

## Notice/Summons

### Councillors:

G Taylor (Chair), R Jones, J Newark, I Nilsson-Forrest, J Redfearn, D Walker, L Welch.

**You are hereby summoned to attend the following meeting:**

### Acaster Malbis Parish Council Meeting

**When: Monday 8 January 2024 at 19:30**

**Where: Acaster Malbis Memorial Hall, Acaster Malbis**

Members of the press and public are invited to attend, rules of attendance are available on our website.

*Craig Booth*

Craig Booth, Clerk

posted: **3 Jan 2024**

## Meeting Agenda

### 147 Apologies

147.1 To receive apologies and approve reasons for absence.

### 148 Declarations of Interest

148.1 To receive declarations of interest from councillors on items on the agenda.

148.2 To receive written requests for dispensations for disclosable pecuniary interests (if any).

148.3 To grant any requests for dispensation as appropriate.

### 149 Council Minutes

149.1 To confirm the minutes of the council meeting on **27 November 2023** as a correct record.

### 150 Public Participation

150.1 Fifteen minutes is allocated for public participation. Up to five members of the public will be given no more than three minutes each to speak.

## Planning & COYC Report

### 151 Planning Applications

151.1 23/02187/FULM – Acaster Airfield, Remediation of agricultural land.

151.2 Any applications received after the agenda was posted.

### 152 Planning Decisions

152.1 23/01934/TPO – School Cottage, Mill Lane – Crown reduction to horse chestnut.  
Approved.

152.2 To receive an update from the Planning Coordinator on planning decisions by COYC.

## **153 City of York Council Ward Member Report**

153.1 To consider matters raised with/by the Ward Member Cllr M Nicholls.

## Finance

### **154 Financial matters**

154.1 To approve/note payments as detailed in Appendix 1 and any payments after posting agenda.

154.2 To note receipts as detailed in Appendix 2.

154.3 To approve a bank reconciliation report up to **31 December 2023** in Appendix 3.

154.4 To note the internal controls undertaken prior to the meeting.

154.5 To review the end of quarter budget position in Appendix 4.

## Discussion & Decision Items

### **155 Clerk's Report**

155.1 To receive the clerk's report on matters since the last meeting.

### **156 Standing Orders**

156.1 To consider adopting the revised standing orders DR015-3 (Appendix 5).

### **157 Data Breach Policy**

157.1 To consider adopting a new data breach policy DR037-1 (Appendix 6).

### **158 Internal Control Policy**

158.1 To consider adopting a new internal control policy DR033-1 (Appendix 7).

### **159 Council Precept**

159.1 To approve the precept notice for 2024/25 (Appendix 8).

## Correspondence, Training & Security

### **160 Correspondence**

To consider the following new correspondence and decide action where necessary.

160.1 White Rose Update (Dec 2023).

160.2 YLCA Law and Governance (Dec 2023).

160.3 YLCA Information and Training Bulletin (Dec 2023).

160.4 Digital Digest (Winter 2023)

160.5 D Day 80 Information (Jan 2024).

160.6 Weekly list of planning applications from COYC.

### **161 Training and Employment**

161.1 To receive reports from councillors having attended training or meetings of outside bodies.

### **162 Policing and Security**

162.1 To receive a Community Speed Watch report.

162.2 To receive local crime reports.

## Next Meeting

### **163 Information or items for inclusion on next meeting agenda**

163.1 To include any item on the agenda for the next meeting.

163.2 To exchange information not on the agenda. No discussion or decision may take place.

### **164 Date of the Next Meeting**

164.1 To confirm the date of the next meeting as 12 February 2024.

#### Acronyms:

AMPC Acaster Malbis Parish Council

COYC City of York Council

AMMH Acaster Malbis Memorial Hall

YLCA Yorkshire Local Council Association

## Appendix 1

### Payments to note/approve (N/A)

To whom	s137	N/A	Description	Total
HSBC Bank		A	Bank Charges	8.00
Yorkshire Local Councils Association		A	Cilca tutoring	275.00
C.H.Booth		A	Clerk's Salary – December	436.21
HMRC – PAYE Deducted		A	HMRC Tax	15.80
Society of Local Council Clerks		A	Cilca registration	450.00
C.H.Booth		A	Clerk's Salary – January	436.21
C.H.Booth		A	Clerk's Office Allowance	25.00
C.H.Booth		A	Clerk's Telephone Allowance	18.00
HSBC Bank		A	Bank Charges	8.00
			<b>Total</b>	<b>£1,672.22</b>

**Transfer of £1,672.22 from Money Manager to Current Account.**

## Appendix 2

### Receipts to note

From whom	Description	Total
HSBC Bank	Bank Interest	52.80
Acaster Marine	Slipway Rent	3,250.00
	<b>Total</b>	<b>£3,302.80</b>

## Appendix 3

### Bank Reconciliation

Bank	On	Total
HSBC Money Manager	31/12/2023	13,468.53
HSBC Community Account	31/12/2023	500.00
Petty Cash	31/12/2023	0.00
	<b>Total (A)</b>	<b>£12,556.42</b>

  

Cash Book	On	Total
Cash in hand	01/04/2023	11,842.33
Receipts to date	31/12/2023	8,571.18
Payments to date	31/12/2023	(6,444.98)
	<b>Total (B)</b>	<b>£13,968.53</b>

As totals **A = B** there no issue to report.

## Appendix 4

### Budget

Outgoings	Receipts					Payments					Net	
	Title	Budget	Actual	Forecast	Total	Variance	Budget	Actual	Forecast	Total	Variance	Net
Clerk's Salary							3,800.00	3,412.21	950.01	4,362.22	-562.22	-562.22
Clerk's Allowances							172.00	86.00	43.00	129.00	43.00	43.00
Office Expenses							200.00	42.46	50.01	92.47	107.53	107.53
AMMH Hall Hire							300.00		300.00	300.00		0.00
BHIB Insurance (fixed 2021-2024)							595.00	584.95		584.95	10.05	10.05
Professional Fees							160.00	155.00		155.00	5.00	5.00
Annual Subscriptions							537.50	514.00	41.00	555.00	-17.50	-17.50
Training							450.00	536.80	112.50	649.30	-199.30	-199.30
Website & Email Hosting							554.40	279.00	174.00	453.00	101.40	101.40
IT Equipment							250.00			0.00	250.00	250.00
Grants/Projects – Unplan							0.00	301.98		301.98	-301.98	-301.98
Grants/Projects – Plan							1,450.00	88.05		88.05	1,361.95	1,361.95
Defibrillator Maintenance							0.00	63.90		63.90	-63.90	-63.90
Software Purchase							200.00			0.00	200.00	200.00
Software Subscriptions							172.00	154.80		154.80	17.20	17.20
Bank Charges							96.00	74.50	24.00	98.50	-2.50	-2.50
							<b>8,936.90</b>	<b>6,293.65</b>	<b>1,694.52</b>	<b>7,988.17</b>	<b>948.73</b>	<b>948.73</b>

Incomings	Receipts					Payments					Net	
	Title	Budget	Actual	Forecast	Total	Variance	Budget	Actual	Forecast	Total	Variance	Net
COYC Precept		4,398.00	4,398.00		4,398.00	0.00						0.00
Bank Interest		12.00	138.83	3.00	141.83	129.83						129.83
Slipway Rent		3,250.00	3,250.00		3,250.00	0.00						0.00
VAT Refund												0.00
Grants		155.00	155.00		155.00	0.00						0.00
Miscellaneous												0.00
		<b>7,815.00</b>	<b>7,941.83</b>	<b>3.00</b>	<b>7,944.83</b>	<b>129.83</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>129.83</b>
<b>NET TOTAL</b>		<b>7,815.00</b>	<b>7,941.83</b>	<b>3.00</b>	<b>7,944.83</b>	<b>129.83</b>	<b>8,936.90</b>	<b>6,293.65</b>	<b>1,694.52</b>	<b>7,988.17</b>	<b>948.73</b>	<b>1,078.56</b>

## **Standing Orders v3**

### **Section 18 para a sub-para v**

OLD

£25,000

NEW

£30,000

### **Section 18 para c**

OLD

A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).

NEW

A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £30,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).

### **Section 18 para f**

OLD

A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.

NEW

Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of

those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details (LTN87).

## **Section 18 para g**

OLD

A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

NEW

Paragraph Deleted



# DATA BREACH POLICY

## 1 Introduction

Acaster Malbis Parish Council holds a large amount of information in a variety of formats stored on computers, in written documents, printed documents and photographs. This may include personal, sensitive or commercially confidential data.

The council has a legal duty to safeguard information in its control and so care should be taken to protect information, to ensure its integrity and to protect it from loss, theft or unauthorised access.

However, in the event of a data breach, it is important that the council acts quickly and appropriate action is taken to minimise associated risks, and to comply with its legal responsibilities.

## 2 Scope

This document applies to all councillors, employees of the council, contractual third parties and agents of the council who have access to information systems or information used for council purposes.

## 3 What is a data breach?

A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

This includes breaches that are the result of both accidental and deliberate causes. It also means that a breach is more than just about losing personal data.

Personal data breaches can include:

- access by an unauthorised third party;
- deliberate or accidental action (or inaction) by a controller or processor;
- sending personal data to an incorrect recipient;
- computing devices containing personal data being lost or stolen;
- alteration of personal data without permission; and
- loss of availability of personal data.

## 4 Incident Response Plan

The incident response plan of the council comprises a number of clearly identifiable steps:

- Report of the incident.
- Forming a Response Team from an initial assessment.
- Containment and recovery.
- Investigation and risk assessment.
- Notification.
- Review.

Each of the above steps are described in more detail below.



## **5 Reporting of an incident**

All incidents will be recorded in the security incident log maintained by the clerk over the lifecycle of the incident.

### **5.1 To whom?**

On discovery of an incident either as a result of automatic notification, accidental discovery, manual record checking or any other means, all personnel shall report the incident to the clerk to the council – [parish.clerk@acastermalbis-pc.gov.uk](mailto:parish.clerk@acastermalbis-pc.gov.uk).

### **5.2 Details required**

The clerk will require the person reporting the incident to provide further information, the nature of which will be dependent upon the incident being reported.

In all cases the following information will be required:

- Contact details of the person reporting the breach.
- The type of data or information involved (not the data unless specifically requested).
- Whether the data relates to people and if so how many people were involved.
- Location of the incident.
- Inventory and location of any equipment affected.
- Date and time the security incident occurred.
- Type and circumstances of the incident.

## **6 Response Team**

A preliminary assessment of the incident will be carried out by the clerk. The chair and clerk will consider the initial assessment and form a response team.

The response team will be the clerk for the smallest data breaches and the clerk and two council members for more significant incidents.

## **7 Containment and recovery**

The response team will determine the appropriate course of action and the required resources needed to limit the impact of the breach. For instance, this may require alerting relevant groups, organisations, parishioners, contractors or suppliers, changing access codes or locks or shutting down critical equipment.

Appropriate steps will be taken to recover data losses. This might entail using backup mechanisms to restore compromised or stolen data and changing compromised passwords.

If there is suspicion that the incident may be criminal in nature, all efforts will be made to preserve evidence integrity.

## **8 Investigation and risk assessment**

An investigation will be undertaken as soon as reasonably possible, but within 24 hours of the data breach being reported.

The investigation will focus on the cause of the breach, the risks associated with it, and will take into account:

- the type of personal data involved;
- the sensitivity of the data;
- the protections in place (e.g. encryptions);

- what happened to the data, whether it has been lost or stolen;
- whether the data can be put to any illegal or inappropriate use;
- the affected individuals, and the potential adverse consequences to them (including how serious/substantial these consequences could be, and the likelihood of occurrence);
- whether there are wider consequences to the breach; and
- other relevant considerations.

## **9 Notification**

### **9.1 Those affected**

The response team will determine if the incident presents a high risk to the rights and freedoms of individuals. If the risk is determined as high:

1. Within 48 hours the affected individuals must be informed about the incident as there may be a need for them to take actions to mitigate immediate risk of damage to them.
2. The individuals must be told in clear and plain language:
  - i. The nature of the personal data breach and;
  - ii. A description of the likely consequences of the personal data breach; and
  - iii. A description of the measures taken, or proposed to be taken, to deal with the personal data breach and including, where appropriate, of the measures taken to mitigate any possible adverse effects, and;
  - iv. The name and contact details of the clerk and chairman from where more information can be obtained;

### **9.2 Information Commissioners Office (ICO)**

The response team will determine whether the incident is notifiable to the ICO. A notifiable incident must be reported to the ICO within 72 hours of the initial report.

There is a self-assessment tool on the ICO website to determine if the data breach needs to be reported.

If the data breach is required to be reported the following information will be requested:

- what has happened;
- when and how you found out about the breach;
- the people that have been or may be affected by the breach;
- what you are doing as a result of the breach;
- who we should contact if we need more information and who else you have told.

The information provided should be accurate and with as much detail as possible – a copy of the supplied information will be returned.

## **10 Review**

Once the incident has been contained and any notifications have been made, the response team will carry out a review of the incident.

The review will provide a report to the council with its recommendations such as:

- policy or procedural changes;
- further training;
- additional IT security measures;
- other improvements.



# INTERNAL CONTROL POLICY

## 1 Introduction

The Accounts and Audit Regulations 2015 places a number of duties on Acaster Malbis Parish Council as a public authority as follows:

- Regulation 3 requires that the council has a sound system of internal control.
- Regulation 5 requires that the council undertakes an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance.
- Regulation 6 requires that the council conduct a review of the effectiveness of the system of internal control and prepare an annual governance statement.

This document describes the internal control processes of the council.

## 2 Responsibilities

The council has appointed a clerk to the Council who acts as the council's advisor and administrator. The clerk is the council's Responsible Financial Officer (RFO) and is responsible for administering the council's finances.

The clerk is responsible for advising on the day-to-day compliance with laws and regulations that the council is subject to and also for managing risk.

The clerk also provides advice to help the council ensure that its procedures, control systems and policies are adhered to.

## 3 Budget Control

Each year a business plan will be created that documents the objectives for the council in the following year. A budget will be created based upon the objectives on the business plan for that year. The budget will be considered by the council and once approved, the precept will be calculated. The precept notice will be sent to the City of York Council before the end of January.

The costs versus budget will be monitored quarterly at a meeting of the council to ensure that spending is in accordance with the budget. Purchase decisions outside of the budget will be recorded by resolution in a meeting of the council.

## 4 Risk Management

The council carries out an annual review of its financial risk in February/March, and will regularly reviews its systems, controls and policies.

## 5 Monthly Internal Control

At the end of each month the RFO will produce an internal control document comprising a bank reconciliation statement and a list of purchase and receipt transactions for that month. A council member will be asked to confirm the following:

- There is agreement between the bank statements and the bank reconciliation.

- That the entries listed in the transaction list agree with the bank statements.
- That no other transactions have taken place other than those listed.
- That the invoices totals in the cashbook agree with the actual invoice.

## **6 Internal Audit**

The council will appoint an independent and competent internal auditor who reports to the council on an annual basis on the adequacy of its

- Records
- Procedures
- Systems
- Internal control
- Regulations
- Risk management

The result of the internal audit will be considered by the council.

## **7 External Audit**

As a smaller authority not exceeding the £25,000 gross income/expenditure limit, the council will send a certificate of exemption to the external auditor as part of the annual governance process.

## **8 Annual Review**

Each year the council will carry out an annual review of the effectiveness of the system of internal control. The review will also include a review of the effectiveness of the internal audit.

The results of the review will be documented as a Review of Internal Control (see Appendix) and considered by the council.



## REVIEW OF INTERNAL CONTROL

Control Test	Tested	Comments
Ensuring an up-to-date Register of Assets		
Regular maintenance arrangement for physical assets		
Annual review of risk and the adequacy of Insurance cover		
Annual review of financial risk		
Awareness of Standing Orders And Financial regulations		
Adoption of Financial & Standing Orders		
Regular reporting on performance by contractors		
Annual review of contracts (where appropriate)		
Regular bank reconciliation, independently reviewed		
Regular scrutiny of financial records and proper arrangements for the approval of expenditure		
Recording in the minutes or appendices of the minutes the precise powers under which expenditure is being approved		
Payments supported by invoices, authorised and minuted		
Regular scrutiny of income records to ensure income is correctly received, recorded and banked		
Scrutiny to ensure precept recorded in the cashbook agrees to ESC notification		
Contracts of employment for staff Contract annually reviewed Updating records to record changes in relevant legislation PAYE/NIC properly operated by the		

Acaster Malbis Parish Council

Council as an employer		
VAT correctly accounted for VAT payments identified, recorded and reclaimed in the cashbook		
Regular financial reporting to Parish Council		
Regular budget monitoring statements as reported to Parish Council		
Compliance with 2014 Regulations: Officer Decision Reports		
Compliance with Local Transparency Code Of 2014: Items of expenditure incurred over £100		
Minutes properly numbered and paginated with a master copy kept in for safekeeping		
Procedures in place for recording and monitoring Members' Interests and Gifts of Hospitality		
Verifying that the Council is compliant with the General Data Protection Regulations. The following are in place: 1. Audit / Impact Assessment 2. Privacy Notices 3. Procedures for dealing with Subject Access Requests 4. Procedure for dealing with Data breaches 5. Data Retention & Disposal Policies		
Adoption of Codes of Conduct for Members		
Declarations of Acceptance of Office		

Date of review:

Councillor:

Considered by council:



**Acaster Malbis**  
Parish Council

## ***PRECEPT NOTICE 2024/25***

PRECEPT NOTICE FOR THE PARISH OF **ACASTER MALBIS**

City of York Council are hereby directed to  
pay the above mentioned Parish Council the sum of

£6,168.00

£ Six thousand one hundred and sixty-eight

being this Parish Council's precept for the 2024/25 financial year  
which includes a Council Tax Support Grant of £148.00

SIGNED : \_\_\_\_\_ Chairman

*Craig Booth*

Clerk to the Parish Council

DATED : 8 January 2024

Please return this form, by 31 January 2024, to [corinne.ross@york.gov.uk](mailto:corinne.ross@york.gov.uk) :

Or by post:  
City of York Council,  
West Offices,  
Station Rise,  
York,  
YO1 6GA