of the impact and weigh this against any evidence about the purpose and value of the request.
- 6.6. However, the Council will not automatically refuse a request simply because it is made in the context of a dispute or if it forms part of a series of requests.
- 6.7. The Council will consider each request for information on its own merits and will not automatically refuse a request because the individual may have caused problems in the past. The Council will ensure that we consider whether the request (and not the requester) is vexatious
- 6.8. Where the request is considered to be vexatious the Council may make the decision not to provide the information and will issue a refusal notice to the requester.
- 6.9. The decision to classify a request as vexatious and to refuse the request will be taken by the Town Clerk in consultation with the Mayor and Deputy Mayor.
- 6.10. A refusal notice setting out why the Council is refusing the request will be issued, unless the Council has already given the requester a refusal notice for a previous vexatious request, and it would be unreasonable to issue another one.

Application for Review

- 6.11. A Requester may request a review of the decision to classify a request as vexatious and to issue a refusal notice. Such a review will be carried out by the Council's Emergency Decision Making Panel.
- 6.12. A requester who has been dealt with under this policy will be informed of their right to contact the Information Commissioner if they feel the Council has not acted correctly in dealing with

their request.

Recording Actions

- 6.13. Any decisions to apply this policy to the request must be recorded on the Council's information requests data base.

**7. Review and action**

- 7.1. The Council recognises that it is important to review this policy regularly to ensure that it reflects up to date legislation and best practice.
- 7.2. A review of the Vexatious Behaviour and Complaints Policy will be carried out at least once every council term as a minimum and any necessary actions taken.



## MALVERN TOWN COUNCIL

# CCTV POLICY

Review of CCTV Policy  
Policy and Resources meeting  
Wednesday 10 September 2025

## **MALVERN TOWN COUNCIL**

### **CCTV POLICY**

#### **1. Introduction**

- 1.1. Malvern Town Council (hereafter known as 'the Council') currently uses CCTV cameras to view and record individuals on and around its premises at Victoria Park. This policy outlines why the Council uses CCTV, how it will use CCTV and how it will process data recorded by CCTV cameras to ensure it is compliant with data protection law and best practice. This policy also explains how to make a subject access request in respect of personal data created by CCTV.
- 1.2. The Council recognises that information that it holds about individuals is subject to data protection legislation. The images of individuals recorded by CCTV cameras are personal data and therefore subject to legislation. The Council is committed to complying with its legal obligations and seeks to comply with best practice suggestions from the Information Commissioner's Office (ICO).
- 1.3. This policy covers all employees and other individuals working at and/or visiting its premises, but it will not monitor employees in the normal course of their duties.
- 1.4. The policy will be regularly reviewed to ensure that it meets legal requirements, relevant guidance published by the ICO and industry standards.
- 1.5. A breach of this policy may, in appropriate circumstances, be treated as a disciplinary matter. Following an investigation, a breach of this policy may be regarded as misconduct leading to disciplinary action, up to and including dismissal.

#### **2. Personnel Responsible**

- 2.1. The Town Council has overall responsibility for ensuring compliance with relevant legislation and the effective operation of this policy. Day-to-day management responsibility for deciding what information is recorded, how it will be used and to whom it may be disclosed has been delegated to the Town Clerk.
- 2.2. Responsibility for keeping this policy up to date has been delegated to the Town Clerk.

#### **3. Reasons for use of CCTV**

- 3.1. The Council currently uses CCTV around its site as outlined below. Such use is necessary for legitimate purposes, including:

- 3.1.1. to prevent crime and protect buildings and assets from damage, disruption, vandalism, and other crime.
- 3.1.2. for the personal safety of employees, visitors, and other members of the public and to act as a deterrent against crime.
- 3.1.3. to support law enforcement bodies in the prevention, detection, and prosecution of crime.

This list is not exhaustive and other purposes may be or become relevant.

#### **4. Monitoring**

- 4.1. The system comprises a number of fixed cameras. Camera locations are chosen to minimise viewing of spaces not relevant to the legitimate purpose of the monitoring. As far as practically possible, CCTV cameras will not focus on private homes, gardens, or other areas of private property, neither will they focus on the adjacent play area within the park.
- 4.2. The CCTV is not monitored but footage is retained for a period of thirty days.

#### **5. How the Council will operate any CCTV**

- 5.1. The Council will ensure that signs are displayed prominently at the entrance of the surveillance zone to alert individuals that their image may be recorded. Such signs will contain details of the organisation operating the system, the purpose of using the surveillance system and who to contact for further information, where these things are not obvious to those being monitored.
- 5.2. The Council will ensure that recorded images are only viewed by approved members of staff whose role requires them to have access to such data.
- 5.3. Cameras will be sited so they only capture images relevant to the purposes for which they are installed, and care will be taken to ensure that reasonable privacy expectations are not violated. Malvern Town Council will ensure that the location of equipment is carefully considered to ensure that images captured comply with the Data Protection Act 2018.

#### **6. Restrictions on use**

- 6.1. The CCTV cameras do not have sound recording capacity.

#### **7. Use of data gathered by CCTV**

- 7.1. To ensure that the rights of individuals recorded by the CCTV system are protected, the Council will ensure that data gathered from CCTV cameras is stored in a way that maintains its integrity and security.



- 7.2. The Council may engage data processors to process data on our behalf. The Council will ensure reasonable contractual safeguards are in place to protect the security and integrity of the data.

**8. Retention and erasure of data gathered by CCTV**

- 8.1. Data recorded by the CCTV system will be stored digitally on the hard drive of the CCTV system. CCTV images are not to be retained for longer than necessary. Data storage is automatically managed by the CCTV digital recorder which uses software programmed to overwrite historical data in chronological order to enable the recycling of storage capabilities. This process takes approximately thirty days.
- 8.2. On occasion it may be necessary to retain downloaded images or footage for a longer period, for example when a law enforcement body is investigating a crime, to allow them to view the images as part of an active investigation.
- 8.3. At the end of their useful life, all images stored in whatever format will be erased permanently and securely. Any physical matter such as tapes or discs will be disposed of as confidential waste. Any still photographs and hard copy prints will be disposed of as confidential waste.

**9. Ongoing review of CCTV use**

- 9.1. The Council will ensure that the ongoing use of existing CCTV cameras is reviewed periodically to ensure that their use remains necessary and appropriate, and that any surveillance system is continuing to address the needs that justified its introduction.

**10. Requests for disclosure**

- 10.1. The Council may share data with others where it considers that this is reasonably necessary for any of the legitimate purposes set out above in Paragraph 3.1. Requests must be made in writing to the Town Clerk.
- 10.2. No images from the Council's CCTV cameras will be disclosed to any third party, without express permission being given by the Town Clerk. Data will not normally be released unless satisfactory evidence is provided that it is required for legal proceedings or insurance purposes.
- 10.3. In other appropriate circumstances, the Council may allow law enforcement agencies to view or remove CCTV footage where this is required in the detection or prosecution of crime.
- 10.4. The Council will maintain a record of all disclosures of CCTV footage subject to document retention guidelines.

- 10.5. No images from CCTV will be posted online or disclosed to the media, unless requested to do so by the police.

## **11. Subject access requests**

- 11.1. Data subjects may request disclosure of their personal information, and this may include CCTV images (data subject access request). A data subject access request should be made in writing. A response should be provided within a month. The Council should tell the individual why the Council is processing the information, the types of data involved, who the Council has shared it with, how long the Council will keep it and advise them as to their rights including the right to complain to the ICO if concerned about its processing.
- 11.2. To locate relevant footage, any requests for copies of recorded CCTV images must include the date and time of the recording, the location where the footage was captured and, if necessary, information identifying the individual.
- 11.3. The Council will provide a copy of the individual's personal data to them but reserve the right to obscure images of third parties when disclosing CCTV data as part of a subject access request, where the Council considers it necessary to do so. The Council will consider the ICO Code of Practice and the law when deciding as to whether to disclose third party personal data.

## **12. Complaints**

- 12.1. If anyone has questions about this policy or any concerns about our use of CCTV, then they should speak to the Town Clerk in the first instance.

## **13. Requests to prevent processing**

- 13.1. The Council recognises that, in rare circumstances, individuals may have a legal right to object to processing and in certain circumstances, to prevent automated decision making (see Articles 21 and 22 of the GDPR). For further information regarding this, please contact the Town Clerk.

## **14. Town Council Policies**

- 14.1. The Council's CCTV Policy should be read in conjunction with its Data Protection Policy.

## **APPENDIX 1 to CCTV Policy - definitions**

For this policy, the following terms have the following meanings:

**CCTV:** means cameras designed to capture and record images of individuals and property.

**Data:** is information, which is stored electronically, or in certain paper-based filing systems. In respect of CCTV, this generally means video images. It may also include static pictures such as printed screenshots.

**Data subjects:** means all living individuals about whom the Council holds personal information as a result of the operation of its CCTV.

**Personal data:** means data relating to a living individual who can be identified from that data (or other data in our possession). This will include video images of identifiable individuals.

**Data controllers:** The Council is the data controller of all personal data used by it.

**Data users:** are those of the Council's employees whose work involves processing personal data. Data users must protect the data they handle as per this policy.

**Data processors:** are any person or organisation that is not a data user (or employee of Malvern Town Council) that processes data on its behalf and following its instructions (for example, a supplier which handles data on the Council's behalf).

**Processing:** is any activity which involves the use of data. It includes obtaining, recording, or holding data, or conducting any operation on the data including organising, amending, retrieving, using, disclosing, or destroying it. Processing also includes transferring personal data to third parties.

**Premises:** Community Hub, Victoria Park, Victoria Park Road, Malvern Link, WR14 2JY



## MALVERN TOWN COUNCIL

# COMPLAINTS PROCEDURE

Review of Complaints Policy  
Policy and Resources meeting  
Wednesday 10 September 2025

## **MALVERN TOWN COUNCIL**

### **COMPLAINTS PROCEDURE**

1. Malvern Town Council's elected members and officers are here to serve those who live in, work in, or visit Malvern.
2. The following procedure will be adopted for dealing with complaints about the Council's administration or its procedures. Complaints about a policy decision made by the Council will be referred back to the Council, or relevant committee, as appropriate, for consideration.
3. This procedure does not cover the complaints about the conduct of a member of the Town Council.
4. If a complaint about procedures, administration or the actions of any of the Council's employees is notified orally to a councillor, or to the Town Clerk, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.
5. The complainant will be asked to put the complaint in writing to the Town Clerk. The Town Clerk will acknowledge receipt within seven days and specify the date by which the complaint will be dealt with. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is in writing.
6. If the complainant prefers not to put the complaint to the Town Clerk (because the matter refers to the Town Clerk for example) they should be advised to write to the Mayor. The Town Clerk will be formally advised of the matter and given an opportunity to comment.
7. On receipt of a written complaint, the Town Clerk (except where the complaint is about his or her actions) or Mayor (if the complaint relates to the Town Clerk) will seek to settle the complaint directly with the complainant. This will not be done without first notifying any person complained about and giving him or her opportunity to comment. Efforts should be made to resolve the complaint informally at this stage.
8. If the Town Clerk or Mayor cannot satisfactorily resolve a complaint at 7 above or should they feel that further opinion should be canvassed before making a decision, then a meeting of the Emergency Decision Making Group will be called to discuss the matter. The Emergency Decision Making Group will be elected at Annual Council every May and will include The Mayor, the Deputy Mayor, the Chair and Vice-Chair of Policy and Resources committee and the Chair and Vice-Chair of Operations and Planning Committee. Every effort should be made to achieve a suitable resolution at this stage.



9. If the stages outlined at 7 and 8 do not successfully resolve a complaint, then it shall be forwarded to a meeting of an appropriate Committee or to Full Council. The Town Clerk will notify the complainant of the date on which the complaint will be considered and the complainant will be offered an opportunity to explain the complaint to the Committee or to Full Council in person.
10. The Town Clerk or Mayor will report any complaint disposed of by direct action with the complainant at the next meeting of Council.
11. Matters relating to grievance or disciplinary proceedings that are taking place or are likely to take place, will be dealt with in accordance with the Council's grievance and disciplinary procedures.
12. The appropriate Committee or Full Council may consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and public, but any decision on the complaint will be announced at the Council meeting in public. The Council must bear in mind the necessity to maintain confidentiality if it has been requested and to comply with the requirements of Data Protection Legislation with regard to personal information.
13. As soon as possible after the decision has been made (and in any event no later than ten working days after the meeting) the complainant will be notified in writing of the decision and any action that will be taken.
14. The appropriate Committee or Full Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with at the next meeting after the advice has been received.
15. In the event of serial facetious, vexatious or malicious complaints from a member of the public, the Council shall consider taking legal advice before writing letters to the complainant.

### **Where to send your complaint**

Personally, at the Town Council Offices: 28 – 30 Belle Vue Terrace, Malvern, WR14 4PZ

Office Hours: 9.00 am to 1.00 pm, and 2.00 pm to 5.00 pm, Monday to Thursday

8.30 am to 1.00pm, and 2.00 pm to 4.00 pm, Friday

By post to the above address

By telephone: 01684 566667

By email: [townclerk@malvern-tc.org.uk](mailto:townclerk@malvern-tc.org.uk)

- 16. Review and action
- 16.1. The Council recognises that it is important to review this policy regularly to ensure that it reflects up to date legislation and best practice.
- 16.2. A review of the Complaints Procedure will be carried out at least once every council term as a minimum and any necessary actions taken.

**A REPORT OF THE TOWN CLERK TO  
A MEETING OF THE POLICY AND RESOURCES COMMITTEE  
MALVERN TOWN COUNCIL**

**to be held on Wednesday 10 September 2025 at 6.00pm  
in the Park View Meeting Room, Victoria Park Road, Malvern Link**

**UPDATE TO SECTION 19 OF STANDING ORDERS; HANDLING STAFF MATTERS**

**1. Purpose of Report**

- 1.1. For recommendation to Full Council.

**2. Recommendation**

- 2.1. Committee are asked to review and revise Section 19 of the Council's Standing Orders; Handling Staff Matters.

**3. Background**

- 3.1. Standing Orders were recently reviewed by Policy and Resources Committee during the period February to May 2025.
- 3.2. At the Full Council meeting held on 25 June 2025, the updated set of Standing Orders were adopted but it was noted that the section on responsibility for staffing matters would need to be updated in due course.
- 3.3. The suggested amendments to Section 19 are included at Appendix A and reflect both the introduction of a new Staffing Committee and the Terms of Reference agreed for the new Staffing Committee in March 2025.
- 3.4. Committee members are asked to review, comment on and agree section 19 of the Council's Standing Orders.

**4. Financial Implications**

- 4.1. None pertaining to this report.

**5. Legal Implications**

- 5.1. A Council requires Standing Orders to regulate its proceedings and business.
- 5.2. Standing Orders in bold type contain legal and statutory requirements and therefore cannot be amended.

End

Linda Blake  
Town Clerk





**HANDLING STAFF MATTERS (Note: Due to be updated by Policy & Resources Committee to reflect the new staffing committee)**

- a. A matter personal to a member of staff that is being considered by a meeting of Council OR the **Staffing** Policy and Resources Committee is subject to standing order 11.
- b. Subject to the Council's policy regarding absences from work, the Town Clerk will ensure that levels of staff absence are reported to **Staffing** Policy and Resources Committee on a quarterly basis.
- c. **The Staffing Committee will appoint a panel of two members from the Staffing Committee and one qualified person from an outside body, as agreed by the Staffing Committee to carry out the appraisal of the Town Clerk.** ~~The Chair of the Policy and Resources Committee or in their absence, the Vice Chair, along with the Chair of the Council shall upon a resolution conduct a review of the performance and annual appraisals of the work of the Town Clerk and the Operations Manager. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the Staffing Policy and Resources Committee. The Staffing Policy and Resources Committee shall also have the responsibility of reviewing annual appraisals of all other Town Council employees once they have been completed by the Town Clerk and the Operations Manager.~~
- d. Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the Chair of the **Staffing** Policy and Resources Committee or in their absence, the Vice-Chair of the **Staffing** Policy and Resources Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the **Staffing** Policy and Resources Committee.
- e. Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by a member of staff relates to the Chair or Vice-Chair of the **Staffing** Policy and Resources Committee, this shall be communicated to another member of the **Staffing** Policy and Resources Committee, which shall be reported back and progressed by resolution of the Council.
- f. Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g. In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).



**A REPORT OF THE TOWN CLERK TO  
A MEETING OF THE POLICY AND RESOURCES COMMITTEE  
MALVERN TOWN COUNCIL**

**to be held on Wednesday 10 September 2025 at 6.00pm  
in the Park View Meeting Room, Victoria Park Road, Malvern Link**

**UPDATE TO POLICY AND RESOURCES TERMS OF REFERENCE**

**1. Purpose of Report**

- 1.1. For review and recommendation to Full Council.

**2. Recommendation**

- 2.1. Committee are asked to review and update the Terms of Reference for Policy and Resources Committee to reflect the transfer of staffing responsibilities to the new Staffing Committee.

**3. Background**

- 3.1. In March 2025, a new Staffing Committee was formed, and its terms of reference were approved by Full Council.
- 3.2. These terms of reference now overlap and supersede points 2.17 to 2.25 of the responsibilities held by Policy and Resources Committee (see Appendix A).
- 3.3. Committee are therefore requested to agree removal of points 2.17 to 2.25 from the Terms of Reference for Policy and Resources Committee as all matters are now covered by Staffing Committee.

**4. Financial Implications**

- 4.1. None pertaining to this report.

**5. Legal Implications**

- 5.1. None pertaining to this report.

End

Linda Blake  
Town Clerk





## MALVERN TOWN COUNCIL

# TERMS OF REFERENCE

## Policy and Resources Committee



## POLICY AND RESOURCES COMMITTEE

### TERMS OF REFERENCE

#### 1. CONSTITUTION

- 1.1. The Committee will consist of either nine or ten councillors appointed by Full Council at the Annual Council meeting or another council meeting should a vacancy occur during the year.
- 1.2. Committee meetings will be arranged by the Town Clerk with a quorum As agreed by Full Council.

#### 2. RESPONSIBILITIES

##### Policy and Resources

- 2.1. To keep under review the policies and resources of the Council.
- 2.2. To ensure Full Council receives detailed financial accounts on a quarterly basis together with a report on key aspects of the financial performance including proposals to address any major departures from the Council's budget.
- 2.3. To ensure Full Council receives the Full Year End Accounts and Annual Return in accordance with statutory rules and deadlines.
- 2.4. To make recommendations to the Council on the annual budget estimates and the Council's precept.
- 2.5. To consider and make recommendations to the Council on policy documents received from other organisations and affecting the area.
- 2.6. To develop and review the Policy and Resources Committee's aims and objectives.
- 2.7. To have the direction and control of insurance in respect of the Council's property, members and employees.
- 2.8. To regularly review the Council's treasury management activities and supervise the investment of funds within the Council's control.
- 2.9. To determine all grant applications received under the Council's approved Grants and Donations Policy/Scheme, subject only to the allocated budget not being exceeded.
- 2.10. To recommend and agree proposals from the RFO concerning the investment of cash surplus to current requirements and ensure such deposits are in line with good local government treasury practice.
- 2.11. To establish, monitor and review the Council's risk assessment programme.
- 2.12. To make recommendations to the Council as to the strategic management of Council assets and property, including the acquisition, management and disposal of property.
- 2.13. To agree, as required, any detailed activities necessary to ensure the proper and effective operation and management of Council property and assets. This to



include detailed matters related to property leasing, purchase and disposal. (Operations Committee is responsible for operational issues related to those assets under its control).

- 2.14. To determine depreciation and other detailed issues arising from the management of Council assets.
- 2.15. To consider and make recommendations to the Council as to the policies and initiatives which will contribute to and promote best value within the Authority.
- 2.16. To monitor the Council's Objectives, consider the risks of not achieving them, and make recommendations to Full Council

#### Staffing

Policy and Resources Committee will ensure that the following duties are undertaken as appropriate:

- 2.17. To review annual appraisals which will be completed for all employees where appropriate.
- 2.18. To review the annual appraisal process where appropriate.
- 2.19. To consider and make recommendations with regard to the grading of all employees.
- 2.20. To consider and review the Council's Training and Development Policy.
- 2.21. To consider and review the policies and procedures which relate to employee/councillor conduct.
- 2.22. To consider and review the Council's Grievance Policy.
- 2.23. If a disciplinary matter arises during the year, the staffing committee will be asked to nominate 3 members of the committee to form a disciplinary panel to deal with this matter.
- 2.24. Members of the Committee will be asked to rule themselves out if they believe that their presence on the panel would deem the process to be unfair and lacking impartiality.
- 2.25. To review other general staffing policies.